



EUROPEAN COMMISSION
DG Competition

***Case M.8783 - REPSOL /
KIA / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 19/02/2018

***In electronic form on the EUR-Lex website under document
number 32018M8783***



EUROPEAN COMMISSION

Brussels, 19.2.2018
C(2018) 1117 final

PUBLIC VERSION

To the notifying parties:

**Subject: Case M.8783 – REPSOL / KIA / 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 24 January 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Repsol Comercial de Productos Petrolíferos, SA ('Repsol', Spain) and Kia Motors Iberia, S.L.U. ('Kia', Spain), acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control of a newly created company constituting a joint venture ('the JV'). The concentration is accomplished by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - **for Repsol:** publicly listed integrated energy company.
 - **for Kia:** cars distribution in Spain. Kia is a wholly-owned subsidiary of Kia Motors Company, which is the holding for the Kia Group, and is ultimately controlled by Hyundai Motor Company.
 - **for the JV:** car-sharing in Madrid.
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

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 34, 31.01.2018, p. 51.

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.