



EUROPEAN COMMISSION
DG Competition

***Case M.9552 - BP /
CHINA NATIONAL
AVIATION FUEL
GROUP / CNAF AIR BP
GENERAL AVIATION
FUEL COMPANY***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 22/10/2019

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EUROPEAN COMMISSION

Brussels, 22.10.2019
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PUBLIC VERSION

To the notifying parties

**Subject: Case M.9552 – BP / CHINA NATIONAL AVIATION FUEL GROUP / CNAF AIR BP GENERAL AVIATION FUEL COMPANY
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 30 September 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which BP Global Investments Limited (“BP GIL”), a wholly owned subsidiary of BP plc. (“BP”, United Kingdom) and CNAF Group General Aviation Development Co., Ltd., a wholly owned subsidiary of China National Aviation Fuel Group Limited (“China National Aviation Fuel Group”, People’s Republic of China) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of CNAF Air BP General Aviation Fuel Company Limited (“CNAF Air BP General Aviation Fuel Company”, People’s Republic of China) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - BP is a global company active in (i) exploration, production and marketing of crude oil and natural gas, (ii) refining, marketing, supply and transportation of petroleum products, (iii) production and supply of petrochemicals and related products and (iv) supply of alternative energy,
 - China National Aviation Fuel Group is a Chinese state-owned aviation fuel supplier,

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 338, 08.10.2019, p. 8.

- CNAF Air BP General Aviation Fuel Company is a newly created joint venture that will be active in the supply of aviation fuel for general aviation purposes in China.
- 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)
Cecilio MADERO VILLAREJO
Acting Director-General

⁴ OJ C 366, 14.12.2013, p. 5.