EUROPEAN COMMISSION

Brussels, 7.4.2020
C(2020) 2257 final

PUBLIC VERSION

To the notifying party

Subject: **Case M.9507 — SALINI IMPREGILO / ASTALDI**
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 9 March 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Salini Impregilo S.p.A. ("Salini Impregilo", Italy) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Astaldi S.p.A. ("Astaldi", Italy). The concentration is accomplished in two phases: first, the acquisition of control will be accomplished through contractual rights arising from an offer submitted by Salini Impregilo to Astaldi's controlling shareholder and, at the end of the court-supervised insolvency proceedings, by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for Salini Impregilo: general contractor active in the market for construction services on a global scale, specifically in 10 EU Member States including Italy, Romania and Poland and in other 30 countries outside the EEA;

   – for Astaldi: general contractor active in the market for construction services on a global scale, specifically in four EU Member States including Italy, Romania and Poland and in 14 countries outside the EEA.

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 ('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 90*, 19.3.2020*, p. 4.

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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.