

***Case No COMP/M.3988 -
BC FUNDS / FITNESS
FIRST***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 27/10/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.10.2005

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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

**Subject: Case No. COMP/M.3988 – BC Funds / Fitness First
Notification of 29 September 2005 pursuant to Article 4 of Council Regulation
(EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 248 of 7
October 2005, p. 5**

1. On 29 September 2005, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which certain private equity funds (BC Funds) acquire within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Fitness First Holdings Limited (“Fitness First”, UK) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for BC Funds: private equity funds;
 - for Fitness First: operator of health and fitness clubs in several countries.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph

¹ OJ L 24, 29.1.2004 p. 1

5, subparagraph b of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².

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 (EC) No. 139/2004.

For the Commission
signed
Neelie KROES
Member of the Commission

² OJ C 56, 05.3.2005 p.32