

Reporting Period : April 98 - June 98

ADMINISTRATIVE AND JUDICIAL DECISIONS

Merger Control

- **Accountancy**

On April 21, 1998, after a second stage investigation, the FCC cleared the merger between Revisuisse Price Waterhouse and STG-Coopers & Lybrand.

(Press release, April 21, 1998)

- **Banking**

- After a second stage investigation the FCC cleared the merger between Union Bank of Switzerland and Swiss Bank Corporation on condition that the banks divest 25 of their offices in four specific areas in Switzerland.

- After a second stage investigation, the FCC cleared the acquisition by General Electric Capital Corporation of the Banque Procredit, owned by the Swiss Bank Corporation. Banque Procredit is the largest Swiss bank in the consumer credit business.

- **Computer industry**

On April 27, 1998, the FCC cleared the acquisition by Compaq Computer Corporation of Digital Equipment Corporation.

- **Highway catering**

On May 20, 1998, the FCC cleared the acquisition by Curti & Co AG from the Feldscholssen Group of a 48% equity interest in SSG Schweizerische Speisewagen Gesellschaft AG. On May 25, 1998, the FCC opened a second procedure to investigate whether the undertakings concerned contravened the Competition Act by implementing the concentration prior to notification.

- **Newspapers**

- The FCC cleared the acquisition by the Swiss Post from TA-Media AG and Berner Tagblatt-Medien of a 50% equity interest in Berner Verlags-Organisation AG, a company which provides administrative support to newspapers.

- On April 3, 1998, the FCC decided to open a second stage investigation of the acquisition of Schaer Thun AG, a company which edits the Thuner Tagblatt and the Thuner Amtsanzeiger, by Berner Tagblatt-Medien AG, a company which indirectly edits the Berner Zeitung and various newspapers and electronic media. The FCC held that there might be risks that the operation would create a dominant position in the South of Canton of Bern with respect to local, national and international news.

- **Poultry industry**

On May 12, 1998, the FCC decided to open a second stage investigation of the acquisition of SEG-Poulets AG by Bell AG, a subsidiary of the Coop Group. The FCC held that the operation might lead to a collective dominance in the poultry production market. The Coop Group would have a market share of 42% after the concentration and Migros has a market share of 43%.

- **Telecommunications**

On May 15, 1998, the Appeal Commission annulled the FCC's decision of June 2, 1997 imposing a fine of CHF 10,000.- (approximately ECU 6,000) on BKW FMB Energie AG.

- **Watches**

On April 30, 1998, the FCC cleared the acquisition of Gay Frères SA by Montres Rolex SA.

Anti-Competitive Practices

- **Postal services**

On May 29, 1998, the FCC decided to open a preliminary investigation to determine whether the Swiss Post had entered into anti-competitive agreements with three companies, Frama AG, ASCOM Antelca AG and Pitney Bowes AG, which were granted exclusivity in provision of franking machines.

- **Railway station kiosks**

On April 22, 1998, the FCC decided to open a preliminary investigation to determine whether the Swiss railways and Valora AG had entered into an anti-competitive agreement by which Valora AG was granted the exclusive right to operate kiosks in railway stations.