

***Case No COMP/M.7089 - ACKERMANS & VAN HAAREN/  
AANNEMINGSMAATSCHAPPIJ CFE***

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: 18/12/2013

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EUROPEAN COMMISSION

Brussels, 18.12.2013  
C(2013) 9687 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying party:**

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

**Subject: Case No COMP/M.7089 - ACKERMANS & VAN HAAREN/  
AANNEMINGSMAATSCHAPPIJ CFE**

**Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 18.11.2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Ackermans & van Haaren NV ("AvH", Belgium) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Aannemingsmaatschappij CFE NV ("CFE", Belgium) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - AvH is a publicly listed, diversified holding company with activities in dredging and marine engineering, construction, private banking, real estate, leisure and senior care, energy and resources, ICT and engineering, retail and distribution, media and printing, and investment funds.
  - CFE is a publicly listed, multidisciplinary group active in public private partnership concessions, construction, real estate, dredging and marine engineering, rail and road infrastructure, tertiary electricity, heating, ventilation, air-conditioning, sanitary

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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.

facilities ("HVAC"), electricity and HVAC maintenance, and smoke treatment.<sup>2</sup> CFE's dredging activities are carried out by DEME SA (Belgium), over which AvH has already joint control.

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) and 5(d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>3</sup>.
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*

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<sup>2</sup> Publication in the Official Journal of the European Union No C 346, 27.11.2013, p.50.

<sup>3</sup> OJ C 56, 5.3.2005, p. 32.