



EUROPEAN COMMISSION
DG Competition

Case M.7970 - AIR LIQUIDE / OMZ / JV

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 14/06/2016

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EUROPEAN COMMISSION

Brussels, 14.06.2016
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PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Sirs,

**Subject: Case M.7970 - AIR LIQUIDE / OMZ / JV
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 19 May 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Air Liquide Global E&C Solutions (France) and OMZ (Russian Federation) acquire within the meaning of Article 3(4) of the Merger Regulation joint control of a newly created company constituting a joint venture.³
2. The business activities of the undertakings concerned are:
 - for Air Liquide E&C: Air Liquide E&C is a subsidiary, wholly-owned and controlled by Air Liquide S.A., France, which is a multinational producer of industrial gases and offers gases, technologies and related services for different industries and the health care sector. Air Liquide E&C is one of the operative entities of the Air Liquide Group which designs, develops and produces gas production units.

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 188, 27.5.2016, p. 4.

- for OMZ: OMZ is a public joint stock company controlled by "Gazprombank", which is a financial institution delivering banking and investment services. OMZ is engaged in the heavy machine-building industry which comprises nuclear power equipment, petrochemical equipment, oil and gas drilling equipment, products made from special and regular steel, metallurgical equipment, mining equipment, cryogenic technology, pipeline valves and engineering, comprehensive solutions, and servicing. Among other technologies, products and services, OMZ is engaged in the development, production and implementation of air separation technologies and equipment, the supply of industrial gases, and development of comprehensive solutions for refinement of associated gas, natural gas and liquefaction natural gas (LNG).
 - for the JV: the provision of engineering and design services, as well as equipment, relating to the natural gas liquefaction processes.
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.