



EUROPEAN COMMISSION
DG Competition

***Case M.8959 -
SONATRACH / AUGUSTA
REFINERY ASSETS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 26/07/2018

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EUROPEAN COMMISSION

Brussels, 26.7.2018
C(2018) 5086 final

PUBLIC VERSION

To the notifying party :

**Subject: Case M.8959 – SONATRACH / AUGUSTA REFINERY ASSETS
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 July 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Société Nationale pour la recherche, la production, le transport, la transformation et la commercialisation des hydrocarbures SPA ("Sonatrach", Algeria), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the Augusta Refinery Assets, currently owned and controlled by Esso Italiana S.r.l., an affiliate of ExxonMobil Corporation, by way of purchase of assets.³
2. The business activities of the undertakings concerned are:
 - for Sonatrach: Sonatrach is an Algerian government-owned company operating in the oil and gas sector. Sonatrach has integrated activities in the exploration, production, refining, transportation and marketing of hydrocarbons,
 - for the Augusta Refinery Assets: the Augusta Refinery Assets consist of a refinery located in Augusta, Italy and a number of ancillary assets. The undertaking is active in the markets for crude oil refining for fuel and non-fuel products and sales of refined fuel and non-fuel products.

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 243, 11.7.2018, p. 12.

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(c) 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.