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⁽¹⁾ Text with EEA relevance

I

(Resolutions, recommendations, guidelines and opinions)

OPINIONS

EUROPEAN CENTRAL BANK

OPINION OF THE EUROPEAN CENTRAL BANK

of 13 April 2007

on a proposal for Council directive on the identification and designation of European Critical Infrastructure and the assessment of the need to improve their protection

(CON/2007/11)

(2007/C 116/01)

Introduction and legal basis

On 23 January 2007 the European Central Bank (ECB) received a request from the Council of the European Union for an opinion on a proposal for a directive of the Council on the identification and designation of European Critical Infrastructures and the assessment of the need to improve their protection ⁽¹⁾ (hereinafter the 'proposed directive'). The proposed directive establishes a procedure for the identification and designation of European Critical Infrastructures (ECIs) whose disruption or destruction would significantly affect two or more Member States or a single Member State if the critical infrastructure is located in another Member State. The ECB's competence to deliver an opinion is based on the first indent of Article 105(4) of the Treaty establishing the European Community. In accordance with the first sentence of Article 17(5) of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.

1. General observations

- 1.1 The ECB fully supports the proposed directive's objective of enhancing coordination among the actions planned in different relevant European Union sectors for the prevention of, preparedness for and response to threats, particularly terrorist attacks involving critical infrastructures and cross-sector dependencies ⁽²⁾. In particular, the ECB considers it important to ensure that consistent and coordinated actions are taken in different sectors to properly respond to these threats.
- 1.2 The provisions of the proposed directive granting Member States certain responsibilities concerning the identification of the European Critical Infrastructures (hereinafter the 'ECIs'), their notification to the Commission, and the establishment, updating, review and, in particular, regular supervision of the Operator Security Plans ('OSPs') of ECIs, as well as reporting the summary of risks for each sector to the Commission, must respect existing national and EU authorities' competencies. These include the exclusive tasks of central banks, required to be performed in an independent manner in accordance

⁽¹⁾ COM(2006) 787 final.

⁽²⁾ The ECB also supports the view that the European Programme for Critical Infrastructure Protection should be based on an all-hazards approach while countering threats from terrorism as a priority and that under this approach, manmade, technological threats and natural disasters should be taken into account in the European critical infrastructure protection process.

with the Treaty ⁽¹⁾, as well as the tasks attributed to central banks under applicable national laws. In particular, it will be necessary to ensure that the national provisions implementing the proposed directive will be fully compatible with central banks' oversight powers or obligations with respect to payment, securities clearing and settlement systems and infrastructures, clearing houses and central counterparties ⁽²⁾. In this respect it is understood that the framework provided by this proposed directive will not prejudice central banks' powers and independence. A recital should be introduced in the proposed directive to reflect these considerations.

- 1.3 Moreover the ECB would like to stress that the Eurosystem and/or national central banks have already established measures ensuring business continuity in euro area payment systems, and the ECB considers that this work should be recognised with a view to avoiding duplication and ensuring consistency in the work done by several authorities.

2. Specific comments

- 2.1 *First*, the financial sector identified in the proposed directive is sub-divided into (1) payment and securities clearing and settlement infrastructure and systems; and (2) regulated markets. The ECB proposes broader wording to cover trading, payment, clearing and settlement systems and infrastructures for financial instruments.

- 2.2 *Second*, the definition of 'critical infrastructure' expressly recognises cross-sector dependencies since the effectiveness of implementing measures for any one sector could be severely undermined by failure to properly address sectoral interdependencies. However, it is noted that this definition does not expressly refer only to assets located solely within the EU. Therefore, it is not clear how assets located partly outside the EU, whose disruption or destruction would affect European critical infrastructures, would be treated under the proposed directive. The ECB would welcome further clarification of this issue.

- 2.3 *Third*, the 'severity test' relevant to the identification of European critical infrastructures is quite broad and should be enhanced with clearer indications to ensure consistency of designation across countries and sectors. It would be helpful to further clarify this concept when establishing cross-cutting and sectoral criteria through the comitology procedure under the proposed directive. It is noted that the proposed directive is likely to bring additional administrative requirements which are likely to have associated costs for infrastructures and relevant authorities. Depending on the establishment of such thresholds, infrastructures not currently overseen may be caught and subject to additional costs.

- 2.4 *Fourth*, a separate Community act may be needed to establish procedures to identify and designate ECIs owned or operated by Community institutions, bodies or agencies. While under the proposed directive the Commission may propose a list of critical infrastructures to be designated as ECIs on the basis both of notifications made by Member States and 'of any other information at the Commission's disposal', it might not be practical for ECIs operated by Community bodies and having a pan-European dimension to be part of a system that would be administered by the Member States.

⁽¹⁾ At the same time, in the context of the preparation of an overall, EU-wide strategy to protect critical infrastructures against terrorist attacks, recognition that the Eurosystem has such exclusive competence does not have the consequence of separating it entirely from the European Community and exempting it from every rule of Community law (paragraph 135 of Case C-11/00 *Commission v European Central Bank* [2003] ECR I-7147).

⁽²⁾ For example, the Eurosystem has established principles and procedures for the oversight of the payment and clearing systems and infrastructure, including preventive measures against operational problems, such as the business continuity oversight expectations for systemically important payment systems of June 2006.

- 2.5 *Fifth*, according to the proposed directive, the list of critical infrastructures designated as ECIs is required to be adopted in accordance with the comitology procedure established by the proposed directive ⁽¹⁾. The list of all ECIs would be adopted before the establishment and putting into operation of the OSPs containing relevant security solutions for the protection of the listed ECIs, since operators have a year following designation to draw up an OSP. In this context, publicity is undesirable for payment and securities clearing and settlement infrastructures and systems. In particular, as the purpose of the Directive includes the preparation for threats affecting financial markets, it would be unsound to publicly disclose the list of critical infrastructures materially relevant for the smooth functioning of financial markets. Today, no country in the world would publicly disclose such a list on the basis of similar considerations. The ECB therefore strongly recommends keeping the list of ECIs confidential.
- 2.6 *Finally*, the ECB strongly recommends giving adequate consideration to existing measures in defining implementing measures and focusing on those areas where no specific measures have been so far identified. In this context it seems therefore desirable not to start work on defining or implementing measures in the areas of payments and clearing, but rather to acknowledge the work already done by the competent authorities. On the one hand, additional regulation and related burdens will need to be justified through adequate impact analysis. On the other hand, it is important to keep standards and regulations in this area sufficiently flexible so that they can be easily and continuously adapted to the changing environment. The ECB would prefer no specific legally binding measures to be adopted. Should the Commission decide to adopt implementing measures, the ECB will have to be formally consulted under the Treaty on any such measures relating to payment and securities clearing and settlement infrastructures and systems, and other matters falling within the ECB's fields of competence ⁽²⁾.

3. Drafting proposals

Where the above advice would lead to changes in the proposed directive, drafting proposals are set out in the Annex.

Done at Frankfurt am Main, 13 April 2007.

The Vice-President of the ECB

Lucas D. PAPADEMOS

⁽¹⁾ Article 4(2) and Article 11 of the proposed directive.

⁽²⁾ First indent of Article 105(4) of the Treaty.

ANNEX

Drafting proposals

Text proposed by the Commission

Amendments proposed by the ECB ⁽¹⁾

Amendment 1

New recital 17a

For the purposes of the financial sector, this Directive should be compatible with the tasks and duties conferred on the European System of Central Banks (ESCB) by the Treaty and the Statute of the European System of Central Banks and of the European Central Bank. Particular attention in this regard needs to be given to the operation and oversight of payment and securities clearing and settlement infrastructures and systems by the ESCB central banks, and to the contribution made by central banks to the stability of the financial system. To avoid unnecessary duplication of work, Member States should rely on the work and regular assessments conducted by the central banks within their fields of competence.

Justification — See paragraph 1.2 of the opinion

Annex 1 List of critical infrastructure sectors

VII Financial

Payment and securities clearing and settlement infrastructures and systems

Regulated markets

VII Financial

Trading, payment ~~and securities~~ clearing and settlement infrastructures and systems **for financial instruments**

~~Regulated markets~~

Justification — See paragraph 2.1 of the opinion

⁽¹⁾ Bold in the body of the text indicates where the ECB proposes inserting new text. Strikethrough in the body of the text indicates where the ECB proposes deleting the text.

II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS AND BODIES

COMMISSION

Communication from the Commission concerning proposals to amend Council Regulation (EC) No 318/2006 on the common organisation of the markets in the sugar sector and Council Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community

(2007/C 116/02)

The Commission has on 7 May 2007 presented to the Council a proposal for a Regulation amending Council Regulation (EC) No 320/2006 of 20 February 2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community ⁽¹⁾ and a proposal for a Regulation amending Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽²⁾.

The aim of the first proposal is to make the participation in the restructuring scheme more attractive. To that end, it is proposed to fix the percentage of the restructuring aid to be paid to growers and machinery contractors at 10 %, thereby removing the uncertainty resulting from the current possibility that a Member State might decide to set a higher percentage. Growers are instead to receive an additional payment.

It is further proposed to introduce for the marketing year 2008/2009 a possibility for growers to trigger the restructuring process by making a direct application for restructuring aid, provided that they renounce their delivery rights in relation to undertaking to which they have been bound by delivery contracts in the previous marketing year. As a consequence, the Member State should reduce the quota of the undertaking concerned correspondingly. The application of the proposed measure is however limited to a quota reduction of up to 10 % of the quota allocated to the undertaking concerned, and the Member State's acceptance of growers' applications should thus be based on a first-come-first-served list.

The amendments to Regulation (EC) No 320/2006 should start to apply as from the 2008/2009 marketing year. Considering that the deadline for applications for restructuring aid is 31 January 2008, sugar undertakings and growers are advised to carefully analyze their competitive position in the medium and long term and prepare for their eventual applications for restructuring aid in due time.

The second proposal concerns amendments to the provisions of Regulation (EC) No 318/2006 governing the instrument of withdrawal. This includes integrating into the Council Regulation the criteria laid down in Commission Regulation (EC) No 290/2007 ⁽³⁾ with regard to a possible further withdrawal in autumn 2007. It is also proposed to abolish the provision according to which traditional supply needs for refiners shall be reduced in case of a withdrawal. This would apply as from the marketing year 2007/2008.

⁽¹⁾ OJ L 58, 28.2.2006, p. 48.

⁽²⁾ OJ L 58, 28.2.2006, p. 1.

⁽³⁾ OJ L 78, 17.3.2007, p. 20.

Non-opposition to a notified concentration
(Case COMP/M.4608 — Siemens/UGS Corporation)

(Text with EEA relevance)

(2007/C 116/03)

On 27 April 2007, 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:

- from the Europa competition website (<http://ec.europa.eu/comm/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 under document number 32007M4608. EUR-Lex is the on-line access to European law. (<http://eur-lex.europa.eu>)

Non-opposition to a notified concentration
(Case COMP/M.4609 — Shell/Collier Capital/STV)

(Text with EEA relevance)

(2007/C 116/04)

On 29 March 2007, 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:

- from the Europa competition website (<http://ec.europa.eu/comm/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 under document number 32007M4609. EUR-Lex is the on-line access to European law. (<http://eur-lex.europa.eu>)
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Non-opposition to a notified concentration
(Case COMP/M.4559 — Balfour Beatty/Galaxy/Exeter Airport)

(Text with EEA relevance)

(2007/C 116/05)

On 12 March 2007, 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:

- from the Europa competition website (<http://ec.europa.eu/comm/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 under document number 32007M4559. EUR-Lex is the on-line access to European law. (<http://eur-lex.europa.eu>)

Non-opposition to a notified concentration
(Case COMP/M.4665 — The Apollo Group/Claire's Stores)

(Text with EEA relevance)

(2007/C 116/06)

On 22 May 2007, 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:

- from the Europa competition website (<http://ec.europa.eu/comm/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 under document number 32007M4665. EUR-Lex is the on-line access to European law. (<http://eur-lex.europa.eu>)
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IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND
BODIES

COMMISSION

Euro exchange rates ⁽¹⁾**25 May 2007**

(2007/C 116/07)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,3441	RON Romanian leu	3,2724
JPY Japanese yen	163,50	SKK Slovak koruna	34,025
DKK Danish krone	7,4518	TRY Turkish lira	1,7885
GBP Pound sterling	0,67750	AUD Australian dollar	1,6399
SEK Swedish krona	9,1912	CAD Canadian dollar	1,4570
CHF Swiss franc	1,6499	HKD Hong Kong dollar	10,5146
ISK Iceland króna	83,47	NZD New Zealand dollar	1,8506
NOK Norwegian krone	8,0945	SGD Singapore dollar	2,0546
BGN Bulgarian lev	1,9558	KRW South Korean won	1 247,66
CYP Cyprus pound	0,5832	ZAR South African rand	9,5780
CZK Czech koruna	28,308	CNY Chinese yuan renminbi	10,2860
EEK Estonian kroon	15,6466	HRK Croatian kuna	7,3128
HUF Hungarian forint	249,83	IDR Indonesian rupiah	11 760,88
LTL Lithuanian litas	3,4528	MYR Malaysian ringgit	4,5578
LVL Latvian lats	0,6961	PHP Philippine peso	61,963
MTL Maltese lira	0,4293	RUB Russian rouble	34,8120
PLN Polish zloty	3,8105	THB Thai baht	44,057

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

NOTICES FROM MEMBER STATES

Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 1628/2006 on the application of Articles 87 and 88 of the Treaty to national regional investment aid

(Text with EEA relevance)

(2007/C 116/08)

Aid No	XR 5/07
Member State	United Kingdom
Region	Tier 1(87 3(a)) — Tier 2 (87 3(c))
Title of aid scheme or the name of the undertaking receiving ad hoc aid supplement	Scottish Property Support Scheme
Legal basis	Enterprise and New Towns (Scotland) Act 1990 as amended by Scottish Statutory Instrument 2001 No 126 Local Government Act 1973 and Section 171 of the Local Government Act ect (Scotland) Act 1994
Type of measure	Aid scheme
Annual budget	GBP 16 million
Maximum aid intensity	30 % In conformity with Article 4 of the Regulation
Date of implementation	1.1.2007
Duration	31.12.2013
Economic sectors	All sectors eligible for regional investment aid
Name and address of the granting authority	Scottish Executive Enterprise, Transport and Lifelong Learning Department 5 Cadogan Street Glasgow G2 6AT United Kingdom Scottish Enterprise 5 Atlantic Quay 150 Broomielaw Glasgow G2 8LU United Kingdom Highlands and Islands Enterprise Cowan House Inverness Retail and Business Park Inverness IV2 7GF United Kingdom Scottish Local Authority Economic Development Group Stan Ure Chairman, SLAED c/o Economic Development Department Dundee City Council 3 City Square Dundee DD1 3BA United Kingdom
Internet address of the publication of the aid scheme	http://stateaidscotland.gov.uk/state_aid/SA_ApprovalsView.jsp?pContentID=354&p_applic=CCC&p_service=Content.show&
Other information	—

Aid No	XR 7/07
Member State	United Kingdom
Region	Northern Ireland
Title of aid scheme or the name of the undertaking receiving ad hoc aid supplement	Urban Development Grant Scheme
Legal basis	Social Need Order 1986
Type of measure	Aid scheme
Annual budget	GBP 9 million
Maximum aid intensity	30 %
	In conformity with Article 4 of the Regulation
Date of implementation	1.1.2007
Duration	31.12.2013
Economic sectors	All sectors eligible for regional investment aid
Name and address of the granting authority	Department for Social Development Urban Regeneration Policy Unit Lighthouse Building 1 Cromac Place Gasworks Business Park Ormeau Road Belfast BT7 2JB United Kingdom Tel. (44-28) 90 82 93 67
Internet address of the publication of the aid scheme	http://www.dsadni.gov.uk/index/urcdg-urban_regeneration/programmes_measures/special_measures_focusing_on_belfast_and_londonderry/udg.htm
Other information	—

Aid No	XR 15/07
Member State	United Kingdom
Region	Tier 1 (87 3 (a)) — Tier 2 (87 3(c))
Title of aid scheme or the name of the undertaking receiving ad hoc aid supplement	Regional Selective Assistance — Scotland
Legal basis	Industrial Development Act 1982, section 7 Enterprise and New Towns (Scotland) Act 1990, as amended by Scottish Statutory Instrument 2001 No 126
Type of measure	Aid scheme
Annual budget	GBP 85 million
Maximum aid intensity	30 %
	In conformity with Article 4 of the Regulation
Date of implementation	1.1.2007
Duration	31.12.2013
Economic sectors	All sectors eligible for regional investment aid

Name and address of the granting authority	<p>Scottish Executive Enterprise, Transport & Lifelong Learning Department 5 Cadogan Street Glasgow G2 6AT United Kingdom Tel. (0141) 242 5674 E-mail: allan.mccabe@scotland.gsi.gov.uk</p> <p>Scottish Enterprise 5 Atlantic Quay 150 Broomielaw Glasgow G2 8LU United Kingdom Tel. (0141) 228 2066 E-mail: Karen.fraser@scotent.co.uk</p> <p>Highlands & Islands Enterprise Cowan House Inverness Retail and Business Park Inverness IV2 7GF United Kingdom Tel. (01463) 244 474 E-mail: Melvyn.waumsley@hient.co.uk</p>
Internet address of the publication of the aid scheme	www.rsascotland.gov.uk
Other information	—

Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 70/2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises

(Text with EEA relevance)

(2007/C 116/09)

Aid No	XS 116/07
Member State	Italy
Region	Regione Lazio
Title of aid scheme or name of company receiving individual aid	Agevolazioni a favore di PMI per progetti di ricerca industriale e sviluppo precompetitivo
Legal basis	Deliberazione della giunta regionale n. 28 del 25.1.2007, in corso di pubblicazione sul Bollettino Ufficiale della Regione Lazio, attuativa della legge 27.10.1994, n. 598, art. 11 e s.m.i.
Annual expenditure planned or overall amount of individual aid granted to the company	EUR 25 million
Maximum aid intensity	The contribution may not exceed the ceilings laid down by Community law.
Date of implementation	25.1.2007
Duration of scheme or individual aid award	Open-ended; the aid scheme is in any case exempt from compulsory notification under Article 88(3) of the EC Treaty up to 30 June 2008, when Regulation (EC) No 70/2001 (as amended) expires, unless extended.
Objective of aid	The aid is intended to facilitate industrial research and pre-competitive development activity.
Economic sectors concerned	All sectors eligible for aid to SMEs.
Name and address of the granting authority	Regione Lazio — Assessorato della Piccola e media impresa, commercio e artigianato Direzione regionale attività produttive Via Cristoforo Colombo, 212 I-00147 Roma Tel. (39) 06 51 68 37 75 Fax (39) 06 51 68 37 73 E-mail: nconsole@regione.lazio.it
Other information	The aid scheme itself was approved by Commission Decision C(2002) 691 cor. of 5 March 2002.

Aid No	XS 132/07
Member State	Cyprus
Region	—
Title of aid scheme or name of company receiving individual aid	Πρόγραμμα «Διακρατική Συνεργασία Κύπρου-Ρουμανίας»/Programma «Diakratici Synergasia Kyproy-Roymanias»

Legal basis	Απόφαση Υπουργικού Συμβουλίου 64.596 ημερομηνίας 9 Νοεμβρίου 2006 και Απόφαση του Διοικητικού Συμβουλίου του Ιδρύματος Προώθησης Έρευνας της 14ης Μαρτίου 2006
Type of measure	Aid scheme
Budget	Annual budget: EUR 0,2 million; Overall budget: —
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation
Date of implementation	2.4.2007
Duration	31.12.2007
Objective	Small and medium-sized enterprises
Economic sectors	All sectors eligible for aid to SMEs
Name and address of the granting authority	Ίδρυμα Προώθησης Έρευνας/Idryma Proothisis Ereynas Γωνία Απελλή και Νιρβάνα, Αγ. Ομολογητές, CY-1683, Λευκωσία/Gonia Apelli kai Nirbana, Ag. Omologites, CY-1683, Leykosia

Aid No	XS 133/07
Member State	Cyprus
Region	—
Title of aid scheme or name of company receiving individual aid	Πρόγραμμα «Διακρατική Συνεργασία Κύπρου-Σλοβενίας»/Programma «Diakratiki Synergasia Kyproy-Slovenias»
Legal basis	Απόφαση Υπουργικού Συμβουλίου 58.911 ημερομηνίας 12 Νοεμβρίου 2003 και Απόφαση του Διοικητικού Συμβουλίου του Ιδρύματος Προώθησης Έρευνας της 14ης Μαρτίου 2006
Type of measure	Aid scheme
Budget	Annual budget: EUR 0,175 million; Overall budget: —
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation
Date of implementation	2.4.2007
Duration	31.12.2007
Objective	Small and medium-sized enterprises
Economic sectors	All sectors eligible for aid to SMEs
Name and address of the granting authority	Ίδρυμα Προώθησης Έρευνας/Idryma Proothisis Ereynas Γωνία Απελλή και Νιρβάνα, Αγ. Ομολογητές, CY-1683, Λευκωσία/Gonia Apelli kai Nirbana, Ag. Omologites, CY-1683, Leykosia

Aid No	XS 134/07
Member State	Austria
Region	Niederösterreich

Title of aid scheme or name of company receiving individual aid	Richtlinien der NÖ Bürgschaften GmbH
Legal basis	1. Satzung der NÖ Bürgschaften GmbH 2. Verordnung (EG) Nr. 70/2001 der Kommission vom 12. Januar 2001 über die Anwendung der Artikel 87 und 88 des EG-Vertrags auf staatliche Beihilfen an kleine und mittlere Unternehmen in der geltenden Fassung
Type of measure	Aid scheme
Budget	Annual budget: EUR 2,3 million; Overall budget: —
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation
Date of implementation	1.4.2007
Duration	30.6.2008
Objective	Small and medium-sized enterprises
Economic sectors	All sectors eligible for aid to SMEs
Name and address of the granting authority	NÖ Bürgschaften GmbH Gottfried-Keller-Gasse 2 A-1030 Wien

Aid No	XS 142/07
Member State	United Kingdom
Region	North East of England
Title of aid scheme or name of company receiving individual aid	Sea Dragon Technical Services Ltd
Legal basis	Regional Development Act 1999
Type of measure	Individual aid
Budget	Annual budget: —; Overall budget: GBP 0,065 million
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation
Date of implementation	26.4.2007
Duration	30.12.2007
Objective	Small and medium-sized enterprises
Economic sectors	All manufacturing
Name and address of the granting authority	Fergus Mitchell ONE Northeast Stella House Newcastle Upon Tyne NE15 8NY United Kingdom

Aid No	XS 145/07
Member State	Germany
Region	Sachsen-Anhalt
Title of aid scheme or name of company receiving individual aid	Richtlinie über die Gewährung von Zuwendungen zur Inanspruchnahme von Beratungsleistungen durch Kleinunternehmen, kleine und mittlere Unternehmen in Sachsen-Anhalt (Beratungshilfeprogramm)
Legal basis	Mittelstandsförderungsgesetz (MFG) vom 27.6.2001, Landeshaushaltsordnung des Landes Sachsen-Anhalt (LHO) vom 30.4.1991, zuletzt geändert durch Artikel 2 des Gesetzes vom 28.4.2004
Type of measure	Aid scheme
Budget	Annual budget: EUR 1,239 million; Overall budget: —
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation
Date of implementation	1.5.2007
Duration	30.6.2008
Objective	Small and medium-sized enterprises
Economic sectors	All sectors eligible for aid to SMEs
Name and address of the granting authority	Investitionsbank Sachsen-Anhalt, Förderberatungszentrum Domplatz 12 D-39104 Magdeburg

V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION
POLICY

COMMISSION

Prior notification of a concentration**(Case COMP/M.4628 — Salzgitter/Vallourec Précision Etirage/Werk Zeithain)****(Text with EEA relevance)**

(2007/C 116/10)

1. On 21 May 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation No 139/2004 ⁽¹⁾ by which the undertaking Salzgitter AG ('Salzgitter', Germany) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Vallourec Précision Etirage S.A.S. ('VPE', France) controlled by Vallourec SA ('Vallourec', France) by purchase of shares and over the steel plant of V&M Deutschland GmbH based in Zeithain, ('Werk Zeithain', Germany), by way of purchase of assets.

2. The business activities of the undertakings concerned are:

- for Salzgitter: production and sale of various steel products, including steel tubes, and provision of related services;
- for Vallourec: production and sale of steel tubes for gas, energy, automotive, petrochemistry and engineering applications;
- for VPE: production and sale of precision steel tubes;
- for Werk Zeithain: production of seamless hollows.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. 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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4628 — Salzgitter/Vallourec Précision Etirage/Werk Zeithain, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Prior notification of a concentration
(Case COMP/M.4486 — Leitner/Strabag/Nordpark)
Candidate case for simplified procedure

(Text with EEA relevance)

(2007/C 116/11)

1. On 21 May 2007, 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 A-WAY Infrastrukturprojekt-entwicklungs- und -betriebs GmbH ('A-WAY', Austria), part of the group STRABAG SE ('STRABAG', Austria), and the undertaking Leitner GmbH, part of the group Leitner SpA ('Leitner group', Italy), acquire within the meaning of Article 3 (1)(b) of the Council Regulation joint control of the undertaking Nordpark Errichtungs- und Betriebs GmbH ('Nordpark'), a company previously solely controlled by A-WAY, by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- Leitner group: construction of cablecars, planning and building of wind power plants and passenger transport systems;
- Leitner GmbH: construction of cablecars;
- STRABAG: construction sector;
- A-WAY: holding of Nordpark;
- Nordpark: building and operation of cablecars in the region of Innsbruck.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under 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 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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4486 — Leitner/Strabag/Nordpark, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

Prior notification of a concentration
(Case COMP/M.4671 — UTC/Initial Electronic Security Group)

(Text with EEA relevance)

(2007/C 116/12)

1. On 16 May 2007, 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 United Technologies Corporation ('UTC', United States) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Rentokil Initial plc's Electronic Security Group ('Initial ESG', United Kingdom) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for UTC: diversified group active in the provision of products and services for the building systems and aerospace, including electronic security, monitoring, fire detection and suppression systems;
- for Initial ESG: provision of electronic security and fire detection and alarm systems and related services.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. 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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4671 — UTC/Initial Electronic Security Group, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.