21 September 2018: The European Commission refers two merger operations to the Autorité de la concurrence in the automobile and healthcare establishments sectors.

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1- The joint acquisition of Bernard Participations group by PGA Motors and Fiber (car dealerships)

At France's request, the European Commission referred to the Autorité de la concurrence the review of the acquisition of joint control of Bernard Participations group by PGA Motors and Fiber.

From sole control to joint control

Bernard Participations and PGA Motors are both active in the automobile sector, in particular in the retail distribution of new and used vehicles, as well as spare parts.

Bernard Participations is currently solely operated by Fiber.

Following the transaction, Bernard Participations will jointly be operated by PGA Motors and Fiber.

A referral at French initiative

In accordance with European law, France requested that the European Commission refer the transaction to the *Autorité de la concurrence* as it asserted

that the proposed transaction would mostly impact French territory. In its decision of 19 September, the European Commission confirmed that the *Autorité de la concurrence* was best placed to review the transaction and referred the case to it.

The *Autorité de la concurrence* will review the deal and issue its decision soon. It will review the impact of the transaction on the sector.

2-The acquisition of Capio by Ramsay Générale de Santé (private health establishments)

On 13 August 2018, the European Commission referred to the *Autorité de la concurrence* the review of the acquisition of sole control of Capio by Ramsay Générale de Santé, two private hospital groups.

Capio operates around 180 private health establishments in Europe, mostly in Scandinavia but also in France and in Germany.

The buyer, Ramsay Générale de Santé, operates 120 private health establishments in France and one in Italy.

A referral at the initiative of the parties

As European law allows it, and at the request of Ramsay, the Commission considered that the Autorité was best placed to review this merger, particularly in relation to the national impact of the transaction and its experience in the sector concerned[1].

The *Autorité* will be scrutinizing this proposed transaction to ensure that it does not affect competition, to the expense of patients, regarding quality of healthcare and the prices of hospital services in regions where the activities of the parties overlap, in particular in Ile-de-France and Haute-Garonne and Rhône *départements*.

[1]*See for instance the Autorité de la concurrence's Decision **17-DCC-95** of 23 June*

2017 regarding the acquisition of sole control of MédiPôle Partenaires by Elsan also taken after a referral from the European Commission and the ***press release***.

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