

***Case No COMP/M.4732 -
TERRA FIRMA / EMI***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION

Date: 11/07/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11.07.2007
SG-Greffe(2007)D/204412

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

Dear Madam(s) and/or Sir(s),

Subject: Case No. COMP/M.4732 – Terra Firma / EMI

Notification of 08 June 2007 pursuant to Article 4 of Council Regulation (EC)

No. 139/2004¹

**Publication in the Official Journal of the European Union No. C133 of
15/06/2007, page 22**

1. On 08/06/2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Terra Firma Investments (GP)2 Limited ("Terra Firma Investments GP2", Guernsey) and Terra Firma Investments (GP)3 Limited ("Terra Firma Investments GP3", Guernsey) which are controlled by TFPCP Holdings Limited and form part of the Terra Firma Group acquire via their newly founded vehicle company Maltby within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of EMI group plc ("EMI", United Kingdom) by way of public bid announced on 21 May 2007.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are:
 - for Terra Firma Investments GP2 and Terra Firma Investments GP3: investment funds
 - for EMI: music recording and music publishing
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No. 139/2004.

For the Commission
signed
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32