EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying party:

Subject: **Case M.9257- NEC/KMD**
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 15 January 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking NEC Corporation ("NEC", Japan), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the undertaking KMD Holding APS ("KMD", Denmark), owned by the private equity firm Advent International and the Danish pension fund Sampension, by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for NEC: a Japanese technology group providing equipment and IT solutions to the public and private sectors. Through its subsidiary Northgate Public Services Limited ("NPS"), NEC provides IT services to the public sector in the UK.

   – for KMD: a Danish IT company active in the provision of IT solutions for local and central governments primarily in Denmark and the Nordic countries.

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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 028, 23.1.2019, p. 8.

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)
Johannes LAITENBERGER
Director-General

4 OJ C 366, 14.12.2013, p. 5.