



EUROPEAN COMMISSION
DG Competition

***Case M.9145 - KONGSBERG GRUPPEN / ROLLS-ROYCE
COMMERCIAL MARINE***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 01/03/2019

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EUROPEAN COMMISSION

Brussels, 1.3.2019
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PUBLIC VERSION

To the notifying party

**Subject: Case M.9145 - KONGSBERG GRUPPEN / ROLLS-ROYCE COMMERCIAL MARINE
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

Dear Sir or Madam,

1. On 6 February 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Kongsberg Gruppen ASA ('Kongsberg', Norway) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Rolls-Royce plc.'s commercial marine products, systems and aftermarket services business ('Rolls-Royce Commercial Marine', United Kingdom) by way of purchase of shares and assets.³
2. The business activities of the undertakings concerned are:
 - Kongsberg is the holding company of the Kongsberg group, which supplies technological systems and solutions for use in the marine, defence, aerospace and oil and gas industries,
 - Rolls-Royce Commercial Marine is the commercial marine business within the Rolls-Royce group that supplies components, systems and digital elements primarily for civil marine vessels. It does not include Rolls-Royce's power systems business.

¹ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

² OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

³ Publication in the Official Journal of the European Union No C 57, 13.2.2019, p. 29.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Johannes LAITENBERGER
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.