



EUROPEAN COMMISSION  
DG Competition

*Case M.9591 - MHI / PT*

Only the English text is available and authentic.

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

---

Article 6(1)(b) NON-OPPOSITION  
Date: 08/11/2019

*In electronic form on the EUR-Lex website under document  
number 32019M9591*



EUROPEAN COMMISSION

Brussels, 08.11.2019  
C(2019) 8113 final

**PUBLIC VERSION**

**To the notifying party**

**Subject: Case M.9591 – MHI/PT  
Commission decision pursuant to Article 6(1)(b) of Council Regulation  
(EC) No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European  
Economic Area<sup>2</sup>**

Dear Sir or Madam,

1. On 15 October 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mitsubishi Heavy Industries, Ltd. ('MHI', Japan) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Primetals Technologies, Limited ('PT', United Kingdom), currently jointly controlled by MHI and Siemens Aktiengesellschaft (Germany).<sup>3</sup> The concentration is accomplished by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for MHI: various industrial activities, including shipbuilding and ocean development, power systems, nuclear energy systems, compressors and compressor trains, turbines, industrial machinery, automotive, engineering, and infrastructure.
  - for PT: design and construction of plants in the metallurgical industry and associated project management services.
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

---

<sup>1</sup> 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 (the '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.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 360, 24.10.2019, p. 30.

paragraph 5(d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>4</sup>

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*

---

<sup>4</sup> OJ C 366, 14.12.2013, p. 5.