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# C 333



English edition

## Information and Notices

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<sup>(1)</sup> Text with EEA relevance.

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<sup>(1)</sup> Text with EEA relevance.

## II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES  
AND AGENCIES

## EUROPEAN COMMISSION

**Non-opposition to a notified concentration****(Case M.10784 – BAIN CAPITAL / BPEA / CITIUSTECH)****(Text with EEA relevance)**

(2022/C 333/01)

On 2 August 2022, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 <sup>(1)</sup>. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the ‘Competition policy’ website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32022M10784. EUR-Lex is the online point of access to European Union law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Non-opposition to a notified concentration****(Case M.10803 – ELKEM / HYDRO ENERGI INVEST / ALTOR FUND MANAGER / VIANODE)****(Text with EEA relevance)**

(2022/C 333/02)

On 24 August 2022, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 <sup>(1)</sup>. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the ‘Competition policy’ website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32022M10803. EUR-Lex is the online point of access to European Union law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Non-opposition to a notified concentration****(Case M.10633 – SUEZ / ACEA / JV)****(Text with EEA relevance)**

(2022/C 333/03)

On 29 August 2022, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 <sup>(1)</sup>. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the ‘Competition policy’ website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32022M10633. EUR-Lex is the online point of access to European Union law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

## IV

(Notices)

## NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

## EUROPEAN COMMISSION

Euro exchange rates <sup>(1)</sup>

31 August 2022

(2022/C 333/04)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,0000	CAD	Canadian dollar	1,3111
JPY	Japanese yen	138,72	HKD	Hong Kong dollar	7,8488
DKK	Danish krone	7,4371	NZD	New Zealand dollar	1,6322
GBP	Pound sterling	0,86035	SGD	Singapore dollar	1,3969
SEK	Swedish krona	10,6788	KRW	South Korean won	1 342,79
CHF	Swiss franc	0,9796	ZAR	South African rand	17,0667
ISK	Iceland króna	141,70	CNY	Chinese yuan renminbi	6,8947
NOK	Norwegian krone	9,9388	HRK	Croatian kuna	7,5148
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	14 849,93
CZK	Czech koruna	24,550	MYR	Malaysian ringgit	4,4755
HUF	Hungarian forint	402,80	PHP	Philippine peso	56,153
PLN	Polish zloty	4,7283	RUB	Russian rouble	
RON	Romanian leu	4,8595	THB	Thai baht	36,450
TRY	Turkish lira	18,1849	BRL	Brazilian real	5,1482
AUD	Australian dollar	1,4591	MXN	Mexican peso	20,2044
			INR	Indian rupee	79,5465

<sup>(1)</sup> Source: reference exchange rate published by the ECB.

# COURT OF AUDITORS

## **Opinion 04/2022**

*(pursuant to Article 287(4) and Article 322(1)(a), TFEU)*

**concerning the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulation (EU) 2021/1060, Regulation (EU) 2021/2115, Directive 2003/87/EC and Decision (EU) 2015/1814 (2022/0164 (COD))**

(2022/C 333/05)

The European Court of Auditors has published its opinion 04/2022 (pursuant to Article 287(4) and Article 322(1)(a), TFEU) concerning the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2021/241 as regards REPowerEU chapters in recovery and resilience plans and amending Regulation (EU) 2021/1060, Regulation (EU) 2021/2115, Directive 2003/87/EC and Decision (EU) 2015/1814 [2022/0164 (COD)].

The opinion can be consulted directly or downloaded at the European Court of Auditors' website:

<https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=61912>

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## V

(Announcements)

## ADMINISTRATIVE PROCEDURES

## EUROPEAN COMMISSION

**NOTICE PURSUANT TO ARTICLE 29(2) OF THE STAFF REGULATIONS**

**Publication of a vacancy for the function of Director for Workplace & Wellbeing in Brussels (HR.D)  
(AD14)**

**COM/2022/10415**

(2022/C 333/06)

The European Commission has published a vacancy notice (reference COM/2022/10415) for the function of Director for Workplace & Wellbeing (HR.D) (grade AD 14).

To consult the text of the vacancy notice in 24 languages and to submit your application, please visit this dedicated webpage on the European Commission's website: <https://europa.eu/!7vTJDM>

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**NOTICE PURSUANT TO ARTICLE 29(2) OF THE STAFF REGULATIONS****Publication of a vacancy for the function of Director HR for Specific Sites & Services in Luxembourg (HR.E) (AD14)****COM/2022/10416**

(2022/C 333/07)

The European Commission has published a vacancy notice (reference COM/2022/10416) for the function of Director HR for Specific Sites & Services (HR.E) (grade AD 14).

To consult the text of the vacancy notice in 24 languages and to submit your application, please visit this dedicated webpage on the European Commission's website: <https://europa.eu/!WMjtYV>

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## COURT PROCEEDINGS

## EUROPEAN COMMISSION

## EFTA COURT

**Request for an Advisory Opinion from the EFTA Court by the Fürstliches Obergericht dated 28 April 2022 in the case of Christian Maitz v AHV-IV-FAK**

(Case E-5/22)

(2022/C 333/08)

A request has been made to the EFTA Court, dated 28 April 2022, from the Fürstliches Obergericht (Princely Court of Appeal), which was received at the Court Registry on 3 May 2022, for an Advisory Opinion in the case of Christian Maitz v AHV-IV-FAK on the following questions:

1. Is it necessary for the scope *ratione personae* of Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 (OJ 2004 L 166, p. 1), incorporated in the EEA Agreement by Decision of the EEA Joint Committee of 1 July 2011 (LGBL 2012 No 202), that the Member State national who is subject to the legislation of one or more Member States within the meaning of Article 2(1) of that Regulation is resident in one of the Member States?

If the answer to that question is in the negative:

Can an agreement concluded by the EU or an EEA Member State with a third country by which the scope of application of the Regulation mentioned was extended to the third country change the answer to this question?

2. Must an attestation within the meaning of Article 19(2) of Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ 2009 L 284, p. 1), incorporated into the EEA Agreement by Decision of the Joint Committee of 1 July 2011 (LGBL 2012 No 202), be issued necessarily by means of a form (PD A1) laid down by the Administrative Commission for the Coordination of Social Security Systems in order to produce the legal effects specified in Article 5(1) of that Regulation?
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PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION  
POLICY

EUROPEAN COMMISSION

**Prior notification of a concentration**

**(Case M.10868 – DIGITALBRIDGE / BROOKFIELD / DTAG / JV)**

**Candidate case for simplified procedure**

(Text with EEA relevance)

(2022/C 333/09)

1. On 24 August 2022, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- DigitalBridge Group, Inc. ('DigitalBridge', US),
- Brookfield Asset Management Inc. ('Brookfield', Canada),
- Deutsche Telekom AG ('DTAG', Germany),
- DFMG Holding GmbH ('DFMG', Germany), currently ultimately controlled by DTAG.

DigitalBridge, Brookfield and Deutsche Telekom will acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of DFMG.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- DigitalBridge is a dedicated, global-scale digital infrastructure investment firm listed at the New York Stock Exchange. DigitalBridge is investing across five key sectors: (i) data centres; (ii) cell towers; (iii) fiber networks; (iv) small cells; and (v) edge infrastructure,
- Brookfield is a global asset manager that offers a range of public and private investment products and services, and is co-listed on the New York and Toronto stock exchanges. Brookfield's investment focus is on real estate, infrastructure, renewable power, and private equity,
- DTAG is an integrated telecommunications and information technology service provider with activities worldwide in more than 50 countries. DTAG offers fixed and mobile telecommunication services, Internet and IPTV products as well as IT products to consumers mainly in Europe and the US. In addition, DTAG provides telecommunications services to other carriers and internet service providers at the wholesale level as well as information and communication technology solutions for medium and large-sized customers around the world.
- DFMG owns and operates passive wireless telecommunications infrastructure (i.e., the towers, rooftop sites and so-called small cells) in Germany and Austria. More specifically, DFMG provides telecommunication infrastructure hospitality services (i.e., leasing of space on existing and future mobile network sites) for the mobile network operators and broadcasters as well as for digital radio networks of public authorities in Germany and Austria.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 <sup>(?)</sup> it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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. The following reference should always be specified:

M.10868 – DIGITALBRIDGE / BROOKFIELD / DTAG / JV

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission  
Directorate-General for Competition  
Merger Registry  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

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<sup>(?)</sup> OJ C 366, 14.12.2013, p. 5.

**Prior notification of a concentration****(Case M.10721 – CELANESE / DUPONT (MOBILITY & MATERIALS BUSINESS))****(Text with EEA relevance)**

(2022/C 333/10)

1. On 23 August 2022, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- Celanese Corporation ('Celanese', USA),
- DuPont's Mobility & Materials Business, controlled by DuPont de Nemours, Inc. (USA).

Celanese will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of DuPont's Mobility & Materials Business.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- Celanese is a global chemical and specialty materials company, producing high performance engineered polymers that are used in a variety of applications, as well as a producer of acetyl products, which are intermediate chemicals for nearly all major industries. Celanese's product portfolio serves a diverse set of end-use applications.
- DuPont's Mobility & Materials Business provides high-performance engineering thermoplastics, elastomers, pastes, filaments and advanced films to engineers and designers in the transportation, electronics, renewable energy, industrial and consumer end-markets to enable systems solutions for demanding applications and environments.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. 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. The following reference should always be specified:

M.10721 – CELANESE / DUPONT (MOBILITY & MATERIALS BUSINESS)

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission  
Directorate-General for Competition  
Merger Registry  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

**Prior notification of a concentration**  
**(Case M.10826 – GOLDMAN SACHS / NORGINE)**  
**Candidate case for simplified procedure**

(Text with EEA relevance)

(2022/C 333/11)

1. On 24 August 2022, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- The Goldman Sachs Group, Inc. ('Goldman Sachs', United States of America);
- Norgine Europe B.V. together with its direct and indirect subsidiaries ('the Norgine Group' or the 'Target', Netherlands).

Goldman Sachs will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Norgine <sup>(2)</sup>.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- Goldman Sachs is a global investment banking, securities and investment management firm that provides a range of banking, securities and investment services worldwide to a substantial and diversified client base that includes corporations, financial institutions, governments and high-net-worth individuals,
- The Norgine Group, which is headquartered in the Netherlands, is a European specialist pharmaceutical company that develops, manufactures, and markets pharmaceutical goods mainly for the following therapeutic areas: gastroenterology, hepatology, emergency care, haematology, obstetrics, cardiology, oncology, urology, and neurology.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 <sup>(3)</sup> it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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. The following reference should always be specified:

M.10826 – GOLDMAN SACHS / NORGINE

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

<sup>(2)</sup> Prior to completion of the Transaction, Norgine Ventures B.V. and its direct and indirect subsidiaries ('Norgine Ventures') will be carved out from the Norgine Group, which is the Target of the Transaction.

<sup>(3)</sup> OJ C 366, 14.12.2013, p. 5.

Postal address:

European Commission  
Directorate-General for Competition  
Merger Registry  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

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**Prior notification of a concentration**  
**(Case M.10846 – CVC Funds / Visma Custom Solutions)**  
**Candidate case for simplified procedure**

(Text with EEA relevance)

(2022/C 333/12)

1. On 25 August 2022, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- CVC Capital Partners SICAV-FIS S.A. ('CVC Funds', Grand Duchy of Luxembourg),
- Certain subsidiaries of Visma Norge Holding AS, Visma Finland Holding Oy, Visma Sverige Holding AB, Visma Danmark Holding A/S and Visma International Holding AS ('Visma Custom Solutions', comprising 25 companies headquartered in Denmark, Finland, Lithuania, Norway and Sweden).

CVC Funds will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Visma Custom Solutions.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- for CVC Funds: is a private equity and investment advisory firm which provides advice to, and management of, investment funds with interests in a number of companies active in a variety of industries,
- for Visma Custom Solutions: an IT services provider which specialises in developing customer software and providing IT consulting services to its customers.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 <sup>(2)</sup> it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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. The following reference should always be specified:

M.10846 – CVC Funds / Visma Custom Solutions

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

<sup>(2)</sup> OJ C 366, 14.12.2013, p. 5.



Postal address:

European Commission  
Directorate-General for Competition  
Merger Registry  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

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**Prior notification of a concentration**  
**(Case M.10612 – NIS / HIPP)**  
**Candidate case for simplified procedure**

(Text with EEA relevance)

(2022/C 333/13)

1. On 24 August 2022, the Commission received notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- Naftna Industrija Srbije a.d. Novi Sad ('NIS', Serbia), controlled by PJSC Gazprom ('Gazprom', Russia),
- HIP-Petrohemija LLC Pancevo ('HIPP', Serbia), controlled by the Republic of Serbia.

NIS will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of HIPP.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- Gazprom is a Russian majority state-owned multinational energy corporation. NIS is a vertically integrated energy company active in research, production and refining of oil and natural gas, sales and distribution of a wide range of petroleum products, as well as the realisation of projects in the fields of petro-chemistry and energetics,
- HIPP is a petrochemical company active in the production and distribution of products such as ethylene, polyethylene and synthetic rubber.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 <sup>(2)</sup> it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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. The following reference should always be specified:

M.10612 – NIS / HIPP

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission  
Directorate-General for Competition  
Merger Registry  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

<sup>(2)</sup> OJ C 366, 14.12.2013, p. 5.

**CORRIGENDA****Corrigendum to Council Recommendation of 5 April 2022 on building bridges for effective European higher education cooperation**

(Official Journal of the European Union C 160 of 13 April 2022)

(2022/C 333/14)

On page 7:

*for:* 'They are invited to inform the Commission by [*insert date 12 months after adoption by Council*] of the corresponding measures to be taken at the appropriate level to support the objectives of this Recommendation as essential steps towards achieving the European Education Area by 2025.'

*read:* 'They are invited to inform the Commission by May 2023 of the corresponding measures to be taken at the appropriate level to support the objectives of this Recommendation as essential steps towards achieving the European Education Area by 2025.'

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**EN**