Prior notification of a concentration
(Case M.9765 — AustralianSuper/Peel Group/DWS/Peel Ports)
Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 72/09)

1. On 26 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:

— AustralianSuper Group ('AustralianSuper', Australia),

— DWS Group & GmbH Co KgaA ('DWS', Germany), controlled by Deutsche Bank AG (Germany),

— Peel Group ('Peel Group', United Kingdom),

— Peel Ports Holdings Limited ('Peel Ports', United Kingdom), jointly controlled by DWS and Peel Group.

AustralianSuper along with DWS and Peel Group acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Peel Ports.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for AustralianSuper: industry and pension fund with primary investments in Australia.

— for DWS: asset management company, active globally.

— for Peel Group: investment company with a wide range of interests, including property, wind farms and hotels, primarily active in the United Kingdom.

— for Peel Ports: active in the operation of ports, shipping and marine support services in various locations including the United Kingdom, Ireland, the Netherlands and Australia.

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.9765 — AustralianSuper/Peel Group/DWS/Peel Ports

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

Postal address:

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Directorate-General for Competition
Merger Registry
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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.