EUROPEAN COMMISSION

Brussels, 30.6.2017
C(2017) 4670 final

PUBLIC VERSION

To the notifying parties

Subject: **Case M.8439 - Wärtsilä/CSSC/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 1 June 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Wärtsilä Technology Oy Ab, controlled by Wärtsilä Corporation ('Wärtsilä', Finland), and CSSC Electronics Technology Co., Ltd, controlled by China State Shipbuilding Corporation ('CSSC', China), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the undertaking CSSC Wärtsilä Electrical & Automation (Shanghai) Co., Ltd. ('JV', China) by way of a purchase of shares in a newly created company constituting a joint venture.[3]

2. The business activities of the undertakings concerned are:

   – for Wärtsilä: supply of complete lifecycle power solutions for the marine and energy markets,

   – for CSSC: shipbuilding and production of marine-related equipment, as well as non-marine related activities such as aerospace, construction, power generation and petrochemicals,

   – for JV: supply of marine electrical, automation and navigation systems in People's Republic of China.

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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 C 188, 14.6.2017, p. 25.

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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.