



Determination of the Competition Authority

Determination No. M/03/043 of the Competition Authority, dated the 22nd of January 2004, under Section 21 of the Competition Act, 2002

Notification No. M/03/043 – Acquisition by 3i Group plc of Hyva Group BV

Introduction

1. On the 22nd of December 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 3i Group plc (3i) would acquire the Hyva Group BV (Hyva), a group of companies involved in the production and sale of loading systems and components for commercial vehicles.

The Parties

2. 3i is a venture capital and private equity company that has investments in, *inter alia*, software and IT services, healthcare and childcare, real estate, textiles, frozen foods, general retail, security, building materials, engineering and machinery.
3. Hyva is a company, registered in the Netherlands, that is involved in the development, production, marketing and distribution of components for commercial vehicles, including hydraulic loading and unloading systems used in the road transport industry.

Analysis

4. 3i does not carry on business in Ireland in the area of producing and selling loading systems and components for commercial vehicles. Therefore, there is no significant overlap in the parties’ activities. Accordingly, the proposed transaction does not give rise to 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.

For the Competition Authority

**Edward Henneberry
Member of the Competition Authority**

22nd January 2004