HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 9 of Directive 90/388/EEC is hereby replaced by the following:

'*Article 9*

Member States shall ensure that any telecommunications organisation to which they grant special or exclusive rights in the areas of relevant radio frequencies or which they control, which, in a substantial part of the common market, has a dominant position and operates a cable TV network under special or exclusive rights does not do so using the same legal entity as it uses for its public telecommunications network.'

Article 2

Member States shall supply to the Commission, not later than nine months after this Directive has entered into force, such information as will allow the Commission to confirm that Article 1 of this Directive has been complied with.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities.*

Article 4

This Directive is addressed to the Member States.

Non-opposition to a notified concentration

(Case No IV/M.1078 — BP/Hüls)

(98/C 71/06)

(Text with EEA relevance)

On 13 February 1998, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EEC) No 4064/89. 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:

— as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),

— in electronic form in the 'CEN' version of the CELEX database, under document number 398M1078. CELEX is the computerised documentation system of European Community law; for more information concerning subscriptions please contact:

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