



EUROPEAN COMMISSION
DG Competition

*Case M.8711 -
MACQUARIE /
OILTANKING /
OILTANKING ODFJELL
TERMINAL SINGAPORE*

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 05/12/2017

*In electronic form on the EUR-Lex website under document
number 32017M8711*



Brussels, 5.12.2017
C(2017) 8436 final

PUBLIC VERSION

To the notifying parties

**Subject: Case M.8711 - MACQUARIE / OILTANKING / OILTANKING ODFJELL
TERMINAL SINGAPORE
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 13 November 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Macquarie Asia Infrastructure Investments 2 Pte. Ltd. ("MAIF2", Singapore), belonging to the Macquarie Group Limited ("Macquarie Group", Australia) and Oiltanking GmbH ("Oiltanking", Germany), controlled by Marquard & Bahls AG ("M&B", Germany), acquire, within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation, joint control over Oiltanking Odfjell Terminal Singapore Pte. Ltd. ("OOTS", Singapore), currently jointly controlled by Oiltanking and Odfjell Terminals B.V., by way of a purchase of shares.³
2. The business activities of the undertakings concerned are:
 - **MAIF2** is an infrastructure fund and under the management and control of the Macquarie Infrastructure and Real Assets division of Macquarie Group. Macquarie Group is a global provider of banking, financial, advisory, investment and fund management services listed on the Australian Stock Exchange;
 - **Oiltanking** is a provider of storage services for petroleum products, vegetable oils, chemicals, other liquids and gases, and dry bulk. Oiltanking is ultimately controlled by M&B, which focuses on oil trading, renewable energies, dry bulk handling, carbon trading, gas supply and petroleum analysis;

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 391, 18.11.2017, p. 9.

- **OOTS** owns and operates a bulk petrochemical storage facility located on Jurong Island, Singapore.
- 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.