

Class: UP/I 034-03/20-02/007

Reg.no: 580-11/113-2020-008

Zagreb, 18 December 2020

Subject: TUI TRAVEL OVERSEAS HOLDING LIMITED, UK / KARISMA HOTELS ADRIATIC d.o.o., Zagreb

- **Assessment of compatibility of concentration**
- **Notice on compatibility of the concentration in Phase I;**

Case summary:

On 18 November 2020 the Croatian Competition Agency (CCA) cleared in the first phase the concentration between the undertakings in the form of the acquisition of a direct and sole control over the undertaking Karisma Hotels Adriatic d.o.o., from Zagreb, by the undertaking TUI Travel Overseas Holding Limited, Bedfordshire, UK, on a permanent basis by change from joint to sole control in the form of acquisition of majority interest in the former within the meaning of Article 15 paragraph 1 item 2 of the Competition Act, Official Gazette, 79/09 and 80/13.

Based on the complete notification of concentration within the meaning of Article 20 of the Competition Act, the defined structure of the relevant market that involved both the actual competitors (incumbents) and the potential competitors, the post-merger market share of the parties to the concentration, expected effects of the concentration in the form of benefits for the consumers, as well as other data and findings, the Competition Council found that it can be reasonably presumed that this concrete concentration between the undertakings concerned cannot constitute a prohibited concentration in the sense of Article 16 of the Competition Act.

Given that the concentration in question produces no anticompetitive effects in the relevant market, the CCA does not issue a procedural order to open the proceedings for the assessment of the concentration in the sense of Article 22 paragraph 3 and Article 39 of the Competition Act.

Taking all the above said into account the notified concentration shall be cleared in the first phase in line with Article 22 paragraph 1 of the Competition Act.

In the sense of Article 20 paragraph 6 of the Competition Act the complete notification was received by the CCA on 25 November 2020 when the CCA received all the documents and data in line with Article 20 paragraphs 1 and 3 of the Competition Act.

The notification of the concentration was submitted in line with Articles 19 and 20 of the Competition Act and the provisions of the Regulation on notification and assessment of concentrations between undertakings, OG 38/11.

The concentration of the undertakings in question will primarily produce effects in the following markets:

- catering and accommodation in hotel facilities in Split-Dalmatia County,
- catering and accommodation in hotel facilities in Dubrovnik-Neretva County,
- catering and accommodation on camping facilities in Split-Dalmatia County

After the CCA received the complete notification of concentration in line with Article 21 paragraphs 5 and 6 and Article 32 item 1 of the Competition Act, on 30 November 2020 it published on its official website (<http://www.aztn.hr>) the request for information from all interested parties with the view to receiving further written comments and explanations with respect to the concentration at issue that would contribute to better understanding of the market situation in the relevant markets concerned.

No replies to this request for information were submitted to the CCA within the prescribed deadline.

Pursuant to Article 22 paragraph 2 of the Competition Act this notice has been also published on the CCA website.