

***Case No COMP/M.5534 -
ACCESS / PCH / LBI***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 12/06/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.06.2009

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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.5534 – ACCESS/ PCH/ LBI
Notification of 11/05/2009 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 117, 26/05/2009,
p. 7.**

- (1) On 11/05/2009 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Access industries group ("Access", The United States) and ProChemie Holding Limited ("PCH", Jersey) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of LyondellBasell Industries AF S.C.A; ("JV", Luxembourg) by way of purchase of shares.

The business activities of the undertakings concerned are:

- for Access: activities of holding companies
- for PCH: activities of holding companies

¹ OJ L 24, 29.1.2004, p. 1.

- for JV: manufacture of refined petroleum products, and of other organic basic chemicals.
- (2) 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(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
- (3) 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

² OJ C 56, 05.3.2005, p. 32.