Prior notification of a concentration

(Case M.9789 — CMA CGM/CMP/Terminal Link)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 72/08)

1. On 25 February 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:

— CMA CGM S.A. ('CMA CGM', France),

— China Merchants Port Holdings Company Limited ('CMP', Hong Kong SAR),

— CMA CGM Port Terminals (France) and Terminal Link Holding Pte. Ltd. (Singapore) (together the 'Terminal assets') to be contributed to Terminal Link S.A.S. ('Terminal Link', France) a pre-existing joint venture jointly controlled by CMA CGM and CMP.

CMA CGM and CMP, through their jointly controlled undertaking Terminal Link, acquire within the meaning of Articles 3 (1)(b) and 3(4) of the Merger Regulation joint control of the Target.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for CMA CGM: a global player active in container liner shipping, port terminal services, freight forwarding and contract logistics services worldwide,

— for CMP: a global port developer, investor and operator, operating container terminals located mainly in China, as well as South Asia, Africa, the Americas, Oceania and Europe,

— for the Terminal assets: shareholdings in various terminals located in China, Vietnam, Thailand, Singapore, Jamaica, Ukraine, Iraq, India and the Netherlands.

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.9789 — CMA CGM/CMP/Terminal Link

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[1] OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

[2] OJ C 366, 14.12.2013, p. 5.

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

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