

***Case No COMP/M.5323 -
HMC / HAI***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/10/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.10.2008
SG-Greffe(2008) D/206485
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PUBLIC VERSION

SIMPLIFIED PROCEDURE

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

To the notifying party:

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

Subject: Case No COMP/M.5323 - HCM/ HAI
Notification of 5323 pursuant to Article 4 of Council Regulation (EC) No 139/2004¹
Publication in the Official Journal of the European Union No C 246, 27.09.2008 p.20.

1. On 19.19.2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Hyundai Motor Company ("HMC", Korea) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Hyundai Automobili Italia Importazioni S.p.A ("HAI", Italy) by way of contribution in kind to a newly incorporated Italian company, ("Newco"), the share capital of which will be fully owned by HAI.

The business activities of the undertakings concerned are:

¹ OJ L 24, 29.1.2004, p. 1.

- for HMC: global manufacturer of motor vehicles
 - for HAI : wholesaler that distributes and imports and distributes Hyundai vehicles in Italy.
2. 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(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
 3. 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 by Lowri Evans on behalf of
Philip LOWE
Director General

² OJ C 56, 05.3.2005, p. 32.