



EUROPEAN COMMISSION
COMPETITION DG

Directorate R
Unit R.2 COMP-MEETINGS

OPINION

of the **ADVISORY COMMITTEE on MERGERS**

at its meeting on **10 JANUARY 2022**

CONCERNING A **DECISION IN CASE M.9343 HHIH/DSME**

MEETING BY AUDIO CONFERENCE – via “Skype for Business”

Rapporteur: SWEDEN

(Text with EEA relevance)

Operation

1. The Advisory Committee (10 Member States) agree with the Commission that the Transaction constitutes a concentration within the meaning of Article 3(1)(b) of the Merger Regulation.

Union Dimension

2. The Advisory Committee (10 Member States) agree with the Commission that the Transaction has a Union dimension pursuant to Article 1(2) of the Merger Regulation.

Product Markets

3. The Advisory Committee (10 Member States) agree with the Commission's definition of the relevant product market for the construction of Large LNG carriers (“LLNGCs”).

Geographic markets

4. The Advisory Committee (10 Member States) agree with the Commission's definition of the relevant market for the construction of LLNGCs as worldwide.

Competitive Assessment

5. The Advisory Committee (10 Member States) agree with the Commission's assessment that the Transaction would lead to a significant impediment of effective competition on the worldwide market for the construction of LLNGCs by the creation of a dominant position.

Compatibility with the Internal Market

6. The Advisory Committee (10 Member States) agree with the Commission that the Transaction should therefore be declared incompatible with the internal market and the functioning of the EEA Agreement in accordance with Articles 2(3) and 8(3) of the Merger Regulation and Article 57 of the EEA Agreement.