



EUROPEAN COMMISSION
DG Competition

Case M.8272 - CVC / CINVEN / NEWDAY

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 14/12/2016

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EUROPEAN COMMISSION

Brussels, 14.12.2016
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PUBLIC VERSION

To the notifying parties:

Subject: Case M.8272 – CVC / CINVEN / NEWDAY
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

Dear Sir or Madam,

1. On 22.11.2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which CVC Capital Partners SICAV-FIS SA ('CVC', Luxembourg) and Cinven Capital Management (VI) General Partner Limited ('Cinven (VI) GP', Guernsey) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of NewDay Group Holdings Sàrl ('NewDay', Luxembourg) by way of purchase of shares..³
2. The business activities of the undertakings concerned are:
 - CVC is a global private equity investment fund holding interests in various industries including chemicals, utilities, manufacturing, retailing and distribution,
 - Cinven (VI) GP is a global private equity investment fund holding interests in engineering, consumer and retail, healthcare and telecommunications businesses,
 - NewDay is a UK consumer finance provider offering credit cards, specifically, near-prime consumer credit cards and co-brand consumer credit cards, and store cards.

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 C445, 30/11/2016, p. 9.

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) 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)

*Johannes LAITENBERGER
Director-General*

⁴ OJ C 366, 14.12.2013, p. 5.