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PUBLIC VERSION

Mitsubishi Heavy Industries, Ltd.
3-1, Minatomirai 3-chrome
Nishi-Ku
220-8401 Yokohama, Kanagawa
Japan

Mitsubishi Electric Corporation
2-7-3 Marunouchi Chiyoda-ku
100-8310 Tokyo
Japan

Subject: **Case M.11310 – MHI / MELCO / JV**
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 17 November 2023, 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) and Mitsubishi Electric Corporation ('MELCO', Japan) will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a joint venture (JV). The concentration is accomplished by way of purchase of shares in the newly created company constituting a joint venture.[3]

2. The business activities of the undertakings concerned are the following:

   – MHI is active in the businesses of energy systems (power generation systems), plants and infrastructure systems (commercial ships, engineering, etc.), logistics, thermal and drive systems (material handling equipment, engines, air conditioning systems, etc.), aircraft, defence and space,

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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, OJ C, C/2023/1250, 28.11.2023.

– MELCO is engaged in the businesses of public utility systems, energy systems, defence and space systems, factory automation systems, automotive equipment, building systems, air conditioning and home products, information systems and network services, and semiconductors.

3. The JV will be active in the power-generator systems business.

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(b) and 5(d) 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 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

4 OJ C 160, 5.5.2023, p. 1–10.