

***Case No COMP/M.6103 -  
CVC/ CAPIO SANIDAD***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 23/02/2011

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EUROPEAN COMMISSION

Brussels, 23.2.2011  
SG-Greffe(2011) D/2696  
C(2011) 1283 final

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.6103 – CVC/ CAPIO SANIDAD**  
**Notification of 19.01.2011 pursuant to Article 4 of Council Regulation (EC) No 139/2004<sup>1</sup>**  
**Publication in the Official Journal of the European Union No C 102, 27.01.2011, p. 25**

1. On **19.01.2011**, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which CVC Capital Partners European Equity Fund V ("CVC Fund V", Jersey Island), ultimately controlled by CVC Capital Partners SICAV-FIS S.A. ("CVC", Luxembourg), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of CAPIO SANIDAD S.L. ("CAPIO", Spain) by way of purchase of shares.

The business activities of the undertakings concerned are:

- for CVC Fund V: investment fund advised by CVC, a private equity firm;

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

- for CAPIO: provision of private healthcare services in Spain.
- 2. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the 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 139/2004<sup>2</sup>.
- 3. 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 internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

For the Commission  
*(signed)*  
*Alexander ITALIANER*  
*Director General*

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<sup>2</sup> OJ C 56, 5.3.2005, p. 32.