



## Europaneews

### Regulatory & Governmental Affairs

Issue 12/2020. 30 March – 03 April 2020

## / Content

Law.....	1
Politics/General .....	3
Decisions.....	3
From the OJEU.....	4
Brussels intern .....	5
Contact .....	5

## / Main Topics

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

## / Law

### ■ Public Procurement Framework

The EC released practical guidance on how to use the flexibilities of the European public procurement framework in the current crisis.

[EC guidance](#)

### ■ Covid-19 and State Aid

The EC submitted to Member States for consultation a draft proposal to extend the State Aid Temporary Framework adopted on 19 March, by adding additional support for five types of aid measures:

- more support for coronavirus related research and development;
- more support for the construction and upgrading of testing facilities;
- more support for the production of products relevant to tackle the outbreak;

- targeted support in the form of deferral of tax payments and/or suspensions of employers' social security contributions;

- targeted support in the form of wage subsidies for employees.

The Commission aims to have the amended framework in place next week.

[Temporary Framework for State Aid Measures](#)

### ■ Antitrust

The EC launched a dedicated website to provide guidance to companies that intend to cooperate with each other during the coronavirus crisis. A dedicated mailbox has also been set up.

[EC dedicated page](#)

## ■ Covid-19 And Insurance

The EC decided to temporarily remove all countries from the list of “marketable risk” countries under the Short-term export-credit insurance Communication. The document will be published soon.

## ■ 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 24 October has been adopted. It will also apply retroactively from 23 January to 29 February 2020 for flights between the EU and China or Hong Kong. The Commission will monitor the situation and report back on it by 15 September.

[Regulation on common rules for the allocation of slots at Community airports](#)

## ■ Waste Shipments

The EC issued guidance for a common approach to secure the continuation of waste shipments across the EU in the exceptional circumstances of the coronavirus outbreak.

[EC Guidance](#)

## ■ Covid-19 Funds

The Council adopted two legislative acts to release funding from the EU budget to tackle the current crisis.

The Coronavirus Response Investment Initiative will give Member States €37 billion to strengthen healthcare systems, support small and medium-sized enterprises, short-term working schemes, and community-based services. Member States will also

have more flexibility to transfer funding between cohesion policy programmes in order to redirect resources to where they are most needed.

[Regulation on the Coronavirus Response Investment Initiative – Regulation extending the scope of the Solidarity Fund](#)

## ■ EU-Vietnam Trade

The Council adopted a decision on the conclusion of a free trade agreement between the EU and Vietnam. The deal provides for the almost complete (99%) elimination of customs duties between the two blocks. Once the Vietnamese National Assembly ratifies it, the agreement can enter into force, most likely in early summer 2020.

[EU-Vietnam Agreement](#)

## ■ Medical Supplies

The EC issued guidance to assist manufacturers in the production of essential medical equipment, in particular of masks and other personal protective equipment, leave-on hand cleaners and hand disinfectants and 3D printing in the context of the coronavirus outbreak. A guidance on medical devices will also be made available within the coming days.

[Conformity assessment procedures for protective equipment – Conformity assessment procedures for leave-on hand cleaners and hand disinfectants – Conformity assessment procedures for 3D printing](#)

## ■ 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

### ■ Export Authorisation Requirements

The EC issued a document to complement guidance on export request requirements for personal protective equipment published last 20 March.

### [FAQ](#)

### ■ Clean Energy Package

The Agency for the Cooperation of Energy Regulators launched a consultation on the upcoming bidding zone review study foreseen by the recast Electricity Regulation of the Clean Energy Package. Contributions can be submitted until 15 April.

### [ACER dedicated page](#)

### ■ Banking

The European Banking Authority published its final draft Regulator Technical Standards on the new Internal Model Approach under the Fundamental Review of the Trading Book.

### [EBA dedicated page](#)

### ■ Covid-19 and Banking

The European Banking Authority provided additional clarity in relation to dividend and remuneration policies, on how to use flexibility in supervisory reporting and recalled the necessary measures to prevent money laundering and terrorist financing to mitigate the impact of Covid-19 on the EU banking sector.

### [EBA dedicated page](#)

### ■ European Green Deal

The EC launched a public consultation on how to increase the EU's 2030 climate target and on the actions and policies necessary to achieve deeper greenhouse gas emission cuts. Contributions can be submitted until 23 June.

### [EC dedicated page](#)

## / Decisions

### EC Decision of 31 March – PKN Orlen / Energa

#### ■ Electric power generation, transmission and distribution

The EC approved the acquisition of Energa S.A. by PKN Orlen S.A.

### [Case information](#)

### EC Decision of 30 March – Sinopec Group / Joint Stock Company Novatek / Gazprombank / Sinova Natural Gas Company

#### ■ Distribution of gaseous fuels through mains; trade of gas

The EC approved the creation of a joint venture between Sinopec Gas Company Limited, belonging to the China Petrochemical Corporation, Novatek Asia Development Holding PTE. Ltd, controlled by Joint Stock Company Gazprombank-Asset Management Combined Closed-End Mutual Fund "GAZPROMBANK-ARCTURUS", controlled by Joint Stock Company Gazprombank.

### [Case information](#)

## EC Decision of 30 March – EXOR / GEDI

### ■ Publishing of books, periodicals and other publishing activities

The EC approved the acquisition of GEDI Gruppo Editoriale S.p.a by EXOR N.V.

[Case information](#)

## EC Decision of 27 March – MAIF 2 / PSP / AirTrunk

### ■ Information service activities

The EC approved the acquisition of joint control over AirTrunk Cayman Holding Trust by Macquarie Asia Infrastructure Investments 2 Pte Ltd and the Public Sector Pension Investment Board of Canada.

[Case information](#)

## / From the OJEU

### ■ Non-opposition to concentrations

Non-opposition to the notified concentration RWE / E.ON Assets – Case 8871 has been published.

[Document 2020/C 111/01 – Case information](#)

Non-opposition to the notified concentration Sinopec Group / Joint Stock Company Novatek / Gazprombank / SINOVA Natural Gas Company – Case M.9742 has been published.

[Document 2020/C 110/02 – Case information](#)

Non-opposition to the notified concentration Eni / CDP Equity / GreenIT – Case M.9709 has been published.

[Document 2020/C 110/01 – Case information](#)

Non-opposition to the notified concentration CMA CGM / CMP / Terminal Link – Case M.9789 has been published.

[Document 2020/C 104/01 – Case information](#)

Non-opposition to the notified concentration Vossloh Rail Services / Rhomberg Sersa Rail Holding / Vossloh Rail Maintenance (Railway Switches Repair and Maintenance) – Case M.9663 has been published.

[Document 2020/C 102/01 – Case information](#)

### ■ Prior notification of concentrations

Prior notification of the concentration RIL / BP / RBML JV – Case M.9786 has been published.

[Document 2020/C 108/05 – Case information](#)

Prior notification of the concentration NENT / Telenor / JV – Case M.9604 has been published.

[Document 2020/C 108/04 – Case information](#)

Prior notification of the concentration Global Payments / CaixaBank / MoneyToPay – Case M.9775 has been published.

[Document 2020/C 104/05 – Case information](#)

Prior notification of the concentration APG / CalSTRS / Munich RE / Astoria I & II – Case M.9766 has been published.

[Document 2020/C 104/04 – Case information](#)

Prior notification of the concentration ÖBB-Technische Services Gesellschaft mbH / LTE Logistik und Transport GmbH – Case M.9614 has been published.

[Document 2020/C 102/08 – Case information](#)

Prior notification of the concentration Goldman Sachs / Summa Equity / EcoOnline – Case M.9799 has been published.

[Document 2020/C 102/07 – Case information](#)

## / Brussels intern

### ■ Brexit

During the teleconference between representatives of the EU and the UK, the two parties decided to launch the work of six Specialised Committees on the key areas for the implementation of the Withdrawal Agreement. The next meeting of the Joint Committee is currently foreseen for June.

### ■ Covid-19 Recovery Plan

According to the President of the European Commission the central element of the so-called Recovery Plan should be an updated long-term budget for 2021-2027. The plan should also be consistent with the green transition foreseen in the original agenda of the new Commission.

## / 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