



Europeanews

Regulatory & Governmental Affairs

Issue 11/2020. 23 – 27 March 2020

/ Content

Law.....	1
Politics/General	2
Decisions.....	3
From the OJEU	3
Brussels intern	5
Contact	5

/ Main Topics

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

/ Law

■ Foreign Investment Screening

The EC released a guidance to ensure an EU-wide approach to foreign investment screening, in order to preserve European companies and critical assets, especially in the health, medical research, biotechnology and infrastructure sectors.

[EC Guidance concerning foreign direct investment – Annex](#)

■ Antitrust

All Competition Authorities in the European Competition Network issued a joint statement on how to apply the rules during the crisis; in particular, they agreed not to intervene in necessary and temporary cooperation between companies to ensure the supply and fair distribution of limited products to consumers.

[Joint statement](#)

■ Consortia Block Exemption Regulation

The EC prolonged for another four years, until 25 April 2024, the Regulation on the conditions under which liner shipping consortia can provide joint services without infringing EU antitrust rules.

[EC amending Regulation](#)

■ Fiscal Framework

The EC proposed to activate the general escape clause of the Stability and Growth Pact to respond to the current crisis, ensuring the flexibility to take all necessary measures.

[EC Communication on the activation of the clause](#)

■ Solvency II

The Commission Delegated Regulation correcting Regulation 2015/35 supplementing Directive 2009/138/EC on the taking-up and pursuit of the business of Insurance and Reinsurance has been published.

[Commission Delegated Regulation 2020/442](#)

■ Flow of Goods

The EC released new advice on how to implement its guidelines for border management in order to keep freight movement across the Union during the current crisis.

[EC Communication on the implementation of the Green Lanes](#)

■ ■ Standards for Medical Supplies

The European Committee for Standardization and the European Committee for Electro-technical Standardization agreed to make available certain European standards for some medical devices and personal protective equipment.

[EC dedicated page](#)

■ 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

■ State Aid and Private Insurance Market

The EC had a three-day consultation on availability of private short-term export-credit insurance capacity for exports in light of the economic impact of coronavirus outbreak. As a result of the consultation, the Commission may decide to remove countries from the list of “marketable risk countries” as a temporary measure. More information will follow.

■ Customs Union

The EC published an action plan on the Customs Union in the context of the revision of the long-term strategy. Contributions can be submitted until 21 April.

[EC dedicated page](#)

■ Climate Change and Taxonomy

The EC called for input on the delegated regulation establishing a classification of environmentally sustainable economic activities (“taxonomy”) contributing to climate change adaptation and mitigation for investment purposes. Deadline for contributions is 20 April.

[EC dedicated page](#)

/ Decisions

EC Investigation – Johnson & Johnson / Tachosil

■ Manufacture of pharmaceutical products and medical instruments

The EC opened an in-depth investigation to assess the proposed acquisition of Tachosil by Johnson & Johnson.

[Case information](#)

EC Decision of 24 March – Apollo Management / Tech Data Corporation

■ Wholesale of information and communication equipment

The EC approved the acquisition of sole control over Tech Data Corporation by Apollo Management LP.

[Case information](#)

EC Decision of 23 March – AustralianSuper / Peel Group / DWS / Peel Ports

■ Transportation support activities; service activities incidental to water transportation

The EC approved the acquisition of Peel Ports by AustralianSuper, Peel Holdings Group Limited and DWS Group & GmbH Co.

[Case information](#)

EC Decision of 23 March – COVID-19 Bundesregelung Bürgschaften 2020

■ Remedy serious disturbance

The EC approved under the Temporary Framework adopted on 19 March a German scheme to support the economy.

[Case information](#)

EC Decision of 22 March – Germany COVID-19 measures

■ Remedy serious disturbance

The EC approved under the Temporary Framework adopted on 19 March two German schemes to support the economy in the context of the Coronavirus outbreak.

[Case information](#)

EC Decision of 20 March – JAB / Jacobs Douwe Egberts

■ Processing of tea and coffee; retail and whole sale of food, beverages

The EC approved the acquisition of sole control over Jacobs Douwe Egberts B.V. by JAB Holding Company Sarl.

[Case information](#)

EC Decision of 20 March – HPS / MDP / Arachas

■ Activities of insurance agents and brokers

The EC approved the acquisition of Arachas Topco Limited by HPS Investment Partners LLC and Madison Dearborn Partners LLC.

[Case information](#)

/ From the OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration Bouygues Telecom / Phoenix Tower International / JV – Case M.9729 has been published.

The information in this newsletter does not replace advice in any particular case.
© Noerr LLP 2020 / noerr.com

[Document 2020/C 100/04 – Case information](#)

Non-opposition to the notified concentration HPS / MDP / Arachas – Case M.9734 has been published.

[Document 2020/C 100/03 – Case information](#)

Non-opposition to the notified concentration Red Rock Power / Capman Infra Lux Management / NH-Amundi Asset Management / JV – Case M.9764 has been published.

[Document 2020/C 100/02 – Case information](#)

Non-opposition to the notified concentration JAB / Jacobs Douwe Egberts – Case M.9788 has been published.

[Document 2020/C 100/01 – Case information](#)

Non-opposition to the notified concentration Glencore Energy UK / Orsted LNG Business – Case M.9749 has been published.

[Document 2020/C 99/04 – Case information](#)

Non-opposition to the notified concentration La Voix du Nord / SIM / Mediacontact / Roof Media – Case M.9680 has been published.

[Document 2020/C 99/03 – Case information](#)

Non-opposition to the notified concentration Macquarie / Aberdeen / Pentacom / JV – Case M.9646 has been published.

[Document 2020/C 99/02 – Case information](#)

Non-opposition to the notified concentration Infravia / Iliad / Iliad 73 – Case M.9701 has been published.

[Document 2020/C 99/01 – Case information](#)

Non-opposition to the notified concentration Toyota Financial Services Corporation / Mitsui & Co / KINTO Brasil – Case M.9758 has been published.

[Document 2020/C 98/07 – Case information](#)

Non-opposition to the notified concentration Generali / UIR / Zaragoza – Case M.9724 has been published.

[Document 2020/C 98/08 – Case information](#)

Non-opposition to the notified concentration NVIDIA / Mellanox – Case M.9424 has been published.

[Document 2020/C 98/06 – Case information](#)

Non-opposition to the notified concentration Colony Capital / PSP / Etix – Case M.9683 has been published.

[Document 2020/C 98/05 – Case information](#)

Non-opposition to the notified concentration Bertelsmann / Penguin Random House – Case M.9710 has been published.

[Document 2020/C 98/03 – Case information](#)

Non-opposition to the notified concentration HG / GA / Argus – Case M.9655 has been published.

[Document 2020/C 98/02 – Case information](#)

Non-opposition to the notified concentration KII / Infor – Case M.9754 has been published.

[Document 2020/C 96/05 – Case information](#)

Non-opposition to the notified concentration APG / IRCP / Merkur – Case M.9721 has been published.

[Document 2020/C 96/04 – Case information](#)

Non-opposition to the notified concentration Telia Company / CapMan AIFM / JV – Case M.9659 has been published.

[Document 2020/C 96/03 – Case information](#)

Non-opposition to the notified concentration Parks Bottom / Omers / Accor / Farimont Hotels – Case M.9684 has been published.

[Document 2020/C 96/02 – Case information](#)

Non-opposition to the notified concentration PCG / PCC / JV – Case M.9715 has been published.

[Document 2020/C 96/01 – Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration Signa Retail / Central Group / Globus – Case M.9791 has been published.

[Document 2020/C 100/08 – Case information](#)

Prior notification of the concentration VW Group / Munich RE Group / JV – Case M.9769 has been published.

[Document 2020/C 99/07 – Case information](#)

Prior notification of the concentration Fyffes Limited / van Wylick GmbH – Case M.9746 has been published.

[Document 2020/C 98/13 – Case information](#)

Prior notification of the concentration Warner Bros / Universal / Home Entertainment JV – Case M.9439 has been published.

[Document 2020/C 98/12 – Case information](#)

Prior notification of the concentration Ageas Portugal / JMRS / SPSI – Case M.9737 has been published.

[Document 2020/C 94/02 – Case information](#)

/ Brussels intern

■ State Aid Reform

The review of the European state aid rules will be delayed to allow the European Commission to focus on the measures to support the Member States during the current crisis.

■ Airports and Slots

The proposal for a regulation that will amend to Regulation 95/93 allowing airlines to temporarily exempt from the obligation to use 80% of the slots for the period from 1 March 2020 until the end of the Summer season shall be adopted on Monday next week.

■ Eurobonds

The Governments of France, Italy, Spain, Portugal, Belgium, Ireland, Luxembourg, Greece and Slovenia

sent a joint letter to the President of the Council to call for a common debt instrument (so-called Eurobonds) to mitigate the economic impact of the coronavirus crisis.

■ Covid-19 Recovery Plan

The Heads of States of the EU Member States had a first debate on a comprehensive recovery plan with measures for after the crisis. The European Commission shall soon start working on a proposal for an action plan for the recovery.

/ Contact

For suggestions, comments please contact:

Noerr LLP
Boulevard du Régent 47-48
1000 Brussels
Belgium

Head of Regulatory & Governmental Affairs



Dr. Holger Schmitz
T +49 30 20942160
holger.schmitz@noerr.com

Co-Head of Regulatory & Governmental Affairs



Dr. Alexander Birnstiel
T +49 89 28628241
alexander.birnstiel@noerr.com

Regulatory Affairs Advisor



Giovanna Ventura

T +32 2 2745573

giovanna.ventura@noerr.com