

***Case No COMP/M.3140 -  
CINVEN / FITNESS  
FIRST***

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: 15/05/2003

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

Brussels, 15.05.2003

SG (2003) D/229746

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To notifying party :**

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

**Subject: Case No. COMP/M.3140 – Cinven / Fitness First  
Notification of 10.04.2003 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 92,  
17.04.2003, page 7.**

1. On 10 April 2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertaking Cinven Limited (Cinven), United Kingdom, belonging to the Cinven Group Limited acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Fitness First plc (Fitness First), United Kingdom, by way of public bid announced on April 10, 2003.

The business activities of the undertakings concerned are :

- for Cinven : investment and management advice to investment funds and management of investments on their behalf,

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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.

- for Fitness First : operation of fitness clubs in Europe, the Far East and Australia.
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 b, 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

*Signed*  
Mario MONTI  
Member of the Commission

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