



EUROPEAN COMMISSION
DG Competition

Case M.8505 - NN GROUP / ATP / HOTEL

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 30/06/2017

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EUROPEAN COMMISSION

Brussels, 30.6.2017
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PUBLIC VERSION

To the notifying parties

**Subject: Case M.8505 – NN GROUP / ATP / HOTEL
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 7 June 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings NN Group N.V. ('NN Group', Netherlands), through its wholly owned subsidiary REI Germany B.V. ('REI', Netherlands), and Arbejdsmarkedets Tillægspension ('ATP', Denmark) indirectly acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over a building complex in Munich, Germany that mainly comprises a Holiday Inn hotel ('Hotel'), by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - NN Group: a global financial institution of Dutch origin offering investment and insurance services.
 - ATP: a Danish public pension fund with 4,9 million members under supervision by the Danish Financial Supervisory Authority. It administers a number of welfare and social security schemes that help to provide basic security for Danish citizens.

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 194, 17.06.2017, p. 47.

- Hotel: a building known as the Holiday Inn hotel located at Hochstraße 3, Munich, Germany and the appertaining parking, restaurants, bar and leisure facilities.
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.