

***Case No COMP/M.5598 -
DRAGADOS/ POL -
AQUA GROUP***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/09/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.9.2009
SG-Greffe(2009) D/5453
C(2009) 7080

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.5598 – DRAGADOS/ POL-AQUA GROUP
Notification of 13.8.2009 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 197, 21.8.2009,
p.9**

1. On 13.8.2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Dragados S.A. ("Dragados", Spain) belonging to Actividades de Construcción y Servicios, S.A. ("ACS Group", Spain) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Przedsiębiorstwo Robót Inżynieryjnych "POL-AQUA" S.A. ("Pol-Aqua Group", Poland) by way of a public bid announced on 30.7.2009.
2. The business activities of the undertakings concerned are:
 - for Dragados : Construction, dredging activities, civil works, concessions related to roads and railways

¹ OJ L 24, 29.1.2004, p. 1.

- for Pol-Aqua Group : Construction services within the scope of engineering, water treatment, roads and pipelines
- 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(c) 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.