

***Case No COMP/M.2709 -  
ING / DIBA***

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: 22/02/2002

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22/02/2002

SG (2002) D/228603

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying party**

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

**Subject: Case No. COMP/M.2709 - ING/DiBa  
Notification of 21/01/2002 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 24 of  
26.1.2002, p.4**

1. On 21/01/2002, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the Dutch undertaking ING Groep N.V. ("ING") acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the German undertaking Allgemeine Deutsche Direktbank AG ("DiBa") by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for ING: banking, insurance, asset management
  - for DiBa: direct bank

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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.

3. 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>.
4. 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

*(Signed)*

Mario MONTI  
Member of the Commission

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