

***Case No COMP/M.6494 -
TOTAL/ NOVATEK/ OAO
YAMAL LNG***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 20/03/2012

***In electronic form on the EUR-Lex website under document
number 32012M6494***



EUROPEAN COMMISSION

Brussels, 20.03.2012
C(2012) 1969

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.6494 – TOTAL/ NOVATEK/ OAO YAMAL LNG
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 15/02/2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Total E&P Yamal ("Total E&P Yamal", France), ultimately controlled by Total S.A., and OAO Novatek ("Novatek", Russia) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking OAO Yamal LNG ("Yamal LNG", Russia) by way of purchase of shares in a newly created company constituting a joint venture².
2. The business activities of the undertakings concerned are:
 - for Total : natural gas and oil production, refining and marketing of oil products, petrochemicals and specialty chemicals.
 - for Novatek : exploration, production, processing and marketing of natural gas and liquid hydrocarbons.

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 Publication in the Official Journal of the European Union No C055, 24/02/2012, p. 23

- for Yamal LNG: geological exploration and production of hydrocarbon raw materials at the South Tambaetskoye natural gas and condensate field (Russian Federation), currently in the early exploration stage.
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 139/2004³.
 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*

³ OJ C 56, 5.3.2005, p. 32 ("Notice on a simplified procedure").