EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.9785 — EFL/DBK/Hama Polska**
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 21 April 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Europejski Fundusz Leasingowy S.A. ('EFL', Poland), belonging to the Crédit Agricole Group (France), and DBK Sp. z o. o. ('DBK', Poland) acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of Hama Polska Sp. z o. o. ('Hama Polska', Poland), currently solely controlled by DBK, by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for EFL: providing financial solutions, including lease, factoring, loans and long-term rental services. EFL is active only in Poland and is part of the Crédit Agricole Group. The Crédit Agricole Group has global operations in banking and financial services,

   – for DBK: supplying products and services for the transport, shipping & logistics industry, including financial support and after-sale sevices. The DBK Group is active primarily in Poland and, to a lesser extent, in Lithuania,

   – for Hama Polska: offering rental of trucks and trailers under the 'DBK Rental' brand in Poland.

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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 ('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 138, 28.04.2020, p. 3.

Commission européenne, DG COMP MERGER REGISTRY, 1049 Bruxelles, BELGIQUE
Europese Commissie, DG COMP MERGER REGISTRY, 1049 Brussel, BELGIË

Tel: +32 229-91111. Fax: +32 229-64301. E-mail: COMP-MERGER-REGISTRY@ec.europa.eu.

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 paragraph 5(c) 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.