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***Case No COMP/M.7503 -
TALANX / MOTA-ENGIL
/ INDAQUA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/03/2015

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EUROPEAN COMMISSION

Brussels, 24.3.2015
C(2015) 2152 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case M.7503 - TALANX / MOTA-ENGIL / INDAQUA
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

1. On 26 February 2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mota Engil Ambiente e Serviços, SGPS S.A. ("Mota Engil", Portugal) which belongs to Mota Engil SGPS ("Mota Engil Group", Portugal) and Talanx Infrastructure Portugal GmbH ("Talanx", Germany), which is ultimately controlled by HDI Haftpflichtverband der Deutschen Industrie V.a.G. ("HDI Group", Germany) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over Indaqua Industry and water management, S.A. ("Indaqua", Portugal) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - Talanx AG belongs to the HDI Group, which is active in the insurance business on a global level.
 - Mota Engil is active in engineering and construction, environment and services, mining, port operations and waste management sectors.

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 OJ L 1, 3.1.1994, p.3 ("the EEA Agreement").

³ Publication in the Official Journal of the European Union No C 078, 06.03.2015, p. 5.

- Indaqua is active in the provision of retail water supply services including the supply of water for human and industry consumption and wastewater treatment.
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(a) (i) and (ii) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
 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 and Article 57 of the EEA Agreement.

For the Commission

(Signed)

Alexander ITALIANER

Director-General

⁴ OJ C 366, 14.12.2013, p. 5.