

***Case No COMP/M.2682 -  
CREDIT SUISSE /  
BELGACOM / T-  
MOBILE / BEN  
NEDERLAND***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 17/01/2002

*Also available in the CELEX database  
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17/01/2002

SG (2001) D/228155-228156-228157

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

**To the notifying parties**

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.2682 - CREDIT SUISSE / BELGACOM / T-MOBILE / BEN NEDERLAND**  
**Notification of 05.12.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup>**  
**Publication in the Official Journal of the European Communities No. C 350, 11.12.2001, p.13.**

1. On 5.12.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings Credit Suisse Group ("CSG", Switzerland), via its holding company Gringots S.a.r.l. ("Gringots", Luxemburg), Belgacom N.V./S.A. ("Belgacom", Belgium) and T-Mobile International AG ("TMO", Germany), belonging to the Deutsche Telekom Group ("DT", Germany), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Ben Nederland Holding BV ("Ben Nederland", Netherlands, previously jointly controlled by DT and Belgacom) by way of purchase of shares and contract of management. The business activities of the undertakings concerned are : for CSG: financial services; for Belgacom: telecommunications services ; for TMO : telecommunications services; for Ben Nederland: mobile telecommunications services in the Netherlands.

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<sup>1</sup> OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>2</sup>.
3. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission

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<sup>2</sup> OJ C 217, 29.07.2000, p. 32.