

***Case No COMP/M.5715 -  
LEISURE PARK  
HOLDINGS / CRITERIA  
CAIXA CORP / ACTIVOS  
PORT AVENTURA***

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: 02/12/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 02.12.2009  
SG-Greffe(2009) D/10910/10911  
C(2009) 9850

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying parties**

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.5715 - LEISURE PARK HOLDINGS/ CRITERIA CAIXA  
CORP/ ACTIVOS PORT AVENTURA  
Notification of 05/11/2009 pursuant to Article 4 of Council Regulation (EC) No  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No C 271, of 12 Nov  
2009, p.18**

1. On 05.11.2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Leisure Park Holdings S.A. ("Leisure", Luxembourg), controlled by Investindustrial Group (Investindustrial, Luxembourg) and Criteria Caixa Corp. S.A. ("Criteria", Spain), belonging to La Caixa Group ("La Caixa", Spain), will acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Activos Port Aventura ("Port Aventura Assets") by way of purchase of shares of a newly created company.
2. The business activities of the undertakings concerned are:
  - Leisure: is a subsidiary of Investindustrial, a private equity group.
  - Criteria: is an investment company, mainly active in the industrial and financial sectors.

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1.

- Port Aventura Assets: will be active in the operation of leisure parks.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No 139/2004 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>2</sup>.
  4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No 139/2004.

For the Commission  
(signed)  
Philip LOWE  
Director General

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<sup>2</sup> OJ C 56, 05.3.2005, p. 32.