The European Commission refers to the Autorité de la concurrence the review of the acquisition of Suez RV OSIS by SARP, a subsidiary of Veolia*

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On 5 February 2021, the European Commission referred the review of the takeover of Suez RV OSIS, a subsidiary of Suez, by SARP, a subsidiary of Véolia, to the *Autorité de la concurrence*. Both companies are mainly active in the maintenance of sewerage works and networks and industrial cleaning in France.

The Commission considers the Autorité best placed to analyse the transaction

This referral is made pursuant to Article 4(4) of European Regulation No. 139/2004 on the control of concentrations between undertakings.

In agreement with the companies involved, the European Commission considered that the French *Autorité de la concurrence* was best placed to review this concentration, particularly in view of its impact on the national market and the *Autorité*'s experience in this sector. SARP will therefore have to notify the transaction to the *Autorité*, which is now competent to examine it.

**The transaction concerned by the referral is separate from the proposed acquisition of Suez by Veolia, which falls within the jurisdiction of the European Commission given the turnover of the companies involved.*

Referrals by the European Commission to the Autorité de la concurrence

The *Autorité de la concurrence* regularly receives concentration referrals from the Commission, which demonstrates the flexibility of the European system for merger control. The referral procedure, provided for by European Regulation (EC) No. 139/2004, enables the Commission to refer the review of a merger to the national authority best placed to assess its effect on competition, where the concentration "threatens to significantly affect competition in a market within that Member State presenting all the characteristics of a distinct market".

This is the 31st transaction referred by the European Commission to the *Autorité de la concurrence* since 2009.

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