

EN

***Case No COMP/M.5289 -
AGUSTA / CAE /
ROTORSIM***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 27/02/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.2.2009
SG-Greffe(2009) D/1237
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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.5289 - AGUSTA/ CAE/ ROTORSIM
Notification of 26/01/2009 pursuant to Article 4 of Council Regulation (EC) No 139/2004¹
Publication in the Official Journal of the European Union No C 28, 04/02/2009, p.13**

1. On 26/01/2009 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Agusta S.p.A. ("Agusta", Italy), controlled by Finmeccanica- Societa per Azioni (Italy), and CAE Aviation Training B.V. ("CAE", The Netherlands), belonging to CAE Inc., (Canada) acquire within the meaning of Article 3(1)(b) of the Council Regulation, joint control over Rotorsim Srl. ("Rotorsim", Italy) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - for Agusta : manufacturing of helicopters and provision of related services;
 - for CAE : provision of simulation and control technologies and training solutions for aerospace;
 - for Rotorsim: operation of flight simulators.

¹ OJ L 24, 29.1.2004, p. 1.

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(a) and (c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.
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