

***Case No COMP/M.5396 -  
EN+ / RUSSNEFT***

Only the English text is available and authentic.

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

---

Article 6(1)(b) NON-OPPOSITION  
Date: 18/12/2008

***In electronic form on the EUR-Lex website under document  
number 32008M5396***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18.12.2008  
SG-Greffe(2008) D/208449  
C(2008)8841

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying party:**

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

**Subject: Case No COMP/M.5396 - EN+ / RUSSNEFT  
Notification of 18/11/2008 pursuant to Article 4 of Council Regulation (EC) No  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No C 304,  
27.11.2008, p. 19**

1. On 18 November 2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which En+ Group Limited ("En+", Jersey), ultimately controlled by the Basic Element Group, acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of OAO NK Russneft ("Russneft", Russia) and its subsidiaries by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for En+ Group Limited ("En+", Jersey): different business activities in oil, energy, aluminium, coal and magnesium;

---

<sup>1</sup> OJ L 24, 29.1.2004, p. 1.

- for Basic Element Group: different business activities in (i) energy, aluminium, coal and magnesium, (ii) engineering/car manufacture, (iii) mining/commodities, (iv) financial services, (v) construction/construction material and (vi) real estate;

- for OAO NK Russneft ("Russneft", Russia): crude oil extraction, refining and retailing;

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(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</sup>.
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)*  
Philip LOWE  
Director General

---

<sup>2</sup> OJ C 56, 05.3.2005, p. 32.