



Republic of Serbia
**COMMISSION FOR
PROTECTION OF
COMPETITION**
25/IV Savska Street, Belgrade
Number: 6/0-02-570/2023-5
Date: August 14, 2023

President of the Commission for Protection of Competition, pursuant to Article 37 paragraph 2 and Article 65 paragraph 5 of the Law on Protection of Competition (“Official Gazette of the Republic of Serbia”, number 51/09 and 95/13), and Article 2 paragraph 1 item 6 of the Tariff on the level of compensations for activities within the competence of the Commission for Protection of Competition (“Official Gazette of the RS”, No. 49/11), in deciding upon notification on concentration number 6/0-02-570/2023-1, submitted on July 14, 2023, by Messer SE & Co. KGaA, with registered office at Messer-Platz 1, 65812 Bad Soden am Taunus, Germany, and Toyota Tsusho Europe SA with registered office at Belgicastraat 13, Zaventem, Belgium, through attorney, lawyer Nikola B. Poznanović, Vladimira Popović 8A, Delta House, Belgrade, on August 14, 2023, brings the following

DECISION

I APPROVING, in summary procedure, market participants concentration from the joint investment of the company Messer SE & Co. KGaA, with registered office at Messer-Platz 1, 65812 Bad Soden am Taunus, Germany, registration number HRB 123982, and Toyota Tsusho Europe SA with registered office at Belgicastraat 13, Zaventem, Belgium, registration number 0403.191.881, in order to create a new market participant that operates on a long-term basis and has all the functions of an independent market participant, by establishing a company that will operate with its headquarters in Germany and that will deal with the provision of mobility services to fleet operators, including fleet maintenance and management, as and the production and sale of hydrogen necessary for driving vehicles.

II IT IS HEREBY ESTABLISHED that the notifying parties, the companies Messer SE & Co. KGaA и Toyota Tsusho Europe S.A. on July 21, 2023, paid the amount of XXX to the account of the Commission for Protection of Competition, representing appropriate amount for the issuance of decision on concentration approval in summary procedure.

PRESIDENT OF THE COMMISSION

Nebojša Perić, m.p.