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***Case No COMP/M.7133 - INVESTINDUSTRIAL / KKR
/ RESORT HOLDINGS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 22/01/2014

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EUROPEAN COMMISSION

Brussels, 22.01.2014
C(2014)412

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/ M.7133 INVESTINDUSTRIAL / KKR / RESORT HOLDINGS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. [...] On 16 December 2013*, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Investindustrial IV, L.P. ("Investindustrial", United Kingdom) and KKR & Co., L.P. ("KKR", United States of America) will acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Resort Holdings B.V. ("Resort Holdings", the Netherlands), which controls Port Aventura Entertainment, S.A.U. (Spain) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - for Investindustrial: private equity fund, with investments in middle and small-sized companies mainly in Southern Europe;

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.

* [Should read *On 16 December 2013*]

² Publication in the Official Journal of the European Union No C376 , 21.12.2013, p. 24.

- for KKR: private equity investment fund, active in the provision of alternative asset management services and capital market solutions;
 - for Resort Holdings: amusement and theme park activities located in Spain.
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(b) 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 366, 14.12.2013, p. 5.