EUROPEAN COMMISSION

Brussels, 27.7.2020
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PUBLIC VERSION

To the notifying party

Subject: **Case M.9855 – ONEX / INDEPENDENT CLINICAL SERVICES**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 24 June 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Onex Corporation, through affiliated funds, ('Onex', Canada), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Independent Clinical Services (United Kingdom), currently controlled by TowerBrook Capital Partners L.P. The concentration is accomplished by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for Onex: invests in various businesses worldwide including electronics manufacturing services, healthcare imaging, insurance services, packaging products and food retail and restaurants;

   – for Independent Clinical Services: provides workforce management solutions, health and social care services and staffing services to the healthcare, social care and life sciences sectors. It is present primarily in the United Kingdom and to a limited extent in the rest of Europe, the US and Asia-Pacific.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of

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1 OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union (the 'TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

2 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

3 Publication in the Official Journal of the European Union No C 219, 3.7.2020, p. 18.

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paragraph 5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

4 OJ C 366, 14.12.2013, p. 5.