



EUROPEAN COMMISSION  
DG Competition

***Case M.8610 - CKI / CKP / ISTA GROUP***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION

Date: 21/09/2017

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## EUROPEAN COMMISSION

Brussels, 21.9.2017  
C(2017) 6509 final

PUBLIC VERSION

### To the Notifying Parties

**Subject: Case M.8610 – CKI / CKP / ISTA GROUP  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

Dear Sir or Madam,

1. On 28 August 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking CK Hutchison Holdings Limited (“CKHH”, the Cayman Islands), indirectly via CK Infrastructure Holding Limited (“CKI”, Bermuda), and Cheung Kong Property Holdings Limited (“CKP”, Cayman Islands) acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the Ista Group, whose ultimate holding company is ista Luxembourg GmbH S.a.r.l (“ista” Luxembourg) by way of a purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for CKHH: ports and related services, retail, infrastructure, energy and telecommunications. Within CKHH, CKI manages diversified investments in energy infrastructure, transportation infrastructure, water infrastructure, waste management, waste-to-energy and infrastructure related businesses;
  - for CKP: property development and investment, hotel and serviced suite operation, property and project management, infrastructure investments and aircraft leasing;
  - for ista: provision of heat and water sub-metering services as well as related services.

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<sup>1</sup> 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.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 294, 05.9.2017, p. 5.

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(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>4</sup>
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*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.