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M.10314 — Vinci/Energia Y Servicios Dinsa II

SECTION 1.2

Description of the concentration

On September 20, 2021, the European Commission received notification of a contemplated concentration, in accordance with Article 4 of the EU Merger Regulation No 139/2004, by which VINCI S.A. would acquire sole control of Energía y Servicios DINSA II, S.L.U., i.e. the vast majority of Grupo ACS's "Industrial Services" division.

The Proposed Transaction will be implemented by way of purchase of shares within the conditions set forth in the Share Purchase Agreement entered into by the Parties on the 31st of March 2021.

Grupo ACS and VINCI S.A. have also agreed on the creation of a joint-venture for the acquisition from the Target, operation, asset management and optimisation of renewable energy production assets developed and connected to the grid by Energía y Servicios DINSA II, S.L.U.

The Parties are respectively active in the following fields of activity:

VINCI S.A., established in France, is the ultimate parent company of the VINCI Group, a diversified group active, in France and a large number of countries in the fields of concessions and infrastructures (mainly motorways and airports), building, public works and civil engineering, electrical engineering, air-conditioned engineering, mechanical engineering and road works;

Energía y Servicios DINSA II, S.L.U. (which gathers the majority of the activities of Grupo ACS's "Industrial Services" division) is mainly active in Spain and to a lesser extent in Portugal, Germany, Denmark, France, Italy, Romania and in a large number of non-EEA countries, notably in Latin America; it offers electrical, mechanical and air conditioning/thermal engineering services, IT services and construction services and is also active in the development, construction, maintenance and operation of energy, renewable energy, oil & gas, industrial and mobility infrastructures; it includes eight greenfield concessions under development and/or construction (mainly in the electrical transmission field).