



Determination of the Competition Authority

Determination No. M/03/028 of the Competition Authority, dated 2nd October 2003, under Section 21 of the Competition Act, 2002

Notification No. M/03/028 – Acquisition by General Electric Capital Corporation of the commercial lending business of Transamerica Finance Corporation

Introduction

1. On 4th September 2003 the Competition Authority, in accordance with Section 18 (1) of the Competition Act, 2002 (“the Act”) was notified, on a mandatory basis, of a proposal whereby General Electric Capital Corporation (GECC) would acquire most of the worldwide commercial lending business of Transamerica Finance Corporation (TFC) by means of a stock and asset purchase agreement.

The Parties

2. GECC is a wholly-owned subsidiary of General Electric (GE), which is a diversified industrial corporation registered in the US. GECC provides financing to businesses and arranges financial services and products worldwide. In Ireland GECC provides a broad range of commercial financing products.
3. TFC provides commercial financing in the form of distribution financing for manufacturers and dealers, as well as equipment financial services and specialty finance. TFC has no physical presence in Ireland but does engage in some distribution and equipment financing in Ireland.

Analysis

4. Although there is some overlap in the parties’ activities in Ireland, TFC’s presence in the State is very small and the increase in concentration arising from the transaction is minimal. Moreover there is significant competition in commercial financing from other sources including banks and finance houses. Therefore the proposed acquisition does not give rise to any competition concerns.

Determination

The Competition Authority, in accordance with Section 21(2) of the Competition Act, 2002, has determined that, in its opinion, the result of the proposed acquisition will not be to substantially lessen competition in markets for goods and services in the State and, accordingly, that the acquisition may be put into effect.



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For the Competition Authority

**Edward Henneberry
Member of the Competition Authority**

2nd October 2003