



EUROPEAN COMMISSION
DG Competition

Case M.8497 - SIBUR / TECHNIPFMC / LINDE / JV

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 19/06/2017

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EUROPEAN COMMISSION

Brussels, 19.6.2017
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PUBLIC VERSION

To the notifying parties

**Subject: Case M.8497 - SIBUR / TECHNIPFMC / LINDE / 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**

Dear Sir or Madam,

1. On 19 May 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Research and Design Institute on Gas Processing Joint Stock Company ("NIPIgaspererabotka", Russia), TechnipFMC plc ("TechnipFMC", UK) and Linde AG, Engineering Division ("Linde", Germany) acquire, within the meaning of Article 3(4) of the Merger Regulation, joint control of a newly created company constituting a joint venture ("JV").³
2. The business activities of the undertakings concerned are:
 - NIPIgaspererabotka, controlled by SIBUR group, is a private company that provides a wide range of services for the oil and gas chain, petrochemicals and other industries on the Russian market.
 - TechnipFMC is a global player in oil and gas projects, technologies, systems and services in three distinct segments: subsea, onshore/offshore, and surface projects.
 - Linde is a global industrial gas and engineering company active in the industrial gases, medical gases, equipment, engineering and services sectors.

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 167, 25.5.2017, p. 8.

- The **JV** will be active in the provision of Front-End Engineering and Design, Project Documentation and CAPEX estimates, along with engineering and services for Procurement, Construction, Installation and Commissioning of Liquid Natural Gas plants on concrete gravity-based structures. The activities will be limited to Russia.
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.