



EUROPEAN COMMISSION
DG Competition

Case M.11380 - INPEX / KHI / IWATANI / JSE

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 22/02/2024

***In electronic form on the EUR-Lex website under document
number 32024M11380***



EUROPEAN COMMISSION

Brussels, 22.2.2024
C(2024) 1277 final

PUBLIC VERSION

INPEX CORPORATION
Akasaka Biz Tower
5-3-1 Akasaka
Minato-ku, Tokyo 107-6332
Japan

KAWASAKI HEAVY INDUSTRIES
Kobe Crystal Tower, 1-3
Higashikawasaki-cho 1-chome
Chuo-ku, Kobe, Hyogo 650-8680
Japan

IWATANI CORPORATION
6-4, Hommachi 3-chome
Chuo-ku, Osaka-shi
Osaka 541-0053
Japan

**Subject: Case M.11380 – INPEX / KHI / IWATANI / JSE
Commission decision pursuant to Article 6(1)(b) of Council Regulation
(EC) No 139/2004 ⁽¹⁾ and Article 57 of the Agreement on the European
Economic Area ⁽²⁾**

Dear Sir or Madam,

- (1) On 30 January 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which INPEX Corporation ('INPEX', Japan), Kawasaki Heavy Industries, Ltd. ('KHI', Japan) and Iwatani Corporation ('Iwatani', Japan) 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 Japan Suiso Energy, Ltd. ('JSE', Japan) by way of purchase of shares. ⁽³⁾

⁽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⁾ OJ C, C/2024/1362, 07.02.2024.

- (2) The business activities of the undertakings concerned are the following:
- INPEX is an exploration and production company headquartered in Tokyo, Japan. It engages in the research, exploration, development, production and sales of oil, natural gas and other mineral resources, other related businesses and investment and lending to the companies engaged in these activities,
 - KHI is a manufacturer of ships, rail vehicles, aerospace systems, motorcycles and engines, precision machinery and robots, and provides energy solutions,
 - Iwatani is an integrated energy provider. It engages in a wide range of businesses through its various business segments.
- (3) JSE will liquefy hydrogen in Victoria, Australia and transport it to customers in Japan.
- (4) 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 treatment for certain concentrations under Council Regulation (EC) No 139/2004. ⁽⁴⁾
- (5) For the reasons set out in the Notice on a simplified treatment, 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

⁽⁴⁾ OJ C 160, 5.5.2023, p. 1 (the ‘Notice on a simplified treatment’).