



EUROPEAN COMMISSION
DG Competition

Case M.8367 - BAIN CAPITAL / CONSOLIS

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/03/2017

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EUROPEAN COMMISSION

Brussels, 16.3.2017
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PUBLIC VERSION

To the notifying party

**Subject: Case M.8367 - BAIN CAPITAL / CONSOLIS
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 14 February 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Bain Capital Europe Fund IV, L.P. ("Bain Capital Europe Fund IV"), a fund managed by Bain Capital Investors, L.L.C. ("Bain Capital", United Kingdom), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the undertakings Consolis Holding SAS and Consolis SAS and their subsidiaries ("Consolis Group", France) by way of a purchase of shares.³
2. The business activities of the undertakings concerned are:
 - Bain Capital: private equity investment firm that invests in companies across most industries, including information technology, healthcare, retail and consumer products, communications, financial and industrial/manufacturing.
 - Consolis Group: design and manufacture of prefabricated concrete elements.
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

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 58, 23.02.2017, p.29.

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.