

***Case No COMP/M.3947 -
SVITZER /
WILHELMOSEN
OFFSHORE / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 28/10/2005

***In electronic form on the EUR-Lex website under document
number 32005M3947***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28/10/2005

SG-Greffe(2005) D/205943-205944

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.3947 – SVITZER / WILHELMSSEN OFFSHORE / JV
Notification of 3.10.2005 pursuant to Article 4 of Council Regulation (EC)
No. 139/2004¹
Publication in the Official Journal of the European Union No. C 250,
08.10.2005, page 13.**

1. On 03.10.2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Aktienselskabet Em. Z. Svitzer and its subsidiaries (“Svitzer”, Denmark) controlled by A.P. Møller-Mærsk A/S and Wilhelmsen Offshore & Chartering AS (“Wilhelmsen”, Norway) controlled by Wilh. Wilhelmsen ASA acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of an undertaking (“JV”) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:

¹ OJ L 24, 29.1.2004 p. 1

- for Svitzer: towage services, emergency response and rescue services and provision of crew boat services;
 - for Wilhelmsen: crew boat services and chartering of vessels for special transportation, as well as marine services;
 - for JV: crew boat activities which are located in South East Asia and the Middle East.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph (a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
 4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No. 139/2004.

For the Commission
Signed
Neelie KROES
Member of the Commission

² OJ C 56, 05.3.2005 p.32