

***Case No COMP/M.7501 - CHINA  
SHIPBUILDING POWER  
ENGINEERING INSTITUTE/  
WÄRTSILÄ TECHNOLOGY/ CSSC  
WÄRTSILÄ ENGINE***

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: 25/03/2015

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## EUROPEAN COMMISSION

Brussels, 25.3.2015  
C(2015) 2194 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

### **To the notifying parties:**

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

**Subject: Case M.7501 - CHINA SHIPBUILDING POWER ENGINEERING INSTITUTE/ WÄRTSILÄ TECHNOLOGY/ CSSC WÄRTSILÄ ENGINE Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

1. On 23/02/2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings China Shipbuilding Power Engineering Institute Co., Ltd. ("CSPI", People's Republic of China), a subsidiary of China State Shipbuilding Corporation ("CSSC", People's Republic of China) ultimately controlled by the Chinese state, and Wärtsilä Technology Oy Ab (Finland), a subsidiary of Wärtsilä Corporation ("Wärtsilä", Finland), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the newly created undertaking CSSC Wärtsilä Engine (Shanghai) Co., Ltd. ("JV", People's Republic of China) by way of purchase of shares.<sup>3</sup>

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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.

<sup>2</sup> OJ L 1, 3.1.1994, p.3 ("the EEA Agreement").

<sup>3</sup> Publication in the Official Journal of the European Union No C 074, 03.03.2015, p. 9.

2. The business activities of the undertakings concerned are:
  - For CSSC: CSSC is active in shipbuilding and in the production of marine-related equipment, as well as in non-marine related activities such as aerospace, construction and power generation;
  - For Wärtsilä: Wärtsilä supplies ship power for builders, owners and operators of vessels and offshore installations. It has a global service network for customers' ship machinery at every lifecycle stage and it is a provider of power plants, operations and lifetime care services in decentralized power generation;
  - For JV: the JV will manufacture and sell in China 4-stroke medium speed diesel and dual fuel engines.
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>4</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 and Article 57 of the EEA Agreement.

*For the Commission*  
*(Signed)*  
*Alexander ITALIANER*  
*Director-General*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.