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PUBLIC VERSION

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Japan

PT Samudera Pelabuhan Indonesia
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Jakarta 11480,
Indonesia

Subject: **Case M.11754 – MSC / TTC / SAMUDERA / 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 28 October 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Africa Global Logistics ('AGL', France), controlled by MSC Mediterranean Shipping Company Holding SA ('MSC', Switzerland), Toyota Tsusho Corporation ('TTC', Japan) and PT Samudera Pelabuhan Indonesia ('Samudera', Indonesia), controlled by PT Samudera Indonesia Tbk (Indonesia) will acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of PT Patimban Global Gateway Terminal ('PT Patimban', Indonesia) by way of purchase of shares in a newly created company constituting a joint venture. ([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/2024/6787, 7.11.2024.

(2) The business activities of the undertakings concerned are the following:

– AGL: transport, logistic services, port terminal concessions and railway infrastructure mainly across the African continent. AGL is part of MSC, which is active worldwide in sea transport of containersized cargo, port handling, logistics services, cruise and ferry sectors,

– TTC: trading company operating globally across various sectors, such as metals, parts and logistics, automotive, machinery, energy, chemicals and electronics,

– Samudera: shipping services, port operation services and logistic solutions mainly in Asia.

(3) The business activities of the undertaking PT Patimban will be the following: operation and management of a container terminal in the port of Patimban, Indonesia.

(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 paragraphs 5(a) and (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 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').