

***Case No COMP/M.5770 -
CD&R/BCA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 17/02/2010

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EUROPEAN COMMISSION

Brussels, 17.2.2010
SG-Greffe(2010) D/2109
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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.5770 – CD&R/ BCA
Notification of 13.01.2010 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 15, 21.01.2010,
p. 31**

1. On 13.01.2010, the European Commission received notification of a proposed concentration pursuant to Article 4 of the EC Merger Regulation by which the undertaking CD&R Osprey Bidco Limited (UK), a special purpose vehicle which is controlled by Clayton, Dubilier and Rice Fund VIII, L.P. ("CD&R Fund VIII", Cayman Islands), ultimately indirectly controlled by Clayton, Dubilier & Rice ("CD&R", USA) acquires within the meaning of Article 3(1)(b) of the EC Merger Regulation control of the whole of BCA Holdings Limited ("BCA", UK) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for CD&R: private equity investment.
 - for BCA: used vehicle remarketing services.

¹ OJ L 24, 29.1.2004, p. 1 (the "EC Merger Regulation").

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the EC Merger Regulation 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 European 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 the EC Merger Regulation.

For the Commission
(signed)
Philip LOWE
Director General

² OJ C 56, 05.3.2005, p. 32 ("Notice on a simplified procedure").