

EN

Case No COMP/M.7305 - TDR CAPITAL/ DELEK EUROPE

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 01/08/2014

***In electronic form on the EUR-Lex website under document
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EUROPEAN COMMISSION

Brussels, 1.8.2014
C(2014) 5649 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

Subject: Case M.7305 – TDR CAPITAL/ DELEK EUROPE
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹

1. On 9 July 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking TDR Capital LLP (“TDR”, UK) via a newly-incorporated company DEL Acquisitions B.V. (“DEL”, the Netherlands) will acquire sole control of the undertaking Delek Europe B.V. (“Delek Europe”, the Netherlands) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - TDR is a private equity firm which invests – mainly in the UK – in a variety of sectors including gyms and health clubs, vacant property services, modular construction, pubs and restaurants, debt purchasing, logistic pallet return and life assurance;
 - Delek Europe is the parent company of a number of subsidiaries through which it operates in the fuel marketing operations business in Belgium, France, Luxembourg and the Netherlands. It also supplies fuels in bulk and lubricants to wholesalers, industrial customers and transportation companies in the Benelux region.

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 227, 17.07.2014, p.19.

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.