EUROPEAN COMMISSION

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PUBLIC VERSION

DKV Mobility Group
Balcke-Dürr-Allee 3
40882 Ratingen
Germany

Subject: **Case M.11521 - DKV MOBILITY GROUP / SMART DIESEL / TAX REFUND**
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 21 May 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which DKV Mobility Group ('DKV Mobility', Germany) will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Smart Diesel S.R.L. ('Smart Diesel', Romania) and Tax Refund S.R.L. ('Tax Refund', Romania) by way of purchase of shares. ([3])

(2) The business activities of the undertakings concerned are the following:

– DKV Mobility Group is mainly active in the sale of fuel cards for conventional fuel, alternative fuels and electric charge cards for electric vehicles; it also offers toll payment solutions, mobility solutions (i.e., parking, rental service, repairing of the vehicle, and innovative digital solutions, among others) and the provision of tax refund services of VAT and other taxes,

– Smart Diesel is active in the issuance and resale of fuel cards and the provision of road toll payment services,

– Tax Refund is active in VAT and other taxes refund services.

([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]) OJ C, C/2024/3497, 29.5.2024.

(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(d) and 5(e) of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004. ([4])

(4) For the reasons set out in the Notice on a simplified treatment, 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)
Olivier GUERSENT
Director-General

([4]) OJ C 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').