



EUROPEAN COMMISSION
DG Competition

***Case M.8343 - DONG ENERGY / MACQUARIE /
SWANCOR / FORMOSA 1 WIND POWER***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 28/02/2017

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EUROPEAN COMMISSION

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PUBLIC VERSION

To the Notifying Parties

Subject: Case M.8343 - DONG ENERGY / MACQUARIE / SWANCOR / FORMOSA 1 WIND POWER
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

Dear Sir or Madam,

1. On 3 February 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which DONG Energy A/S ("DONG", Denmark), Macquarie Corporate Holdings Pty Limited ("Macquarie", Australia) and Swancor Holding Co., Ltd. ("Swancor", Taiwan) acquire, within the meaning of Article 3(1)(b) of the Merger Regulation, joint control over Formosa 1 International Investment Co., Ltd. ("Formosa", Taiwan) by way of a purchase of shares.³
2. The business activities of the undertakings concerned are:
 - DONG is active in the markets for oil and natural gas exploration and production, development, construction and operation of offshore wind farms, electricity and heat generation from power plants, natural gas and electricity trading, the sale and distribution of electricity and the sale of natural gas;
 - Macquarie is active in investment intermediation for institutional, corporate and retail clients around the world in a wide range of sectors including resources and commodities, energy, financial institutions, infrastructure and real estate;
 - Swancor is a producer and distributor of specialty chemical materials, including anti-corrosion resins for use in tanks and pipelines in various industries, chimneys for power plants, yachts and swimming pools and epoxy system resins for wind turbine blades;

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 045, 11.2.2017, p. 9.

- Formosa is an offshore wind farm project to be developed, constructed and operated near Miaoli, Taiwan.
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 139/2004.⁴
 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.