



EUROPEAN COMMISSION
DG Competition

***Case M.9172 - LIBERTY
HOUSE GROUP /
ARCELORMITTAL
DIVESTMENT
BUSINESSES***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 17/04/2019

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EUROPEAN COMMISSION

Brussels, 17.4.2019

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PUBLIC VERSION

To the notifying parties

Subject: Case M.9172 — Liberty House Group/ArcelorMittal Divestment Businesses 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 March 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Liberty Steel East Europe (Bidco) Limited (UK), indirectly controlled by Mr Sanjeev Gupta, acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Galati/Skopje HoldCo (UK), ArcelorMittal Ostrava a.s. (Czechia), Paloma S.r.l. (Italy) and four steel service centres in Arcore, Rieti, Quarto Inferiore and Graffignana (Italy), and by which Liberty House Group Pte Ltd (Singapore), also indirectly controlled by Mr Sanjeev Gupta, acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Liège Steel Industry SA (Belgium) and ArcelorMittal Dudelange S.A. (Luxembourg). The concentration is accomplished by way of purchase of shares and assets.³
2. The business activities of the undertakings concerned are:
 - for Liberty Steel East Europe (Bidco) Limited and Liberty House Group Pte Ltd: part of Liberty House Group, a private group active in commodities, metals recycling, and the manufacture of steel, aluminium, and engineering 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 117, 29.3.2019, p. 10.

- for Galati/Skopje HoldCo: active in primary steel production and production of different flat carbon steel products in steel production facilities in Galati (Romania) and Skopje (North Macedonia),
 - for ArcelorMittal Ostrava a.s.: active in primary steel production and production of flat, long and tubular carbon steel products in Ostrava (Czechia),
 - for Paloma S.r.l.: active in the production of cold rolled, galvanised and organic coated flat carbon steel products in Italy, and in steel distribution through a steel service centre in Tillet (France),
 - for Liège Steel Industry SA: active in the production of cold rolled, hot-dip galvanised flat carbon steel products and metallic coated steel for packaging with facilities in Tilleur and Flemalle (Belgium),
 - for ArcelorMittal Dudelange S.A.: active in the production of hot-dip and electro galvanised flat carbon steel products and as a steel service centre in Dudelange (Luxembourg),
 - for the steel service centres in Italy: active in steel distribution.
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.
 5. This decision is without prejudice to the Commission’s decision on the suitability of Liberty House Group as purchaser of the ArcelorMittal Divestment Businesses, which are divested pursuant to the commitments submitted in case M.8444 – ArcelorMittal/ILVA, and of the Commission’s assessment of whether the terms of the divestiture are consistent with the Commission’s decision and the commitments in that case.

For the Commission

(Signed)
Johannes LAITENBERGER
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.