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***Case No COMP/M.6877 - OILTANKING GMBH/ GUNVOR
GROUP LTD/ PT OILTANKING KARIMUN***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 18/03/2013

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EUROPEAN COMMISSION

Brussels, 15.3.2013
C(2013) 1710 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.6877 - OILTANKING GMBH/ GUNVOR GROUP LTD/
PT OILTANKING KARIMUN
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 15.02.2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Oiltanking GmbH ("Oiltanking", Germany), ultimately controlled by Marquard & Bahls AG, and Coral Cay Pte Ltd ("Coral", Singapore), which is a wholly owned affiliate of Gunvor Group Ltd. acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over PT Oiltanking Karimun ("OTK" Indonesia), by way of a purchase of shares. Oiltanking currently holds 95% of the shares in OTK².
2. The business activities of the undertakings concerned are:
 - for Oiltanking: storage services for petroleum products, vegetables oils, chemicals and other liquids and gases on a worldwide basis;

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 C 051, 22.2.2013, p.18

- for Gunvor: active in the trade, transport, storage and optimization of crude oil, refined mineral oil products and other energy products.
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 139/2004³.
 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.