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Information and Notices

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⁽¹⁾ Text with EEA relevance.

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⁽¹⁾ Text with EEA relevance.

II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES
AND AGENCIES

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case M.11057 – DEKABANK / SC / LBBW / SWIAT JV)****(Text with EEA relevance)**

(2023/C 206/01)

On 8 June 2023, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 ⁽¹⁾. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the ‘Competition policy’ website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32023M11057. EUR-Lex is the online point of access to European Union law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

IV

*(Notices)*NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND
AGENCIES

COUNCIL

**Notice for the attention of the person subject to the restrictive measures provided for in Council
Decision 2010/231/CFSP, as implemented by Council Implementing Decision (CFSP) 2023/1148, and
Council Regulation (EU) No 356/2010, as implemented by Council Implementing Regulation
(EU) 2023/1147 concerning restrictive measures in view of the situation in Somalia**

(2023/C 206/02)

The following information is brought to the attention of the person appearing in Annex I to Council Decision 2010/231/CFSP ⁽¹⁾, as implemented by Council Implementing Decision (CFSP) 2023/1148 ⁽²⁾, and in Annex I to Council Regulation (EU) No 356/2010 ⁽³⁾, as implemented by Council Implementing Regulation (EU) 2023/1147 ⁽⁴⁾ concerning restrictive measures in view of the situation in Somalia.

On 26 May 2023 the United Nations Security Council (UNSC) Committee established pursuant to UNSC Resolution 751 (1992) approved the addition of one person to the list of persons and entities subject to restrictive measures.

The person concerned may submit at any time a request to the UN Committee established pursuant to Resolution 751 (1992), together with any supporting documentation, for the decision to include them on the UN list to be reconsidered. Any such request should be sent to the following address:

Focal Point for De-listing
Security Council Subsidiary Organs Branch
Room DC2 2034
United Nations
New York, N.Y. 10017
United States of America

Tel. +1 9173679448

Fax +1 2129631300

Email: delisting@un.org

For further information, see: <https://www.un.org/securitycouncil/sanctions/delisting/delisting-requests>

Further to the UN decision, the Council of the European Union has determined that the person designated by the UN should be included in the lists of persons and entities which are subject to the restrictive measures provided for in Decision 2010/231/CFSP and Regulation (EU) No 356/2010. The grounds for listing of the person concerned appear in the relevant entry in the Annex I to the Council Decision and in Annex I to the Council Regulation.

⁽¹⁾ OJ L 105, 27.4.2010, p. 17.

⁽²⁾ OJ L 151 I, 12.6.2023, p. 4.

⁽³⁾ OJ L 105, 27.4.2010, p. 1.

⁽⁴⁾ OJ L 151 I, 12.6.2023, p. 1.

The attention of the person concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex II to Regulation (EU) No 356/2010, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 5 of the Regulation).

The person concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the abovementioned lists should be reconsidered. Any such request should be sent to the following address:

Council of the European Union
General Secretariat
RELEX.1 Horizontal and Global Affairs
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

Email: sanctions@consilium.europa.eu

The attention of the person concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

Notice for the attention of the data subject to whom the restrictive measures provided for in Council Decision 2010/231/CFSP and Council Regulation (EU) No 356/2010 apply concerning restrictive measures in view of the situation in Somalia

(2023/C 206/03)

The attention of data subject is drawn to the following information in accordance with Article 16 of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁾.

The legal bases for this processing operation are Council Decision 2010/231/CFSP ⁽²⁾, as implemented by Council Implementing Decision (CFSP) 2023/1148 ⁽³⁾, and Council Regulation (EU) No 356/2010 ⁽⁴⁾, as implemented by Council Implementing Regulation (EU) 2023/1147 ⁽⁵⁾.

The controller of this processing operation is the Council of the European Union represented by the Director General of Directorate-General for External Relations (RELEX) of the General Secretariat of the Council and the department entrusted with the processing operation is RELEX.1 that can be contacted at:

Council of the European Union
General Secretariat
RELEX.1
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

Email: sanctions@consilium.europa.eu

The Data Protection Officer of the Council can be contacted at:

Data Protection Officer

Data.protection@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision 2010/231/CFSP, as implemented by Implementing Decision (CFSP) 2023/1148, and Regulation (EU) No 356/2010, as implemented by Implementing Regulation (EU) 2023/1147.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2010/231/CFSP and Regulation (EU) No 356/2010.

The personal data collected includes data necessary for the correct identification of the person concerned, the statement of reasons and any other data related to the grounds for listing.

The legal bases for the handling of personal data are the Council Decisions adopted under Article 29 TEU and Council Regulations adopted under Article 215 TFEU designating natural persons (data subjects) and imposing freezing of assets and travel restrictions.

Processing is necessary for the performance of a task carried out in the public interest in accordance with Article 5(1)(a) and for compliance with legal obligations laid down in the above-mentioned legal acts to which the controller is subject in accordance with Article 5(1)(b) of Regulation (EU) 2018/1725.

⁽¹⁾ OJ L 295, 21.11.2018, p. 39.

⁽²⁾ OJ L 105, 27.4.2010, p. 17.

⁽³⁾ OJ L 151 I, 12.6.2023, p. 4.

⁽⁴⁾ OJ L 105, 27.4.2010, p. 1.

⁽⁵⁾ OJ L 151 I, 12.6.2023, p. 1.

Processing is necessary for reasons of substantial public interest in accordance with Article 10(2)(g) of Regulation (EU) 2018/1725.

The Council may obtain personal data of data subjects from Member States and/or the European External Action Service. The recipients of the personal data are Member States, the European Commission and the European External Action Service.

All personal data processed by the Council in the context of the transposition of designations and updates of designations by the United Nations Security Council and relevant United Nations Sanctions Committees will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the asset freeze or the validity of the measure has expired or, if a legal action is brought before the Court of Justice, until a final judgment has been handed down. Personal data contained in documents registered by the Council are kept by the Council for archiving purposes in the public interest, within the meaning of Art. 4(1)(e) of Regulation (EU) 2018/1725.

The Council may need to exchange personal data regarding a data subject with a third country or international organisation in the context of the Council's transposition of UN designations or in the context of international cooperation regarding the EU's restrictive measures policy.

In the absence of an adequacy decision, or of appropriate safeguards, transfer of personal data to a third country or an international organisation is based on the following condition(s), pursuant to Article 50 of Regulation (EU) 2018/1725:

- the transfer is necessary for important reasons of public interest;
- the transfer is necessary for the establishment, exercise or defence of legal claims.

No automated decision-making is involved in the processing of the data subject's personal data.

Data subjects have the right of information and the right of access to their personal data. They also have the right to correct and complete their data. Under certain circumstances, they may have the right to obtain the erasure of their personal data, or the right to object to the processing of their personal data or to ask for it to be restricted.

Data subjects can exercise these rights by sending an e-mail to the controller with a copy to the Data Protection Officer as indicated above.

Attached to their request, the data subjects must provide a copy of an identification document to confirm their identity (ID card or passport).

This document should contain an identification number, country of issue, period of validity, name, address and date of birth. Any other data contained in the copy of the identification document such as photo or any personal characteristics may be blacked out.

Data subjects have the right to lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) 2018/1725 (edps@edps.europa.eu).

Before doing so, it is recommended that data subjects first try to obtain a remedy by contacting the controller and/or the Data Protection Officer of the Council.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

12 June 2023

(2023/C 206/04)

1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,0765	CAD	Canadian dollar	1,4357
JPY	Japanese yen	150,03	HKD	Hong Kong dollar	8,4326
DKK	Danish krone	7,4520	NZD	New Zealand dollar	1,7540
GBP	Pound sterling	0,85678	SGD	Singapore dollar	1,4457
SEK	Swedish krona	11,6185	KRW	South Korean won	1 385,76
CHF	Swiss franc	0,9751	ZAR	South African rand	19,9830
ISK	Iceland króna	149,50	CNY	Chinese yuan renminbi	7,6888
NOK	Norwegian krone	11,6340	IDR	Indonesian rupiah	15 996,85
BGN	Bulgarian lev	1,9558	MYR	Malaysian ringgit	4,9734
CZK	Czech koruna	23,759	PHP	Philippine peso	60,326
HUF	Hungarian forint	368,15	RUB	Russian rouble	
PLN	Polish zloty	4,4395	THB	Thai baht	37,236
RON	Romanian leu	4,9568	BRL	Brazilian real	5,2549
TRY	Turkish lira	25,3874	MXN	Mexican peso	18,5997
AUD	Australian dollar	1,5920	INR	Indian rupee	88,7330

⁽¹⁾ Source: reference exchange rate published by the ECB.

Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

(Published pursuant to Article 64(9) of Regulation (EC) No 1907/2006 ⁽¹⁾)

(Text with EEA relevance)

(2023/C 206/05)

Decision granting an authorisation

Reference of the decision ⁽¹⁾	Date of decision	Substance name	Holder of the authorisation	Authorisation number	Authorised use	Date of expiry of review period	Reasons for the decision
C(2023) 3517	6 Jun 2023	4-(1,1,3,3-tetramethylbutyl)phenol, ethoxylated ('4-tert-OPnEO') EC No.-; CAS No.- 4-Nonylphenol, branched and linear, ethoxylated (4-NPnEO) EC No.-; CAS No.-	QIAGEN GmbH, Qiagenstr. 1, 40724, Hilden, Germany; STAT-Dx Life S.L., Carrer de Baldiri Reixac 4, 08028, Barcelona, Spain; QIAGEN Distribution B.V., Hulsterweg 82, 5912 PL, Venlo, Netherlands.	REACH/23/17/0 REACH/23/17/1	Formulation and filling of buffer solutions containing 4-tert-OPnEO for the manufacturing of and use in in-vitro Diagnostic and Life Sciences kits of the product groups sample preparation, PCR and sequencing	4 January 2031	In accordance with Article 60(4) of Regulation (EC) No 1907/2006, the socio-economic benefits outweigh the risk to human health and the environment from the use of the substance and there are no suitable alternative substances or technologies.
				REACH/23/17/2	Formulation and filling of buffer solutions containing 4-NPnEO for the manufacturing of and use in in-vitro Diagnostic and Life Sciences kits of the product groups sample preparation, PCR and sequencing	4 January 2031	

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

				REACH/23/17/3	Industrial use of 4-tert-OPnEO in the purification of biomaterial and blocking of non-specific bindings for the use in in-vitro Diagnostic and Life Sciences kits of the product groups sample preparation, PCR and sequencing	4 January 2031	
				REACH/23/17/4	Industrial use of 4-NPnEO in the purification of biomaterial and blocking of non-specific bindings for the use in in-vitro Diagnostic and Life Sciences kits of the product groups sample preparation, PCR and sequencing	4 January 2031	
				REACH/23/17/5 REACH/23/17/6 REACH/23/17/7	Professional downstream use of 4-tert-OPnEO in the purification of biomaterial and blocking of non-specific bindings for the use in in-vitro Diagnostic and Life Sciences kits with regulatory impact of the product groups sample preparation, PCR, sequencing and immunoassay	4 January 2031	

				REACH/23/17/8 REACH/23/17/9	Professional downstream use of 4-NPnEO in the purification of biomaterial and blocking of non-specific bindings for the use in in-vitro Diagnostic and Life Sciences kits with regulatory impact of the product groups sample preparation, PCR, sequencing	4 January 2031	
				REACH/23/17/10 REACH/23/17/11	Professional downstream use of 4-tert-OPnEO in the purification of biomaterial and blocking of non-specific bindings for Life Sciences kits without regulatory impact of the product groups sample preparation, PCR and sequencing	4 January 2026	
				REACH/23/17/12 REACH/23/17/13	Professional downstream use of 4-NPnEO in the purification of biomaterial and blocking of non-specific bindings for Life Sciences kits without regulatory impact of the product groups sample preparation, PCR and sequencing	4 January 2026	

(¹) The decision is available on the European Commission website at: [Authorisation \(europa.eu\)](https://europea.eu).

Commission notice on current State aid recovery interest rates and reference/discount rates applicable as from 1 July 2023

(Published in accordance with Article 10 of Commission Regulation (EC) No 794/2004 ⁽¹⁾)

(2023/C 206/06)

Base rates calculated in accordance with the Communication from the Commission on the revision of the method for setting the reference and discount rates (OJ C 14, 19.1.2008, p. 6.). Depending on the use of the reference rate, the appropriate margins have still to be added as defined in this communication. For the discount rate this means that a margin of 100 basispoints has to be added. The Commission Regulation (EC) No 271/2008 of 30 January 2008 amending Regulation (EC) No 794/2004 foresees that, unless otherwise provided for in a specific decision, the recovery rate will also be calculated by adding 100 basispoints to the base rate.

Modified rates are indicated in bold.

Previous table published in OJ C 185, 26.5.2023, p. 55.

From	To	AT	BE	BG	CY	CZ	DE	DK	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK
1.7.2023	...	3,64	3,64	2,15	3,64	7,43	3,64	3,54	3,64	3,64	3,64	3,64	3,64	3,64	15,10	3,64	3,64	3,64	3,64	3,64	3,64	3,64	7,62	3,64	8,31	3,82	3,64	3,64	4,24
1.6.2023	30.6.2023	3,64	3,64	2,15	3,64	7,43	3,64	3,54	3,64	3,64	3,64	3,64	3,64	3,64	15,10	3,64	3,64	3,64	3,64	3,64	3,64	3,64	7,62	3,64	8,31	3,21	3,64	3,64	4,24
1.5.2023	31.5.2023	3,06	3,06	1,80	3,06	7,43	3,06	3,54	3,06	3,06	3,06	3,06	3,06	3,06	15,10	3,06	3,06	3,06	3,06	3,06	3,06	3,06	7,62	3,06	8,31	3,21	3,06	3,06	4,24
1.4.2023	30.4.2023	3,06	3,06	1,51	3,06	7,43	3,06	3,54	3,06	3,06	3,06	3,06	3,06	3,06	15,10	3,06	3,06	3,06	3,06	3,06	3,06	3,06	7,62	3,06	8,31	3,21	3,06	3,06	3,52
1.3.2023	31.3.2023	3,06	3,06	1,10	3,06	7,43	3,06	2,92	3,06	3,06	3,06	3,06	3,06	3,06	15,10	3,06	3,06	3,06	3,06	3,06	3,06	3,06	7,62	3,06	8,31	2,96	3,06	3,06	3,52
1.2.2023	28.2.2023	2,56	2,56	0,79	2,56	7,43	2,56	2,92	2,56	2,56	2,56	2,56	2,56	2,56	15,10	2,56	2,56	2,56	2,56	2,56	2,56	2,56	7,62	2,56	8,31	2,44	2,56	2,56	2,77
1.1.2023	31.1.2023	2,56	2,56	0,36	2,56	7,43	2,56	2,92	2,56	2,56	2,56	2,56	2,56	2,56	15,10	2,56	2,56	2,56	2,56	2,56	2,56	2,56	7,62	2,56	8,31	2,44	2,56	2,56	2,77

⁽¹⁾ OJ L 140, 30.4.2004, p. 1.

COURT OF AUDITORS

Special report 16/2023

'NGEU debt management at the Commission – An encouraging start, but further alignment with best practice needed'

(2023/C 206/07)

The European Court of Auditors has published its special report 16/2023: 'NGEU debt management at the Commission – An encouraging start, but further alignment with best practice needed'.

The report can be consulted directly or downloaded at the European Court of Auditors' website: <https://www.eca.europa.eu/en/publications/sr-2023-16>

V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration**(Case M.11142 – Brookfield / Triton)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2023/C 206/08)

1. On 5 June 2023, 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:

- Brookfield Corporation (Canada),
- Triton International Limited ('Triton', Bermuda).

Brookfield Corporation will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Triton.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- Brookfield Corporation (formerly known as Brookfield Asset Management Inc.), a global owner and operator of real assets across industries, including renewable power and transition, infrastructure, private equity, real estate, credit, and insurance solutions. Brookfield Corporation generally invests across three businesses: asset management, insurance solutions, and operating businesses.
- Triton is a company active in the acquisition, leasing, re-leasing and subsequent sale of intermodal containers and container chassis for seaborne transport.

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 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.

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.11142 – Brookfield / Triton

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

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Prior notification of a concentration
(Case M.11146 – SILVER LAKE / SOFTWARE AG)
Candidate case for simplified procedure

(Text with EEA relevance)

(2023/C 206/09)

1. On 5 June 2023, 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:

- Silver Lake Group, L.L.C. ('Silver Lake', USA),
- Software Aktiengesellschaft ('Software AG', Germany).

Silver Lake will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Software AG.

The concentration is accomplished by way of public bid announced on 21 April 2023.

2. The business activities of the undertakings concerned are the following:

- Silver Lake is a global technology investment firm.
- Software AG is a multinational enterprise software and technology company, which is publicly listed on the Frankfurt Stock Exchange. It provides infrastructure software to allow customers to seamlessly move and integrate data flows across their business.

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 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.11146 – SILVER LAKE / SOFTWARE AG

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

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

Prior notification of a concentration
(Case M. 11113 – SADC O / DPDHL / JV)
Candidate case for simplified procedure

(Text with EEA relevance)

(2023/C 206/10)

1. On 6 June 2023, 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:

- Saudi Aramco Development Company ('SADC O', Kingdom of Saudi Arabia), controlled by Saudi Arabian Oil Company ('Saudi Aramco', Kingdom of Saudi Arabia),
- Deutsche Post AG, the German parent entity of Deutsche Post DHL Group (together with direct and indirect subsidiaries, 'DPDHL', Germany),
- A greenfield joint venture ('JV', Kingdom of Saudi Arabia).

SADC O and DPDHL will acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of the newly created joint venture.

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are the following:

- Saudi Aramco is primarily engaged in prospecting, exploring, drilling and extracting hydrocarbon substances and processing, manufacturing, refining and marketing these substances,
- DPDHL is a global logistics group. It operates in over 220 countries and territories and employs approximately 570 000 people. DPDHL operates under two brands (Deutsche Post and DHL).

3. The business activities of the JV will be the provision of procurement and logistics services. This will include storage and warehouse management and optimization, procurement of inventory items on behalf of customers, inventory and transportation management and optimization. The JV will, inter alia, i) develop, operate and maintain relevant facilities, ii) market, develop, sell and provide its services and iii) conduct research and development activities. It will be active in the Kingdom of Saudi Arabia and possibly in the wider Middle East and North Africa region.

4. 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 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.

5. 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.11113 – SADC O / DPDHL / JV

⁽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 or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Prior notification of a concentration
(Case M.11141 – WENDEL / TOPSCALE)
Candidate case for simplified procedure

(Text with EEA relevance)

(2023/C 206/11)

1. On 7 June 2023, 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:

- Wendel Luxembourg S.A. (Luxembourg), controlled by Wendel S.E. (France) ('Wendel'),
- Topscale SAS (France) ('Scalian').

Wendel will acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Topscale SAS.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- Wendel Luxembourg S.A. headquartered in Luxembourg, is an authorized alternative investment fund manager. It is fully owned by Wendel S.E., a French investment firm headquartered in Paris. Wendel Luxembourg S.A. indirectly holds and manages Wendel Group's unlisted investments and certain listed investments through reserved alternative investment funds. Wendel Luxembourg S.A. is active, through its controlled portfolio companies, on a worldwide basis.
- Scalian is headquartered in France, is a provider of services in industrial project management, supply chain (costs, quality, deadlines, performance), architecture and development of embedded digital systems and information system applications, big data and AI. Scalian is mainly active within the European Union.

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 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.11141 – WENDEL / TOPSCALE

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

Email: COMP-MERGER-REGISTRY@ec.europa.eu

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

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