



BOSNIA AND HERZEGOVINA
Council of Competition

Number: 01-03-26-620-19-I/05
Sarajevo, 12 October 2006

Pursuant to Article 25, paragraph (1), item e), article 42, paragraph (1), item d) and Article 12, 14, 16, and 18 of the Act on Competition («Official Gazette of BH», No. 48/05) and Article 17 of the Regulation on notification and criteria for assessing a concentration of undertakings (C.C. No: 01-01-50-858-I/06 from 12 October 2006) and upon the notification of intended concentration of undertaking MANN+HUMMEL Auslandsbeteiligungsgesellschaft mbH, headquartered in Ludwigsburg, Hindburgstrasse 45, Federal Republic Germany and undertaking «UNICO FILTER» a filters factory d.d. Tesanj, Industrijska zona, Bukva n.n., Tešanj, registration number 01-01-26-620/05, from 29 December 2005 and upon the Request submitted by the authorized persons Spaho Mehmed, a lawyer, Muhameda Kantardzica 3/IV, 71 000 Sarajevo on 21 September 2006 (registration number 01-03-26-620-18-I/06) the Council of Competition in its 34th (thirtyfourth) session, held on 12 October 2006 has adopted

DECISION

1. The concentration of undertaking MANN+HUMMEL Auslandsbeteiligungsgesellschaft mbH, headquartered in Ludwigsburg, Hindburgstrasse 45, Federal Republic of Germany and undertaking «UNICO FILTER» a filters factory d.d. Tesanj, Industrijska zona, Bukva n.n., Tešanj, is declared compatible.
2. This Decision shall be recorded in the Registry of Concentrations.
3. This Decision shall be published in the «Official Gazette of BH», in official gazettes of Entities and Brdsko District of Bosnia and Herzegovina.

Exposition

The undertaking MANN+HUMMEL Auslandsbeteiligungsgesellschaft mbH, headquartered in Ludwigsburg, Hindburgstrasse 45, Federal Republic Germany has submitted to the Council of Competition a Notification on intended concentration (registration number 01-01-26-620/05, from 29 December 2005) by which MANN+HUMMEL Auslandsbeteiligungsgesellschaft mbH (hereinafter: the Applicant or «MANN+HUMMEL») intends to acquire control over the «UNICO FILTER» a filters factory d.d. Tesanj, Industrijska zona, Bukva n.n., Tešanj (hereinafter : «UNICO FILTER») by means of purchase the additional shares in the sense of Article 12 of the Act on Competition (hereinafter: the Act).

The Council of Competition delivered on 7 March 2006 to the Applicant a Receipt on receipt of the complete and adequate Notification (number: 01-03-26-620-4/05) pursuant to Article 30, paragraph (1), items a) and b) of the Act.

Upon the delivery of the Receipt on receipt of the complete and adequate Notification, the Council of Competition, pursuant to Article 18, paragraph (5) and (6) of the Act within the time periods laid down in Article 41 of the Act does not pass a Decision on concentration as respond to the Notification on intended concentration of the undertaking «MANN+HUMMEL» and therefore the concentration in question is deemed compatible, i.e. harmonised with the stipulations of the Act.

The Applicant «MANN+HUMMEL» represented by the new authorised person Spaho Mehmed, a lawyer, Muhaneda Kantardžića 3/IV, 71 000 Sarajevo submitted to the Council of Competition a Request for issuance of the Decision on the Notification in question(registration number: 01-03-26-620-18-I/06 on 21 September 2006).

Considering a factual situation and cited stipulations of the Act and Article 18 of the Regulation on notification and criteria for assessing a concentration of the undertaking the Council of Competition has decided as it is stated in the enacted terms of this Decision.

Administration tariffs

On this Decision the Applicant, pursuant to the Article 2, paragraph (1), tariff number 107, item d) 1) of the Regulation on administration taxes relating to the practices before the Council of Competition (“Official Gazette of BH”, No.30/06), is obliged to pay administration tariff of 2.500,00KM for the benefit of the budget of Institutions of Bosnia and Herzegovina.

Instruction of legal remedy

This Decision is final and no appeal is allowed against it. Unsatisfied party shall be entitled to bring an administrative dispute before the Court of Bosnia and Herzegovina within thirty days (30 days) from the date of acceptance of this Decision, i.e. from the date of its publication.

President

Gordan Raspudić