



EUROPEAN COMMISSION
DG Competition

***Case M.8734 - MITSUI /
GSC / CAETANOBUS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 19/01/2018

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EUROPEAN COMMISSION

Brussels, 19.1.2018
C(2018) 449 final

PUBLIC VERSION

To the notifying parties:

**Subject: Case M.8734 - MITSUI / GSC / CAETANOBUS
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 December 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mitsui (Japan) and Grupo Salvador Caetano SGPS ("GSC") (Portugal) acquire, within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation, joint control over CaetanoBus (Portugal), currently solely controlled by GSC, by way of a purchase of shares.³
2. The business activities of the undertakings concerned are:
 - Mitsui is a Japanese trading house engaged in a number of businesses, including iron and steel, coal and non-ferrous metals, machinery, electronics, chemicals, and energy-related commodities;
 - GSC is active in various industries and services including the production and sale of buses, multi-brand trading in the automotive retail industry, and the sale of equipment and systems in the field of renewable energy and engineering services;
 - CaetanoBus is a manufacturer of buses and bus bodies in Portugal.

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 002, 5.1.2018, p. 4.

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(b) 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.