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EUROPEAN COMMISSION
DG Competition

***Case M.7832 - GUNVOR GROUP/ KUWAIT PETROLEUM
EUROPOORT***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 02/12/2015

***In electronic form on the EUR-Lex website under document
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EUROPEAN COMMISSION

Brussels, 2.12.2015
C(2015) 8774 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

Dear Sirs,

**Subject: Case M.7832 – GUNVOR GROUP / KUWAIT PETROLEUM EUROPOORT
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

1. On 6 November 2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking [Sandcape B.V.]*, ultimately controlled by Gunvor Group Ltd. ("Gunvor" of Cyprus) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the undertaking Kuwait Petroleum Europoort B.V. ("KPE" of the Netherlands) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - Gunvor is the main holding company of the Gunvor Group which is active in the upstream wholesale supply and refining of crude oil, and the ex-refinery sales of refined oil products;

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 OJ L 1, 3.1.1994, p. 3 ("the EEA Agreement").

³ Publication in the Official Journal of the European Union No C 380, 14.11.2015, p. 9.

* Should read: "Sandcape B.V."

- KPE operates a refinery based in the Rotterdam port and is active in refining crude oil and in the ex-refinery sales of refined oil 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(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
 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)

Johannes LAITENBERGER

Director-General

⁴ OJ C 366, 14.12.2013, p. 5.