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Main Topics

- General
- Bank/Insurance/Tax
- Environment
- Media/Telecom
- Competition/SA
- Healthcare
- Aviation/Transport
- Foreign Trade
- Energy
- Compliance
- Food/Tobacco

LAW

■ Copyright

The Committee of Permanent Representatives (Coreper) of the Council endorsed the compromise text agreed last week between the negotiators of the European Parliament and the Presidency on the proposal for a directive that will reform the existing EU copyright rules. The agreement needs to be formally adopted by the two co-legislators in the coming weeks. Member States will then have 24 months to transpose the new rules into national law. At the Coreper meeting, the delegations of the Netherlands, Italy, Luxembourg, Finland and Poland expressed their concerns on the text and refused to support the final agreement.

The directive will introduce a new right for press publishers for the digital use of their press publications; and online content sharing platforms will have to obtain licensing agreements with right holders for the republishing of their work.

[Compromise text on the proposal for a Directive on Copyright in the Digital Single Market](#)

■ Online Platforms

The Committee of Permanent Representatives endorsed the provisional agreement reached on 13 February between the Presidency of the Council and the European Parliament on the proposal for a regulation that aims at creating more predictable and transparent business environment for traders when using online platforms. In particular, the regulation covers online platform intermediaries and general online search engines that provide their services to business and offer goods/services to consumers located in the EU. Its main goal is to establish a legal framework that guarantees transparent terms and conditions for business users and effective possibilities for redress. The agreed text, following the legal-linguistic scrutiny, will have to be formally adopted by the two co-legislators. The regulation will then apply 12 months after its publication in the EU Official Journal.

[Final compromise text on the proposal for a Regulation on promoting fairness and transparency for business users of online intermediation services](#)

■ Artificial Intelligence

The Council adopted conclusions on the Coordinated Plan on the development and use of Artificial Intelligence in Europe.

[Conclusions on the Coordinated Plan on Artificial Intelligence](#)

■ De Minimis Aid in Agriculture

The European Commission adopted revised rules on state aid in the agriculture sector, increasing the maximum amount of national support to farmers without the need for prior approval from the Commission. The new ceilings will come into force on 14 March and can apply retroactively. The adopted text will be available soon.

[Draft amending Regulation](#)

■ Cross-border Payments Regulation

The European Parliament adopted the final text of the Cross-border Payments Regulation, as agreed during the inter-institutional negotiations with the Council.

[EP legislative resolution on the proposal for a Regulation as regards certain charges on cross-border payments in the Union and currency conversion charges](#)

■ Banking Union

The Committee of Permanent Representatives endorsed the agreement reached between the Council Presidency and the European Parliament on a set of revised rules aimed at reducing risks in the EU banking sector. The package comprises two regulations and two directives relating to bank capital requirements (amendments to Regulation 575/2013 and Directive 2013/36/EU); the recovery and resolution of banks in difficulty (amendments to Directive 2014/59/EU and Regulation 806/2014). The two co-legislators will have to formally adopt the texts.

[Political agreement on the capital requirements regulation](#)
– [Political agreement on the capital requirements directive](#)
– [Political agreement on the bank recovery and resolution directive](#) – [Political agreement on the single resolution mechanism](#)

■ Generic Pharmaceuticals Producers

The Committee of Permanent Representatives endorsed the agreement reached last week between the Presidency and the European Parliament on a draft regulation which introduces an exception to the protection granted to an original medicine by a supplementary protection certificate (SPC) for export purposes and/or for stockpiling, which will

amend Regulation 469/2009. The agreed text needs to be formally adopted by the two co-legislators.

[Compromise text on the proposal for a Regulation concerning the supplementary protection certificate for medicinal products](#)

■ REACH

The REACH Committee agreed to the European Commission's proposals to further reduce exposure of workers to two chemical substances: chromium trioxide and sodium dichromate. The European executive shall adopt the decisions in the coming weeks.

[EC dedicated page](#)

■ CO2 for Heavy-duty Vehicles

The Presidency of the Council and the negotiators of the European Parliament reached an agreement on CO2 emission reduction targets for trucks and other heavy-duty vehicles. The new rules will ensure that between 2025 and 2029 new trucks will emit on average 15% less CO2 compared to 2019 emission levels; while from 2030 onwards, they will have to emit on average 30% less CO2. The text needs to be formally approved by the two co-legislators. It will then be published in the Official Journal of the EU and immediately enter into force.

The agreed text will be available soon.

[Council general approach on the proposal for a Regulation setting CO2 emission performance standards for new heavy-duty vehicles](#)

■ Persistent Organic Pollutants

The Presidency of the Council reached a provisional agreement with the European Parliament on updating the regulation on persistent organic pollutants. The agreement needs to be formally adopted by the two co-legislators.

The agreed text will be available soon.

[EC proposal for a Regulation on persistent organic pollutants – Annexes](#)

■ Climate Diplomacy

The Council adopted conclusions on climate diplomacy, where it reaffirms its commitment to the Paris Agreement.

[Conclusions Climate Diplomacy](#)

■ Brexit – Aviation

The Presidency of the Council reached a provisional agreement with the European Parliament on a proposal which enables UK-licensed carriers to provide basic air transport services between the UK and the EU Member States, in the event of a no-deal Brexit. These rights will be conditional to equivalent rights conferred by the UK. The

agreement needs to be formally adopted by the two co-legislators. It will then apply until an air transport agreement with the UK enters into force or 30 March 2020, whichever is the sooner.

The agreed text will be available soon.

■ Infringements

The EC adapted its calculation methodology for financial sanctions in infringement proceedings. The new method will become applicable after the publication of the Commission Communication in the EU Official Journal.

[EC Communication on calculation method](#)

■ Market Surveillance of Products

The Permanent Representatives Committee endorsed the provisional agreement reached last 7 February between the Council Presidency and representatives of the European Parliament on the proposal for a Regulation on market surveillance and compliance of products. The agreed text, following legal and linguistic scrutiny, will be submitted to the EU lawmakers and the Council for formal adoption.

[Final compromise text on the proposal for a Regulation on market surveillance and compliance of products](#)

■ RAPEX Weekly Report

The EC published its weekly report for all dangerous consumer products, with the exception of food, pharmaceutical and medical devices.

[Weekly Overview Report](#)

POLITICS/GENERAL

■ Competition – Automotive Sector

The EC published its roadmap on the evaluation of the Motor Vehicle Block Exemption Regulation and the corresponding Guidelines that expire on 31 May 2023. Feedback can be submitted until 19 March. The Commission intends to collect opinions on the key issues arising in vertical relationships on the motor vehicle distribution and after-sales markets.

[EC dedicated page](#)

■ Voice Call Termination Rates in the EU (Eurorates)

The EC published its roadmap on voice call termination rates in the EU. Feedback can be submitted until 18 March. According to the new European Electronic Communications Code, the Commission will have to adopt a delegated act setting maximum fixed and mobile voice call termination rates in the EU by 31 December 2020.

[EC dedicated page](#)

■ Online Shopping

The EC and national consumer protection authorities published the results of the EU-wide screening of a variety of e-commerce sites carried out last November in 24 Member States, plus Norway and Iceland. This exercise shows that in around 60% of the cases there are irregularities with regard to the EU consumer rules. Consumer protection authorities will activate the respective national enforcement procedures where necessary.

[EC dedicated page](#)

■ Banking – Consumer Trends

The European Banking Authority published its Consumer Trends Report for 2018 and 2019, which covers the trends and issues related to retail banking products and services.

[EBA report](#)

■ Sustainable Finance

The EC launched a consultation on new guidelines for company reporting on climate-related information. Contributions can be submitted until 20 March. This exercise is based on the report of last January of the Technical Expert Group on Sustainable Finance. The new guidelines shall be published by the end of June and will supplement the existing guidance on non-financial reporting of 2017.

[EC dedicated page](#) – [Report on Climate-related Disclosures](#)

■ Network Code on Harmonised Transmission Tariff Structures for Gas

The Agency for the Cooperation of Energy Regulators published its 13th Report on the implementation of the Network Code on Harmonised Transmission Tariff Structures for Gas with the analysis for the transmission system of Germany.

[ACER Report](#)

■ Gas Capacity Booking Platform

The Board of Appeal of the Agency for the Cooperation of Energy Regulators published its decision on the appeal of the case *PRISMA European Capacity Platform GmbH v*

ACER. The Board decided to annul the Agency decision on the gas booking platform to be used at the Mallnow interconnection point and the GCP virtual interconnection point (VIP) on the German-Polish border.

[Board of Appeal Decision](#)

DECISIONS

EC Statement of Objections – Telefonica Deutschland

■ Wireless telecommunications activities

The EC sent a Statement of Objections to Telefonica Deutschland, alleging a breach of the commitments which were given to secure the Commission's clearance of its acquisition of E-Plus in 2014.

[Case information 9003](#)

EC Decision of 21 February – BAC / Marriott / Airhotel BVBA

■ Hotels and similar accommodation

The EC approved the acquisition of joint control over Airhotel Belgium BVBA by Brussels Airport Company NV ("BAC") and Marriott International Inc.

[Case information](#)

EC Investigation – GB Capacity Mechanism

■ Production of electricity

The EC opened an in-depth investigation to determine whether the British Capacity Market scheme to safeguard security of electricity supply is in line with EU state aid rules.

[Case information](#)

EC Decision of 20 February – Radeberger / Veltins / JV

■ Manufacture of beer, soft drinks; wholesale of beverages

The EC approved the acquisition of joint control over a newly created joint venture by Radeberger Gruppe KG, belonging to the group Dr. August Oetker KG and Veltins Beteiligungen GmbH & Co. KG, controlled by C. & A. Veltins GmbH & Co. KG.

[Case information](#)

EC Decision of 20 February – Patron Capital / Marriott International / Peh Warsaw Bidco

■ Hotels and similar accommodation

The EC approved the acquisition of joint control by Patron Capital V L.P. and Marriott International Inc. over the Sheraton Warsaw Hotel in Poland.

[Case information](#)

EC Decision of 19 February – Anta Sports Products / Fountainvest China Capital Partners GP3 / Amer Sports

■ Manufacture of sports goods

The EC approved the acquisition of joint control over Amer Sports by Anta Sports Products and FountainVest China Capital GP3.

[Case information](#)

EC Decision of 18 February – Schwarz Gruppe / Nord-Westdeutsche Papierrohstoff / JV

■ Collection of non-hazardous waste; treatment and disposal of non-hazardous waste

The EC approved the creation of a joint venture by GreenCycle Holding GmbH & Co. KG and Nord-Westdeutsche Papierrohstoff GmbH & Co. KG ("NWD").

[Case information](#)

EC Decision of 18 February – Blackstone / Sretaw / Beauparc

■ Electricity, gas, steam and air conditioning supply; manufacture of paper and paper products; waste collection, treatment and disposal activities

The EC approved the proposed creation of a joint venture by The Blackstone Group L.P and Sretaw 2 Limited.

[Case information](#)

EC Decision of 15 February – Amerra / Mubadala / Nireus / Selonda

■ Marine aquaculture

The EC approved the acquisition of joint control by Amerra and Mubadala over Andromeda, Nireus and Selonda, conditional on the divestiture of a remedy package.

[Case information](#)

FROM THE OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration KKR / China Resources / Genesis Care – Case M.9243 has been published.

[Document 2019/C 68/03](#) – [Case information](#)

Non-opposition to the notified concentration ADM / Gleadell Agriculture – Case M.9262 has been published.

[Document 2019/C 68/02](#) – [Case information](#)

Non-opposition to the notified concentration FSD / Tower Europe – Case M.9229 has been published.

[Document 2019/C 68/01](#) – [Case information](#)

Non-opposition to the notified concentration TCCC / Costa – Case M.9122 has been published.

[Document 2019/C 66/01](#) – [Case information](#)

Non-opposition to the notified concentration Swiss / Montagu / Real estate property – Case M.9255 has been published.

[Document 2019/C 63/03](#) – [Case information](#)

Non-opposition to the notified concentration OMERS / Altice / SFR FTTH – Case M.9244 has been published.

[Document 2019/C 63/02](#) – [Case information](#)

Non-opposition to the notified concentration Ivanhoe Cambridge / Macquarie / RHP Manager / RHP Platform – Case M.9232 has been published.

[Document 2019/C 63/01](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration American Securities / Belfor Holdings – Case M.9281 has been published.

[Document 2019/C 68/11](#) – [Case information](#)

Prior notification of the concentration PSP / Allianz / Greystar / Paul Street East – Case M.9260 has been published.

[Document 2019/C 68/10](#) – [Case information](#)

Prior notification of the concentration KKR / Telepizza – Case M.9267 has been published.

[Document 2019/C 67/04](#) – [Case information](#)

Prior notification of the concentration VINCI Airports / Gatwick Airport – Case M.9270 has been published.

[Document 2019/C 66/11](#) – [Case information](#)

BRUSSELS INTERN

■ Privacy and Electronic Communications

The Telecommunications Working Party of the Council discussed a revised text prepared by the Presidency on the proposal for a Regulation concerning the respect for private life and the protection of personal data in electronic communications, which will repeal Directive 2002/58/EC.

[Revised text](#)

■ French/German Manifesto

France and Germany presented their manifesto on industrial policy, which also contains a section on how to reform

EU competition law. In particular, in merger reviews the two countries call for more attention when competitors are state-owned or subsidized; they also advocate for a sort of “right of appeal” of the Council for Commission merger decisions in some specific cases. The manifesto will be discussed by EU Member States.

■ Tariffs on EU cars

EU Commissioner for Trade announced that the European executive is considering counterbalancing measures in case the US will impose tariffs on European cars.

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