



EUROPEAN COMMISSION  
DG Competition

***Case M.8634 - ATP / OTPP /  
COPENHAGEN  
AIRPORTS***

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: 07/11/2017

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EUROPEAN COMMISSION

Brussels, 7.11.2017  
C(2017) 7496 final

PUBLIC VERSION

**To the notifying parties**

**Subject: Case M.8634 – ATP / OTPP / COPENHAGEN AIRPORTS  
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 10 October 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Arbejdsmarkedets Tillaegspension (ATP, Denmark) and Ontario Teacher's Pension Plan Board (OTPP, Canada) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over the whole of the undertaking Copenhagen Airports A/S (CPH, Denmark) by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - **for ATP:** Danish public pension provider which administers a number of welfare and social security schemes,
  - **for OTPP:** investment management organisation that invests pension plan assets on behalf of active and retired teachers in the Canadian province of Ontario,
  - **for CPH:** owner and operator of the airports at Kastrup and Roskilde, Denmark, as well as owner of the Clarion Copenhagen Airport Hotel.

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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 350, 18.10.2017, p. 35.

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.<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.