
9 August 2023

CCC Merger Inquiry Notice No. 17 of 2023

Notice of Inquiry into the Merger Involving Abu Dhabi National Oil Company P.J.S.C. and OMV Aktiengesellschaft

It is hereby notified in terms of Article 26(6) of the COMESA Competition Regulations (the “**Regulations**”) that the COMESA Competition Commission (the “**Commission**”), after receiving a notification in terms of Article 24 of the Regulations regarding the merger involving Abu Dhabi National Oil Company P.J.S.C. (“**ADNOC**”) and OMV Aktiengesellschaft (“**OMV**”), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The proposed transaction concerns the acquisition by ADNOC of a 24.9% shareholding in OMV from Mubadala Petroleum Petrochemicals Holding Company L.L.C. Upon completion of the Proposed Transaction, ADNOC and Österreichische Beteiligungs AG, who respectively will hold 24.9% and 31.5%, consider that they will jointly control OMV.

The parties submitted that ADNOC is an energy and petrochemicals group operating across the entire hydrocarbon value chain through a network of fully integrated businesses. ADNOC is principally active in the exploration, production, storage, refining, and distribution of oil and gas, as well as in the development of petrochemical products. Additional information regarding ADNOC is available on its website at www.adnoc.ae/en. Within the Common Market, ADNOC operates in Democratic Republic of Congo (“**DRC**”), Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Madagascar, Mauritius, Rwanda, Seychelles, Somalia, Sudan, Tunisia and Uganda.

The parties submitted that OMV is a public liability company incorporated under the laws of Austria and is the ultimate parent company of the OMV group. OMV is globally active in upstream and downstream oil and gas activities. The upstream business activities focus on the exploration, development and production of oil and gas in certain core regions including Central and Eastern Europe, the North Sea, the Middle East, Africa and Asia-Pacific. The downstream oil business operates refineries in Austria (Schwechat), Germany (Burghausen) and Romania (Petrobrazi). OMV is also active in the production and commercialization of polyolefins, base chemicals and fertilisers. Additional information regarding OMV is available on its website at <https://www.omv.com/en>. Within the Common Market, OMV operates in Comoros, DRC, Djibouti, Egypt, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Sudan, Tunisia, Uganda, Zambia and Zimbabwe.

The Commission will, in accordance with the provisions of the Regulations, determine, among other things, whether the Proposed Transaction is likely to substantially

prevent or lessen competition within the Common Market and whether the Proposed Transaction is or would be contrary to the public interest as provided for under Article 26 of the Regulations.

In view of this, the Commission hereby gives notice to all interested stakeholders, including competitors, suppliers and customers of the parties to the proposed transaction to submit written representations to the Commission with regard to the subject matter of the proposed inquiry by emailing them to: akamanga@comesacompetition.org. All written representations should be sent to the Commission not later than **30 August 2023**.

If you wish to seek further details and/or clarifications on any aspect of this proposed transaction or need assistance you may get in touch with **Mr. Ali Kamanga, Principal Analyst, Competition Division** on Tel: +265 (0) 1 772 466 or akamanga@comesacompetition.org.

All written representations submitted to the Commission will be treated with the strictest confidentiality and will only be used for the purpose of this inquiry.