

EN

Case No COMP/M.6988 - CKH/ CKI/ PAH/ AVR

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/08/2013

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EUROPEAN COMMISSION

Brussels, 16.8.2013
C(2013)5505 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6988 – CKH/ CKI/ PAH/ AVR
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 12.07.2013 the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Cheung Kong (Holdings) Limited ("CKH", Hong Kong), Cheung Kong Infrastructure Holdings Limited ("CKI", Hong Kong) and Power Assets Holdings Limited ("PAH", Hong Kong) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of AVR-Afvalverwerking B.V. ("AVR", The Netherlands) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - for CKH: investment holding, property development and investment, hotel and serviced suite operation, property and project management, and investment in infrastructure business and securities;
 - for CKI: electricity generation, transmission and distribution, gas distribution, water treatment and distribution, waste management, toll roads and infrastructure materials in Hong Kong, mainland China, the United Kingdom, Australia, New Zealand and Canada;
 - for PAH: investments in power generation assets, electricity and gas distribution networks, and renewable energy assets in mainland China, Hong Kong, the United Kingdom, Australia, Thailand, Canada and New Zealand;

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 205, 19.07.2013, p.19, p. 16 (HR).

- for AVR: waste management services with a focus on the production of energy from waste in The Netherlands.
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(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.
 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.