

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.7969 — GIP/CPPIB/Asciano Businesses)

Candidate case for simplified procedure

(Text with EEA relevance)

(2016/C 84/06)

1. On 26 February 2016, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004⁽¹⁾ by which Global Infrastructure Management ('GIP' of the United States of America) and the Canada Pension Plan Investment ('CPPIB' of Canada) will acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of parts of Asciano Limited ('Asciano Businesses', of Australia), namely: (i) the Pacific National rail freight business ('Pacific National' of Australia); (ii) Asciano's bulk automotive ports services and logistics business and Asciano's 50 % interest in the Patrick/ACFS Port Services Logistics Joint Venture (together, the 'BAPS' businesses of Australia), by way of a public bid.

2. The business activities of the undertakings concerned are:

- for GIP: investing in single assets and portfolios of assets and companies in infrastructure and infrastructure-related assets in the transport, energy, water and waste industries,
- for CPPIB: investing in public equities, private equities, real estate, infrastructure and fixed income instruments,
- for Asciano Businesses: freight rail, port and logistics.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in this Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number M.7969 — GIP/CPPIB/Asciano Businesses, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

⁽²⁾ OJ C 366, 14.12.2013, p. 5.