

Information procedure — technical regulations

(97/C 14/02)

(Text with EEA relevance)

- Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ No L 109, 26. 4. 1983, p. 8).
- Directive 88/182/EEC of 22 March 1988 amending Directive 83/189/EEC (OJ No L 81, 26. 3. 1988, p. 75).
- Directive 94/10/EC of the European Parliament and the Council of 23 March 1994 materially amending for the second time Directive 83/189/EEC (OJ No L 100, 19. 4. 1994, p. 30).

Notifications of draft national technical regulations received by the Commission.

Reference ⁽¹⁾	Title	End of three-month standstill period ⁽²⁾
96/440/FIN	Regulation on type-approval requirements for certain maritime radio equipment	5. 2. 1997
96/441/FIN	Regulation on type-approval requirements for maritime VHF radiotelephones	5. 2. 1997
96/442/S	General advice of the National Board of Housing, Building and Planning; type-approval and manufacturing control of heat insulation products	6. 2. 1997
96/443/D	Technical delivery conditions for marine rubble (German designation: TLW), 1997 release	6. 2. 1997
96/444/UK	British Pharmacopoeia 1993, addendum 1997	7. 2. 1997
96/445/D	Amendments to the Building Regulation List A and List C — 96/1 edition for the 97/1 release	13. 2. 1997
96/446/UK	Construction products	17. 2. 1997
96/447/NL	Amendment 1996/01 to Commodity Board for Fruit and Vegetables [Dutch designation: PGF] 1991 Agricultural Quality Order on fruit and vegetables (Brussels sprouts)	10. 2. 1997
96/448/NL	Amendment 1996/1 to the Commodity Board for Fruit and Vegetables [Dutch designation: PGF] 1988 Order on candied fruit	10. 2. 1997
96/449/NL	PGF (Commodity Board for Fruit and Vegetables) 1987 amendment 1996/01 on sauerkraut	10. 2. 1997
96/450/D	Tenth Order amending the Safety of Life at Sea Order	19. 2. 1997
96/451/D	Law concerning revision of the Energy Industry Law	14. 2. 1997

(¹) Year — registration number — Member State of origin.

(²) Period during which the draft may not be adopted.

(³) No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

(⁴) No standstill period since the measure concerns technical specifications or other requirements linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1 (9) of Directive 93/189/EEC.

(⁵) Information procedure closed.

The Commission draws attention to the judgment given on 30 April 1996 in the 'CIA Security' case (C-194/94), in which the Court of Justice ruled that Articles 8 and 9 of Directive 83/189/EEC are to be interpreted as meaning that individuals may rely on them before the national court which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgment confirms the Commission's communication of 1 October 1986 (OJ No C 245, 1. 10. 1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, so that they are unenforceable against individuals.

Information on these notifications can be obtained from the national administrations, a list of which was published in *Official Journal of the European Communities* No C 324 of 30 October 1996.

Prior notification of a concentration
(Case No IV/M.850 — Fortis/MeesPierson)

(97/C 14/03)

(Text with EEA relevance)

1. On 3 January 1997, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89⁽¹⁾ by which Fortis AG, SA and Fortis Amev NV (Fortis) acquire within the meaning of Article 3 (1) (b) of that Regulation control of the whole of MeesPierson NV by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - Fortis: insurance and banking,
 - MeesPierson: merchant banking.
3. Upon preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.
4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (fax No (32 2) 296 43 01/296 72 44) or by post, under reference number IV/M.850 — Fortis/MeesPierson, to the following address:

European Commission,
Directorate-General for Competition (DG IV),
Directorate B — Merger Task Force,
Avenue de Cortenberg/Kortenberglaan 150,
B-1040 Brussels.

⁽¹⁾ OJ No L 395, 30. 12. 1989. Corrigendum: OJ No L 257, 21. 9. 1990, p. 13.
