

EN

***Case No COMP/M.6017 -  
APMT / DPW / COSCO /  
QPGL / QQCT***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 13/12/2010

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EUROPEAN COMMISSION

Brussels, 13.12.2010  
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/ 19906  
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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.6017 - APMT / DPW / COSCO / QPGL / QQCT  
Notification of 16.11.2010 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 318,  
23.11.2010, p.12**

1. On 16.11.2010, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings APM Terminals China Company Limited ("APMT China"), belonging to the A.P. Møller-Maersk A/S group ("APMM", Denmark), DP World (POSN) B.V. ("DPW POSN", the Netherlands) and DP World Red B.V. ("DPW Red", the Netherlands), both belonging to the DP World group ("DPW", UAE), COSCO Ports (Qianwan) Limited ("COSCO Qianwan", China), belonging to the China Ocean Shipping (Group) Company ("COSCO") group, and Qingdao Port Group ("QPGL", China), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Qingdao Qianwan Container Terminal Co. Ltd ("QQCT", China) by way purchase of shares.

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<sup>1</sup> 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. The business activities of the undertakings concerned are:
- for APMM: development and operation of container terminals and related activities worldwide, containerized liner shipping, inland transportation and logistics, harbour towage, tankers, oil and gas exploration and production, retail and air transport
  - for DPW : operation of marine terminals worldwide
  - for COSCO: cargo shipping, logistics, ship building and repairing, ship management services, marine engineering, terminal operations and related financial and IT services
  - for QPGL: formerly the Qingdao Port Authority, offering comprehensive services in the Port of Qingdao, Shandong Province, China
  - for QQCT: operation of a shipping container terminal in the Port of Qingdao.
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(a) 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 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.

For the Commission,

*(signed)*  
Alexander ITALIANER  
Director General

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<sup>2</sup> OJ C 56, 5.3.2005, p. 32.