



**Statement on the requests received from the Ministry of Public Works and the Ministry of Energy, Tourism and Digital Agenda in relation to Atlantia's takeover bid for Abertis**

7 December 2017

CNMV has today received two requests, one from the Ministry of Public Works and another from the Ministry of Energy, Tourism and Digital Agenda, requesting the annulment or revocation of the CNMV Board resolution of 9 October 2017 by means of which the voluntary takeover bid for the shares of Abertis Infraestructuras, S.A. submitted by Atlantia, S.p.A. was authorised.

These requests are provided for in Contentious-Administrative Jurisdiction Law 29/1998, as a prior step to make provisions for the possible filing of a contentious-administrative appeal in relation to an act by another public authority. CNMV has a month to reply.

The reason for the requests is that the requesting Ministries consider that CNMV's authorisation should not have been granted without Atlantia S.p.A. previously obtaining administrative authorisations to assume indirect control of the Spanish toll motorway concessionaires of which Abertis Infraestructuras S.A. is the parent company and of Hispasat, S.A., a space segment concessionaire of the State geostationary orbital position.

The CNMV Board adopted the resolution to authorise the takeover bid presented by Atlantia S.p.A. as it deemed that it complies with all the requirements set forth in Royal Decree 1066/2007, regarding takeover bids, and understanding, in particular, that, even in the event that the taking of indirect control of the aforementioned concessionaires required administrative authorisation, this issue should not affect the authorisation of the bid by CNMV. It was also taken into account that the explanatory prospectus of the bid submitted by the bidder refers to the risk that a criterion other than the one adopted by it vis-a-vis the need to obtain the authorisations cited could prevail.

In any case, CNMV will examine the requests received in detail in order to address them.

The period established for Atlantia S.p.A. to accept the takeover bid has been interrupted pending authorisation by CNMV of the competing offer presented by Hochtief A.G. Receipt of the requests from the Ministry of Public Works and the Ministry of Energy, Tourism and Digital Agenda mentioned above does not in itself affect this situation.