

## **DLF attorneys-at-law obtained approval for concentration**

On 15 April 2016, DLF attorneys-at-law successfully obtained approval for economic concentration (M&A) for a transaction, which encompassed acquisition of banking assets of the European banking and insurance group by one of the largest banks in Hungary.

It is worth noting that the mentioned M&A transaction was carried out exclusively on the territory of Hungary, but due to the fact that the purchaser's group is active on the banking market of Ukraine such economic concentration required a preliminary approval by the Antimonopoly Committee of Ukraine (the AMCU).

The distinctive feature of approval of this M&A transaction was that the AMCU had followed the opinion of DLF's lawyers and had not performed comprehensive analysis of the group structure of the seller, thus corresponding its policy with the EU antimonopoly authorities. We note that the antimonopoly regulation of the EU and most of its member states does not consider the seller's group (the party that alienates its assets and, therefore, lessens its market share) as the party to economic concentration.

Therefore, DLF attorneys-at-law practically notes the positive change of the AMCU policy in relation to analysis of the seller's group structure, which pursuant to the EU-Ukraine Association Agreement shall be consistent with the policy of the EU antimonopoly authorities.

In addition, we also note significant decrease of other minor bureaucratic procedures in consideration of the economic concentration filing by the AMCU authorities, which confirms actual and ongoing reforming of the AMCU activity in line with the position of the newly appointed head of the AMCU and its key staff.