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II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES
AND AGENCIES

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case COMP/M.6966 — 3i Group/Barclays Infrastructure Funds Management)****(Text with EEA relevance)**

(2013/C 263/01)

On 29 August 2013, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/en/index.htm>) under document number 32013M6966. EUR-Lex is the online access to the European law.

Non-opposition to a notified concentration**(Case COMP/M.6978 — Banco Popular/Credit Mutuel/ATM Business)****(Text with EEA relevance)**

(2013/C 263/02)

On 3 September 2013, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
 - in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/en/index.htm>) under document number 32013M6978. EUR-Lex is the online access to the European law.
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Non-opposition to a notified concentration**(Case COMP/M.6971 — Warburg Pincus/General Atlantic/Santander/Santander Asset Management)****(Text with EEA relevance)**

(2013/C 263/03)

On 22 August 2013, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
 - in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/en/index.htm>) under document number 32013M6971. EUR-Lex is the online access to the European law.
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IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾**11 September 2013**

(2013/C 263/04)

1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,3268	AUD	Australian dollar	1,4288
JPY	Japanese yen	132,96	CAD	Canadian dollar	1,3716
DKK	Danish krone	7,4587	HKD	Hong Kong dollar	10,2888
GBP	Pound sterling	0,84140	NZD	New Zealand dollar	1,6467
SEK	Swedish krona	8,6717	SGD	Singapore dollar	1,6833
CHF	Swiss franc	1,2395	KRW	South Korean won	1 438,79
ISK	Iceland króna		ZAR	South African rand	13,1680
NOK	Norwegian krone	7,8500	CNY	Chinese yuan renminbi	8,1187
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,5865
CZK	Czech koruna	25,783	IDR	Indonesian rupiah	15 048,94
HUF	Hungarian forint	299,44	MYR	Malaysian ringgit	4,3299
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	57,957
LVL	Latvian lats	0,7027	RUB	Russian rouble	43,5373
PLN	Polish zloty	4,2333	THB	Thai baht	42,444
RON	Romanian leu	4,4676	BRL	Brazilian real	3,0222
TRY	Turkish lira	2,6690	MXN	Mexican peso	17,3472
			INR	Indian rupee	84,0730

⁽¹⁾ Source: reference exchange rate published by the ECB.

NOTICES FROM MEMBER STATES

Information communicated by Member States regarding closure of fisheries

(2013/C 263/05)

In accordance with Article 35(3) of Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, a decision has been taken to close the fishery as set down in the following table:

Date and time of closure	12.8.2013
Duration	12.8.2013-31.12.2013
Member State	The Netherlands
Stock or group of stocks	POK/2A34.
Species	Saithe (<i>Pollachius virens</i>)
Zone	IIIa and IV; EU waters of IIa, IIIb, IIIc and Subdivisions 22-32
Type(s) of fishing vessels	—
Reference number	36/TQ40

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

NOTICES CONCERNING THE EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

State aid — Decision to close an existing aid case as a result of acceptance of appropriate measures by an EFTA State

(2013/C 263/06)

The EFTA Surveillance Authority has proposed appropriate measures, which were accepted by Norway, on the following aid measure:

Date of adoption of the decision: 30 April 2013

Case number: 69911

Decision number: 174/13/COL

EFTA State: Norway

Title: Financing of municipal waste collectors

Legal basis: The Pollution Control Act of 13 March 1981 No 6 ('the Pollution Control Act') and the Tax Act of 26 March 1999 No 14 ('the Tax Act')

Objective: n.a.

Economic sectors: Waste collection

Other information: Based on measures undertaken and further commitments given by the Norwegian authorities to amend the current financing regime and the removal of the tax exemption for municipal waste collectors, the Authority's concerns regarding the incompatibility of municipal waste collectors' financing were dispelled and the investigation closed.

The authentic text of the decision, from which all confidential information has been removed, can be found on the EFTA Surveillance Authority's website:

<http://www.eftasurv.int/state-aid/state-aid-register/>

No State aid within the meaning of Article 61(1) of the EEA Agreement

(2013/C 263/07)

The EFTA Surveillance Authority considers that the following measure does not constitute State aid within the meaning of Article 61(1) of the EEA Agreement:

Date of adoption of the decision:	24 April 2013
Case number:	68086
Decision number:	160/13/COL
EFTA State:	Norway
Title (and/or name of the beneficiary):	Alleged aid to lessors of premises to public schools
Form of aid:	n.a.
Duration:	n.a.
Name and address of the granting authority:	n.a.

The authentic text of the decision, from which all confidential information has been removed, can be found on the EFTA Surveillance Authority's website:

<http://www.eftasurv.int/state-aid/state-aid-register/>

No State aid within the meaning of Article 61(1) of the EEA Agreement

(2013/C 263/08)

The EFTA Surveillance Authority considers that certain of the following measures do not constitute State aid within the meaning of Article 61(1) of the EEA Agreement:

Date of adoption of the decision:	8 May 2013
Case number:	70506
Decision number:	181/13/COL
EFTA State:	Norway
Region:	Oslo
Title (and/or name of the beneficiary):	Alleged aid to Kollektivtransportproduksjon AS ('KTP'), Oslo Vognselskap AS and Unibuss AS
Legal basis:	Article 61 EEA
Type of measure:	No aid and existing aid in the form of public service compensation for public transport services (metro and tram) and related services (development of a payment and ticketing system)
Objective:	Local scheduled transport by metro and tram
Form of aid:	Guarantees, loans and direct grants in the form of public service compensation
Name and address of the granting authority:	Oslo Municipality Rådhuset 0037 Oslo NORWAY

The authentic text of the decision, from which all confidential information has been removed, can be found on the EFTA Surveillance Authority's website:

<http://www.eftasurv.int/state-aid/state-aid-register/>

State aid — Decision to close an existing aid case as a result of acceptance of appropriate measures by an EFTA State

(2013/C 263/09)

The EFTA Surveillance Authority has proposed appropriate measures, which were accepted by Norway, on the following aid measure:

Date of adoption of the decision: 30 April 2013

Case number: 69978

Decision number: 175/13/COL

EFTA State: Norway

Title: Financing of the fitness centre at Kippermoen Leisure Centre ('KLC')

Legal basis: Municipal decisions on annual deficit coverage and ticket revenue allocation

Objective: Service of general economic interest

Form of aid: Covering of annual deficit, the allocation of ticket revenue and not requiring a return on investment

Economic sectors: Fitness sector

Other information: Based on measures undertaken and further commitments given by the Norwegian authorities to amend the current financing regime of KLC, the Authority's concerns regarding the incompatibility of the municipality of Vefsn's financing of the fitness centre at KLC were dispelled and the investigation closed.

The authentic text of the decision, from which all confidential information has been removed, can be found on the EFTA Surveillance Authority's website:

<http://www.eftasurv.int/state-aid/state-aid-register/>

No State aid within the meaning of Article 61(1) of the EEA Agreement

(2013/C 263/10)

The EFTA Surveillance Authority considers that the following measure does not constitute State aid within the meaning of Article 61(1) of the EEA Agreement:

Date of adoption of the decision:	30 April 2013
Case number:	71170
Decision number:	176/13/COL
EFTA State:	Norway
Title (and/or name of the beneficiary):	Redningsselskapet
Type of measure:	No aid
Name and address of the granting authority:	Royal Norwegian Ministry of Fisheries and Coastal Affairs PO Box 8118 Dep. 0032 Oslo NORWAY and Norsk Tipping AS PO Box 4414 Bedriftssenteret 2325 Hamar NORWAY

The authentic text of the decision, from which all confidential information has been removed, can be found on the EFTA Surveillance Authority's website:

<http://www.eftasurv.int/state-aid/state-aid-register/>

V

(Announcements)

COURT PROCEEDINGS

EFTA COURT

Request for an Advisory Opinion from the EFTA Court by Fürstliches Landgericht dated 9 April 2013 in the case of Metacom AG v Rechtsanwälte Zipper & Collegen**(Case E-6/13)**

(2013/C 263/11)

A request has been made to the EFTA Court by a letter of 9 April 2013 from Fürstliches Landgericht (Princely Court of Justice, Liechtenstein), which was received at the Court Registry on 15 April 2013, for an Advisory Opinion in the case of Metacom AG v Rechtsanwälte Zipper & Collegen, on the following questions:

1. Can a European lawyer bringing proceedings in another EEA State in his own name and not pursuant to the mandate of a third party rely on Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services ⁽¹⁾?
2. Is an obligation on European lawyers to notify the authorities of the host State (as provided for here in Article 59 of the Liechtenstein Lawyers Act (*Rechtsanwaltsgesetz*)) compatible with Directive 77/249/EEC and, in particular, with Article 7 of that Directive?
3. If question 2 is answered in the affirmative: having regard to Directive 77/249/EEC, may a failure to provide notification in the host State on the part of a European lawyer engaged in the provision of services result in the consequence that the lawyer concerned may not claim lawyers' fees in accordance with the scale of fees provided for in the host State (in Liechtenstein the fees provided for in the Lawyers' Fees Act (*Gesetz über den Tarif für Rechtsanwälte und Rechtsagenten*) and the Lawyers' Fees Regulation (*Verordnung über die Tarifsätze der Entlohnung für Rechtsanwälte und Rechtsagenten*))?
4. Where a European lawyer engaged in the provision of services has only notified the authorities in the host State at a later date, may this subsequent notification result in the consequence that the lawyer may only claim fees in accordance with the scale of fees provided for in the host State in relation to the period following that notification but not in relation to procedural steps taken prior to that date?
5. Having regard to Directive 77/249/EEC, does the answer to questions 3 and 4 depend on whether at the start of the proceedings the court of the host State referred the European lawyer engaged in the provision of services to the obligation under the law of that State to notify the authorities?

⁽¹⁾ OJ L 78, 26.3.1977, p. 17.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.6979 — DSM R&D Solutions/Maastricht UMC-Holding/Device Company JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2013/C 263/12)

1. On 5 September 2013, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings DSM R&D Solutions BV ('DSM R&D Solutions', the Netherlands), belonging to the group Koninklijke DSM NV ('DSM', the Netherlands), and Maastricht UMC-Holding BV ('Maastricht UMC-Holding', the Netherlands) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Device Company BV ('Device Company JV', the Netherlands) by way of purchase of shares in a newly-created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - for DSM: human and animal nutrition, pharmaceuticals, performance materials and industrial chemicals,
 - for Maastricht UMC-Holding: creation and holding of legal entities aimed at commercialising scientific discoveries made in the health, nutrition and materials fields,
 - for Device Company JV: the production and sale of mobile infrared devices capable of measuring the constituent elements of pharmaceuticals, drugs and potentially other products, as an alternative to laboratory research.
3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC 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 EC Merger Regulation ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the 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 COMP/M.6979 — DSM R&D Solutions/Maastricht UMC-Holding/Device Company JV, 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 'EC Merger Regulation').

⁽²⁾ OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').

Prior notification of a concentration**(Case COMP/M.7032 — Koninklijke Reesink/Pon European Material Handling Business)****(Text with EEA relevance)**

(2013/C 263/13)

1. On 4 September 2013, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertaking Koninklijke Reesink NV (Netherlands) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the undertakings Pon Material Handling Europe BV (Netherlands) and Motrac Hydraulik GmbH (Germany) and joint control of the undertaking Pelzer Fördertechnik GmbH (Germany) (jointly referred to as Pon European Material Handling Business) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Koninklijke Reesink NV: distribution of (i) branded machinery and equipment for agricultural, landscaping, construction and earth moving applications; (ii) professional cleaning machines, (iii) steel products and (iv) personal safety products with a focus on the Netherlands and Belgium,
- for Pon European Material Handling Business: distribution of (i) hydraulic components and systems for industrial, agricultural and shipping applications, (ii) internal transport equipment (iii) professional cleaning machines, (iv) fast charging lithium ion battery solutions for the material handling market and (v) warehouse materials.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope the EC Merger Regulation. However, the final decision on this point is reserved.

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 e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.7032 — Koninklijke Reesink/Pon European Material Handling Business, 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 'EC Merger Regulation').

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

European Commission

2013/C 263/12	Prior notification of a concentration (Case COMP/M.6979 — DSM R&D Solutions/Maastricht UMC-Holding/Device Company JV) — Candidate case for simplified procedure ⁽¹⁾	11
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⁽¹⁾ Text with EEA relevance

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Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

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