EUROPEAN COMMISSION

Brussels, 29.08.2019
C(2019) 6382 final

PUBLIC VERSION

To the notifying party

Subject: **Case M.9498 - Sumitomo/TTA/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 5 August 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Sumitomo Corporation ("SC", Japan) and PT Tuah Turangga Agung ("TTA", Indonesia), ultimately controlled by Jardine Matheson Holdings Limited (China) acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control of the joint venture company ("JV", Singapore).[3]

2. The business activities of the undertakings concerned are:

   – for SC: integrated trading and investment activities, in particular trading of metal products, transportation and construction of systems, environment and infrastructure, chemicals and electronics, media, networks and lifestyle related goods, mineral resources, energy and life sciences, in Japan and around the world,

   – for TTA: mining and trading of coal, in Asia,

   – for the JV: trading of thermal coal, predominantly in Asia.

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

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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 269 12.8.2019, p. 6.

Commission européenne, DG COMP MERGER REGISTRY, 1049 Bruxelles, BELGIQUE
Europese Commissie, DG COMP MERGER REGISTRY, 1049 Brussel, BELGIË

Tel: +32 229-91111. Fax: +32 229-64301. E-mail: COMP-MERGER-REGISTRY@ec.europa.eu.

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.