

***Case No COMP/M.7535 -
IFMGIF / OHL GROUP /
CONMEX***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 13/03/2015

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

Brussels, 13.3.2015
C(2015)1790 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

Dear Sirs,

**Subject: Case M.7535 - IFMGIF / OHL GROUP / CONMEX
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 18 February 2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings IFM Global Infrastructure Fund ('IFMGIF', Cayman Islands) and Obrascón Huarte Lain SA, part of the Villar Mir group ('OHL group', Spain) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Concesionaria Mexiquense ('Conmex', Mexico) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for IFMGIF: a global investment fund,
 - for OHL Group: an international company primarily engaged in infrastructure and industrial construction projects and concessions, such as the development and operation of toll roads, ports, railways and airports,

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 66, 24.2.2015, p. 9.

- for CONMEX: a company engaged in the financing, construction and operation of a toll road in Mexico.
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) 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.