

Class: UP/I 034-03/2021-02/005  
Reg.no: 580-11/92-2021-003  
Zagreb, 17 June 2021

**Subject: Venilia Investments S.a r.l., Luxemburg / Danuvius Marina d.o.o., Tribunj, Croatia**

**- Dismissal of notification of proposed concentration**

**Case summary:**

The Croatian Competition Agency (CCA) dismissed the notification of the proposed concentration in the form of acquisition of direct control by the undertaking Venilia Investments S.a r.l., Avenue Monterey 20, L-2163, Luxemburg over the undertaking Danuvius Marina d.o.o., Tribunj, Jurjevgradska 2, on a permanent basis, due to the fact that within the meaning of Article 17 paragraph 6 of the Competition Act the criteria for the initiation of the compatibility assessment proceeding within the meaning of Article 17 paragraph 1 have not been satisfied in this particular case.

Concretely, after having examined the notification that had been submitted by the notifying party Venilia on 27 April 2021, the CCA found that the criteria regarding the turnover thresholds under Article 17 paragraph 1 of the Competition Act have not been cumulatively met.

On 7 May the undertaking Venilia informed the CCA that it withdrew from the notification.

In order to assess the compatibility of a concentration, the parties to the concentration are obliged to notify any proposed concentration to the CCA if the following criteria are cumulatively met:

1. the total turnover (consolidated aggregate annual turnover) of all the undertakings - parties to the concentration, realized by the sale of goods and/or services in the global market, amounts to at least HRK 1 billion in the financial year preceding the concentration and in compliance with financial statements, where at least one of the parties to the concentration has its seat and/or subsidiary in the Republic of Croatia, and,
2. the total turnover of each of at least two parties to the concentration realized in the national market of the Republic of Croatia, amounts to at least HRK 100,000,000 in the financial year preceding the concentration and in compliance with financial statements.

In this particular case the CCA found that the second criterion necessary for the obligation to notify a merger to arise, relating to the turnover of each of at least two parties to the concentration in the Republic of Croatia, has not been met.

Therefore, the CCA could not assess the compatibility of the transaction concerned within the meaning of Article 17 paragraph 6 regarding the mergers that are subject to notification

obligation within the meaning of Article 17 paragraph 1 and consequently dismissed the notification of the proposed concentration in this particular case.