



EUROPEAN COMMISSION
DG Competition

***Case M.8923 - AMP CAPITAL / AENA INTERNACIONAL /
LUTON AIRPORT***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 08/06/2018

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EUROPEAN COMMISSION

Brussels, 8.6.2018
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PUBLIC VERSION

To the notifying parties:

**Subject: Case M.8923 – AMP Capital/Aena Internacional/Luton Airport
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 15 May 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings AMP Capital Investors (UK) Limited ('AMP Capital', the United Kingdom), belonging to the corporate group of AMP Limited (Australia), and Aena Desarrollo Internacional, S.M.E., S.A. ('Aena Internacional', Spain), wholly-owned by Aena, itself majority-owned by the Spanish statutory corporation ENAIRE, acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control over London Luton Airport Operations Limited ('LLAOL', the United Kingdom), by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for AMP Capital: infrastructure investment and management services, including control over Newcastle International Airport and Leeds Bradford Airport in the United Kingdom;
 - for Aena Internacional: management of airport infrastructure;
 - for LLAOL: management and operation of London Luton Airport.
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 177, 24.05.2018, p.19.

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.