

EN

***Case No COMP/M.6507 -
ANGLO AMERICAN /
DE BEERS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 06/03/2012

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EUROPEAN COMMISSION

Brussels, 6.03.2012
C(2012) 1561 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party

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

**Subject: Case No COMP/M.6507 - ANGLO AMERICAN / DE BEERS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 7 February 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Anglo American plc ("Anglo American", United Kingdom) acquires, within the meaning of Article 3(1)(b) of the Merger Regulation, control of the whole of the undertaking De Beers Group ("De Beers", Luxembourg) by way of purchase of shares.²
2. The business activities of the undertakings concerned are:
 - for Anglo American: the exploration, mining, processing and supply of various natural resources such as platinum group metals, rough diamonds (solely through its existing shareholding in De Beers), copper, iron ore, metallurgical coal, nickel and thermal coal,

¹ 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.

² Publication in the Official Journal of the European Union No C 38, 11.2.2012, p. 31.

- for De Beers: the exploration, mining, processing, valuation and supply of rough diamonds worldwide.
- 3. 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(d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.³
- 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 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

³ OJ C 56, 5.3.2005, p. 32.