Prior notification of a concentration

(Case M.9801 – Allianz/OMERS Infrastructure/T&R JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 160/06)

1. On 5 May 2020, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— Allianz Capital Partners GmbH ('ACP', Germany), belonging to the group Allianz SE (Germany),

— Borealis Turtle Investments BV ('Borealis', the Netherlands), wholly owned by OMERS Administration Corporation ('OMERS', Canada),

— Autobahn Tank & Rast Gruppe GmbH & Co KG ('T&R', Germany).

ACP and Borealis acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control of the whole of T&R. The concentration results from an amendment in the governance principles of T&R.

2. The business activities of the undertakings concerned are:

— ACP is a wholly-owned subsidiary of Allianz SE, the ultimate parent company of the Allianz Group. The Allianz Group offers a comprehensive range of insurance and asset management products and services to both private and corporate customers in more than 70 countries. Pre-transaction, Allianz had sole control over T&R,

— Borealis is the managing holding entity of the T&R investment on behalf of OMERS, the administrator of the Ontario Municipal Employees Retirement System Primary Pension Plan and the ultimate parent company of the OMERS group, one of Canada's largest defined benefit pension plans. OMERS' shareholding in T&R has not changed post-transaction,

— T&R is a provider of food services, retail goods, hotel accommodation and fuel on German motorways.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9801 – Allianz/OMERS Infrastructure/T&R JV

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

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