President of UOKiK has given a conditional approval on the fuel market

* **Anwim, the franchisor of the Moya gas station chain, may take over part of the property of Elbah II, the owner of a station in the Silesian province, on condition that it terminates a contract with one of its franchisees.**
* **President of UOKiK has issued a conditional approval of the concentration concerning the case in question.**

**[Warsaw, 16 February 2024]** The subject of the transaction is the purchase by Anwim of three gas stations owned by Elbah II, in Chorzów, Radzionków and Tarnowskie Góry. In the course of the investigation, President of UOKiK examined the status of competitors in local markets within a 2.5-kilometer radius and a 5-kilometer radius of the acquired stations. Such market coverage is primarily due to the preferences of fuel buyers. As a rule, consumers choose stations near the place where they live or work and use the closest point by the route they travel.

UOKIK’s analysis showed that the activities of the participants in the concentration overlapped in Radzionków and competition could be restricted in the part of the town. If the existing competitors join their potentials, they may stop competing with each other. At the same time, there will be a lack of other players with comparable strength in these markets. This will be prevented by the fulfillment of the condition imposed by President of UOKIK, i.e. the termination of the contract between Anwim and Przedsiębiorstwo Handlowo - Usługowe Cagro Tank - the franchisee of the station at 51 Kużaja Street in Radzionków. This will preserve competition in the local market. Cagro-Tank has the infrastructure to operate a gas station which guarantees the continuation of its current operations. The entrepreneur should have no problems with possibly entering into a franchise contract with another entity and competing with a Moya chain station, either. President of UOKiK also imposed an obligation on Anwim to provide information on the performance of the condition within 30 days of its implementation or the expiration of the deadline specified in the decision.

According to the law, the merger is subject to notification to the antitrust authority if it involves undertakings whose aggregate turnover generated in the preceding year exceeded EUR 1 billion worldwide or EUR 50 million in Poland.

The decision is not final. The party notifying the Office has the right to appeal to the Court of Competition and Consumer Protection. At the same time, please note that information on all concentration-related antitrust proceedings conducted by UOKiK is posted on the [UOKiK website](https://uokik.gov.pl/koncentracje.php).