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# press release

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subject **CMS publishes *Guide to Merger Control in Europe 2009***

## *Competition Authorities show no leniency on merger control enforcement during economic crisis*

CMS, a leading European provider of legal and tax services, has released its fourth edition *CMS Guide to Merger Control in Europe 2009*. The Guide provides in-depth information on 44 European merger control regimes (including merger control under the EU Merger Control Regulation and the EEA Agreement). The unique publication and accompanying CD-ROM draw on the expertise and experience of more than 140 CMS competition lawyers working in 21 jurisdictions across Europe.

Almost all European countries have implemented merger control regimes. Increasingly, competition authorities across Europe are imposing hefty fines for companies that fail to follow the rules. Most recently, the European Commission demonstrated this by imposing a fine of €20m on a company for having implemented an acquisition without prior approval from Brussels. In some cases, authorities are delaying approval of mergers because parties fail to comply with filing requirements. A panel discussion at the 3 June 2009 meeting of the International Competition Network (ICN) suggested that competition authorities appear unlikely to take a more lenient approach during the economic crisis.

Harald Kahlenberg, head of the CMS Competition Practice Group, said: "The *CMS Guide to Merger Control in Europe 2009* is an excellent tool for understanding merger control practices



in all European merger control jurisdictions. As with previous editions, this latest publication focuses on the most important merger control issues, which makes it tailored to the needs of in-house competition counsel advising on and structuring transactions."

Dick Tyler, CMS Executive Partner, commented: "The CMS Guide to Merger Control Europe is another outstanding example of CMS's proven ability to work together in strong teams all over Western, Central and Eastern Europe, and reflects the work of what has become a truly European competition law practice".

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#### LOCAL CONTACTS

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*CMS is the organisation of independent European law and tax firms of choice for organisations based in, or looking to move into, Europe. CMS provides a deep local understanding of legal, tax and business issues and delivers client-focused services through a joint strategy executed locally across 28 jurisdictions with 56 offices in Western and Central Europe and beyond. CMS was established in 1999 and today comprises nine CMS firms, employing over 2,200 lawyers and is headquartered in Frankfurt, Germany.*

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