EUROPEAN COMMISSION

Brussels, 4.3.2024
C(2024) 1557 final

PUBLIC VERSION

CVC Capital Partners SICAV-FIS S.A.
20 Avenue Monterey
L-2163 - Luxembourg
Grand Duchy of Luxembourg

EMMA Alpha Holding Ltd.
Na Zátorce 24
160 00 - Prague 6
Czech Republic

Subject: **Case M.11441 – CVC / EMMA / PACKETA**
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 7 February 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which CVC Capital Partners SICAV-FIS S.A. ('CVC', Luxembourg) and EMMA Alpha Holding Ltd.('EMMA', Cyprus), ultimately controlled by its majority owner Jiří Šmejc will acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of Packeta s.r.o. ('Packeta', Czechia). The concentration is accomplished by way of purchase of shares. ([3])

(2) The business activities of the undertakings concerned are the following:

– CVC: manager of investment funds with interests in a number of companies active in various industries globally,

– EMMA: a private investment holding primarily active in Europe, owning portfolio companies in a variety of sectors including financial services, gaming, energy and e-commerce,

– Packeta: a provider of last-mile parcel delivery services to e-commerce merchants, offering pick-up/drop-off points in small local stores, home delivery,

([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 ('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]) OJ C, C/2024/1606, 15.2.2024.

and operation of autonomous parcel lockers allowing for the delivery and receipt of packages. Packeta is primarily active in Czechia and Slovakia, and has a small presence in Hungary and other Central and Eastern European countries.

(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 paragraphs 5 (d) and 8 of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004. ([4])

(4) For the reasons set out in the Notice on a simplified treatment, 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 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').