



EUROPEAN COMMISSION  
DG Competition

***Case M.10798 - NBIM / OXFORD PROPERTIES / SONY  
CENTER***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 19/07/2022

***In electronic form on the EUR-Lex website under  
document number 32022M10798***



## EUROPEAN COMMISSION

Brussels, 19.7.2022  
C(2022) 5318 final

### **PUBLIC VERSION**

Norges Bank Investment Management  
Bankplassen 2,  
0107 Sentrum  
Norway

OPG Esplanade S.À.R.L.,  
6, rue Jean Monnet  
2180 Luxembourg  
Luxembourg

**Subject: Case M.10798 – NBIM / OXFORD PROPERTIES / SONY CENTER  
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 23 June 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of the Merger Regulation by which the undertaking(s) Norges Bank Investment Management ('NBIM', Norway), and Oxford Properties Group ('Oxford Properties', Canada), through its subsidiary OPG Esplanade S.À.R.L., belonging to the OMERS Group (Canada), will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertaking Sochribel GmbH, Sochribel Fixtures GmbH, Esplanade Gastronomie GmbH, and Forum Event Management GmbH (the 'Sony Center', Germany). by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are the following:
  - NBIM: provides institutional investment for the Government Pension Fund Global on behalf of the Norwegian Ministry of Finance,

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<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 ('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 245, 1.7.2022, p. 17.

- Oxford Properties: owns, develops and manages real estate assets. Oxford Properties belongs to the real estate arm of OMERS Administration Corporation, the administrator of the Ontario Municipal Employees Retirement System Primary Pension Plan and trustee of the pension funds,
  - Sony Center: four companies operating a multi-use commercial-rental and residential real estate asset in Berlin, Germany.
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.<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)*  
*Olivier GUERSENT*  
*Director-General*

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