EUROPEAN COMMISSION

Brussels, 5.2.2019
C(2019) 931 final

PUBLIC VERSION

To the notifying parties:

Subject: **Case M.9203 - PIERBURG / XINGFU / XINGFU ASSETS**
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 21 December 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Pierburg Pump Technology GmbH ("Pierburg") (Germany), controlled by Rheinmetall Automotive AG ("RHA"), and Shanghai Xingfu Motorcycle Co., Ltd ("Xingfu") (China), controlled by Huayu Automotive Systems Company Limited ("HASCO"), belonging to the group of Shanghai Automotive Industry Corporation (Group) ("SAIC"), acquire, through their jointly controlled joint venture company Pierburg Huayu Pump Technology Co., Ltd ("Pierburg Huayu"), joint control within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation of the automotive pumps business of Xingfu. The concentration is accomplished by way of purchase of assets.[3]

2. The business activities of the undertakings concerned are:

   – Xingfu is active in the business of manufacturing automotive pumps for companies affiliated to SAIC and third parties. HASCO is a publicly listed company mainly active in the Chinese market in manufacture and supply of automotive components to OEMs of commercial and passenger vehicles. SAIC is active in the automobile industry,

   – Pierburg manufactures pumps especially for the automotive industry.

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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 No C27 , 22.01.2018, p.16.

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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(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

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)
Johannes LAITENBERGER
Director-General

4 OJ C 366, 14.12.2013, p. 5.