

# Europeanews

## Regulatory & Governmental Affairs

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## Main Topics

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

# Law

## Corporate Sustainability Due Diligence Directive

Negotiators of the European Parliament, the Council and the European Commission reached a provisional agreement on the proposal for a corporate sustainability due diligence directive (CSDDD), which will set obligations for large companies regarding actual and potential adverse impacts on human rights and the environment, with respect to their own operations, those of their subsidiaries and those carried out by their business partners. The provisional deal now needs to be formally adopted by the European Parliament and the Council before it can enter into force.

[EC proposal for a directive on corporate sustainability due diligence](#)

## Artificial Intelligence Act

Negotiators of the European Parliament, the Council and the European Commission reached a provisional agreement on the proposal on harmonized rules on artificial intelligence, so-called Artificial Intelligence Act. The text now needs to be formally adopted by the European Parliament and the Council before entering into force. The agreed text will be available soon.

[EC dedicated page](#)

## Critical Raw Materials Act

The European Parliament adopted the agreed text on the proposal for a critical raw materials act, which will establish a framework to ensure EU access to a secure and sustainable supply of critical raw materials. Now the Council needs to formally adopt it before the law can be published in the EU Official Journal.

[Adopted text](#)

## Liability Rules

Negotiators of the European Parliament, the Council and the European Commission reached a political agreement on a new EU law on liability for defective products. Among other things, under the new rules, the definition of product will be extended to digital manufacturing files and software and the right to compensation will cover both material and non-material losses. The agreement needs to be formally adopted by the European Parliament and the Council. The agreed text will be available soon.

[EC proposal for a directive on liability for defective products](#)

## Digital Markets Act

The EC published the template for reporting on consumer profiling techniques and the independent audit of such reports.

[EC dedicated page](#)

## State Aid

The EC adopted two regulations amending the general rules for small amounts of aid, de minimis Regulation, and for small amounts of aid for Services of General Economic interest, SGEI de minimis Regulation. The revised regulations will enter into force on 1 January 2024 and will apply until 31 December

2030.

[EC Regulation de minimis](#) — [EC Regulation de minimis SGEI](#)

## Russia Sanctions

The EC submitted to EU Member States its proposal to establish a regulatory framework for identifying and confiscating the profits generated by the assets of the Central Bank of Russia. EU Member States must unanimously agree the measure. The text of the proposal is not public.

The European Commission together with the High Representative submitted to the Council a proposal for the 12<sup>th</sup> package of sanctions. The package contains over 120 additional individuals and entities; new import and export bans and measures to counter circumvention of sanctions. The proposal now needs to be agreed by all Member States.

## Definition of Criminal Offences

Negotiators of the European Parliament and the Council reached a provisional political agreement on the proposal to harmonize criminal offences and penalties for the violation of EU restrictive measures. The agreement now needs to be formally adopted by the European Parliament and the Council. The agreed text will be available soon.

[EC proposal for a directive on the definition of criminal offences and penalties for the violation of Union restrictive measures](#)

## Asset Recovery and Confiscation

Negotiators of the European Parliament and the Council reached a political agreement on the proposal for a directive on asset recovery and confiscation, which will set out EU-wide minimum rules on the tracing, identification, freezing, confiscation and management of criminal property. The proposed rules will also apply to the violation of sanctions once a pending directive on the definition of criminal offences and penalties for the violation of EU restrictive measures has been adopted. The agreed text now needs to be formally adopted by the European Parliament and the Council. The text of the agreement will be available soon.

[EC proposal](#)

## Anti-money Laundering

Negotiators of the Council and the European Parliament reached a provisional agreement on the proposal to create a new European authority for countering money laundering and financing of terrorism. The authority will also monitor that selected obliged entities have internal policies and procedures in place to ensure the implementation of targeted financial sanctions asset freezes and confiscations. The text now needs to be adopted by the European Parliament and the Council. The agreed text will be available soon. Negotiations on the regulation on anti-money-laundering requirements for the private sector and the directive on anti-money laundering mechanisms are still ongoing.

[EC proposal for a regulation establishing the Authority for Anti-Money Laundering and Countering the Financing of Terrorism](#)

## Insurance Sector

Negotiators of the Council and the European Parliament reached a provisional agreement on amendments to the Solvency II directive. The texts of the provisional agreements now need to be finalized and adopted by the European Parliament and the Council. The agreed texts will be available soon.

[EC proposal on Solvency II](#) — [EC proposal for a directive on a framework for the recovery and resolution of insurance and reinsurance undertakings \(IRR\)](#)

## Construction Products

Negotiators of the Council, the European Parliament and the European Commission reached an agreement on the proposal for a regulation updating the rules on sustainability for construction products and their standardization on the single market. The European Commission will be empowered to establish mandatory minimum environmental sustainability requirements via delegated acts for public procurement of construction products. The deal now needs to be formally adopted by the European Parliament and the Council. The agreed text will be available soon.

[EC proposal for a regulation laying down harmonized conditions for the marketing of construction products](#)

## Energy Performance of Buildings

Negotiators of the European Parliament, the Council and the European Commission reached a provisional political agreement on a proposal to revise the energy performance of buildings directive. The provisional agreement now needs to be endorsed and formally adopted by the European Parliament and the Council. The agreed text will be available soon.

[EC proposal for a directive on the energy performance of buildings](#)

## Electricity Market Design

Negotiators of the European Parliament, the Council and the European Commission reached a provisional agreement to reform the EU's electricity market design (EMD). The provisional agreement now needs to be endorsed and formally adopted by the European Parliament and the Council. The agreed text will be available soon.

[EC proposal for a regulation on the Union's electricity market design](#)

## Gas Package

Negotiators of the European Parliament, the Council and the European Commission reached a provisional political agreement on a regulation that establishes common internal market rules for renewable and natural gases and hydrogen. The provisional agreement now needs to be formally adopted by the European Parliament and the Council. The agreed text will be available soon.

[EC proposal for a regulation on the internal markets for renewable and natural gases and for hydrogen](#)

## EU-Chile Agreement

The EU and Chile signed an Advanced Framework Agreement and an Interim Trade Agreement to strengthen political cooperation and foster trade and investment. The new agreements will now be submitted to the European Parliament for its scrutiny.

[EC dedicated page](#)

## EU-Kenya Agreement

The Council adopted a decision on the signing of the EU-Kenya Economic Partnership Agreement, which will provide duty-free, quota-free EU market access to all exports from Kenya in addition to a partial and gradual opening of the Kenyan market to imports from the EU. Now the European Parliament needs to give its consent and the agreement needs to be signed in order for the deal to enter into force.

[Text of the agreement](#) — [Addendum](#)

## Trade Remedies

Notice of initiation of a partial interim review of the anti-dumping measures applicable to imports of certain pneumatic tyres, new or retreaded, of rubber, of a kink used for buses or lorries and which a load index exceeding 121 originating in the People's Republic of China has been published in the EU Official Journal.

[Document C/2023/1500](#)

Notice of initiation of a partial interim review of the anti-subsidy measures applicable to imports of certain pneumatic tyres, new or retreaded, of rubber, of a kink used for buses or lorries and which a load index exceeding 121 originating in the People's Republic of China has been published in the EU Official Journal.

[Document C/2023/1491](#)

Commission Implementing Regulation of 14 December 2023 amending Implementing Regulation (EU) 2019/159 imposing a definitive safeguard measure on imports of certain steel products has been published in the EU Official Journal.

[Commission Implementing Regulation \(EU\) 2023/2840](#)

Commission Implementing Regulation of 13 December 2023 accepting a request for new exporting producer treatment with regard to the definitive anti-dumping measures imposed on imports of electronic bicycles originating in the People's Republic of China and amending Implementing Regulation 2019/73 has been published in the EU Official Journal.

[Commission Implementing Regulation \(EU\) 2023/2769](#)

Commission Implementing Regulation of 13 December 2023 imposing a definitive anti-dumping duty on imports of trichloroisocyanuric acid originating in the People's Republic of China following an expiry review has been published in the EU Official Journal.

[Commission Implementing Regulation \(EU\) 2023/2757](#)

Commission Implementing Regulation of 12 December 2023 imposing a definitive anti-dumping duty on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in the Federative Republic of Brazil, the Islamic Republic of Iran and the Russian Federation following an expiry review has been published in the EU Official Journal.

[Commission Implementing Regulation \(EU\) 2023/2758](#)

## Export Credits

Commission Delegated Regulation of 28 September 2023 amending Annex II to Regulation (EU) No 1233/2011 of the European Parliament and of the Council on the application of certain guidelines in the officially supported export credits has been published in the EU Official Journal.

[Commission Delegated Regulation \(EU\) 2023/2738](#)

## 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

### Digital Operational Resilience Act

The European Supervisory Authorities (EBA, EIOPA and ESMA) launched a consultation on the second set of policy mandates under the Digital Operational Resilience Act. Contributions can be submitted until 4 March 2024.

[EBA dedicated page](#)

### Markets in Crypto-Assets

The European Banking Authority launched a consultation on its draft regulatory technical standards which specify the requirements for policies and procedures on conflicts of interest for issuers of asset-referenced tokens under the Markets in Crypto-Assets Regulation. Contributions can be submitted until 9 January.

[Consultation paper](#)

## Decision

### EC Decision of 13 December – BROMIA / Raiffeisenbank International / Raiffeisen Continuum Management Trusts, funds and similar financial entities

The EC approved the acquisition of joint control of Raiffeisen Continuum Management GmbH by Raiffeisen Bank International AG (“RBI”) and Raiffeisen-Holding Niederösterreich-Wien reg. Gen mbH (“RH”) through its subsidiary BROMIA Beteiligungs GmbH.

[Case information](#)

### EC Decision of 13 December – JD Sports / Marketing Investment Group Wholesale and retail sale of footwear and clothing in specialized stores

The EC approved the acquisition of sole control of Marketing Investment Group Spolka Akcyjna (“Marketing Investment Group”) by JD Sports Fashion Plc (“JD Sports”).

[Case information](#)

## **EC Decision of 12 December – XXXLutz / Conforama Espana / Conforama Portugal**

### **Retail sale of electrical household appliances; manufacture of furniture; retail sale of furniture; wholesale of electrical household appliances**

The EC approved the acquisition of sole control of Conforama Espana and Conforama Portugal by two entities of the XXXLutz Group, MW Holding GmbH and CAFS Invest GmbH.

[Case information](#)

## **EC Decision of 12 December – MHI / MELCO / JV**

### **Manufacture of electric motors, generators and transformers**

The EC approved the creation of a joint venture by Mitsubishi Heavy Industries Ltd. (“MHI”) and Mitsubishi Electric Corporation (“MELCO”).

[Case information](#)

## **EC Decision of 11 December – DEPA / GT / GENER / FIER**

### **Production of electricity; trade of electricity**

The EC approved the acquisition of joint control of FIER Thermoelectric SHA (“FIER”) by DEPA Commercial S.A., GEK TERNA S.A. and GENER 2 SH.P.K.

[Case information](#)

## **EC Decision of 11 December – Novozymes / CHR Hansen Holding**

### **Manufacture of other organic base chemicals**

The EC approved the proposed merger between Novozymes A/S and Christian Hansen A/S (“Chr. Hansen”), subject to conditions.

[Case information](#)

## **EC Decision of 11 December – Germany – Lignite phase-out Electricity, gas, steam and air conditioning supply**

The EC approved German support measure in favour of RWE Power AG.

[Case information](#)

# **From the OJEU**

## **Non-opposition to concentrations**

Non-opposition to the notified concentration EPEI / ATOS TF Business – Case M.11299 has been published.

[Document C/2023/1558](#) – [Case information](#)

Non-opposition to the notified concentration AIP / Alvance Duffel Target Business – Case M.10408 has been published.

[Document C/2023/1551](#) – [Case information](#)

Non-opposition to the notified concentration Platinum Compass / DigitalBridge / Landmark Dividend – Case M.11312 has been published.

[Document C/2023/1524](#) – [Case information](#)

Non-opposition to the notified concentration Würth / Drees / LCM (JV) – Case M.11301 has been published.

[Document C/2023/1537](#) – [Case information](#)

Non-opposition to the notified concentration Petronord Scandinavia / PS Energi – Case M.11232 has been published.

[Document C/2023/1497](#) – [Case information](#)

Non-opposition to the notified concentration Taiyo Nippon Sanso / Astomos Energy / Astomos Retailing – Case M.11291 has been published.

[Document C/2023/1495](#) – [Case information](#)

Non-opposition to the notified concentration Macquarie / UBS / RHP / JV – Case M.11349 has been published.

[Document C/2023/1516](#) – [Case information](#)

Non-opposition to the notified concentration Musashi / DELTA / Toyota / JV – Case M.11337 has been published.

[Document C/2023/1503](#) – [Case information](#)

Non-opposition to the notified concentration PSA / Duisport / HUPAC / HTS / DGT – Case M.11237 has been published.

[Document C/2023/1502](#) – [Case information](#)

## **Prior notification of concentrations**

Prior notification of the concentration Buckland / HY24 Investor / ICE – Case M.11374 has been published.

[Document C/2023/1550](#) – [Case information](#)



Prior notification of the concentration Alcentra / People & Baby – Case M.11401 has been published.

[Document C/2023/1549](#) – [Case information](#)

Prior notification of the concentration KESKO / Davidsen – Case M.11282 has been published.

[Document C/2023/1539](#) – [Case information](#)

Prior notification of the concentration Volvo / Renault / Flexeco JV – Case M.11051 has been published.

[Document C/2023/1515](#) – [Case information](#)

Prior notification of the concentration I Squared Capital / Arriva – Case M.11362 has been published.

[Document C/2023/1508](#) – [Case information](#)

Prior notification of the concentration OBB / Go-Ahead – Case M.11327 has been published.

[Document C/2023/1506](#) – [Case information](#)

Prior notification of the concentration Generali / Liberty Seguros – Case M.11234 has been published.

[Document C/2023/1505](#) – [Case information](#)

## Brussels intern

### Cyber Resilience Act

The Cyber Resilience Act is expected to be formally adopted by April next year.

### Economic Security

The European Commission is expected to present its Economic Security Package on 24 January. Among the measures it will contain there is a proposal to review the Regulation on Foreign Direct Investment Screening, an initiative on outbound investments and a white paper on export controls.

### Geo-blocking

Members of the European Parliament stressed the need to revise the European rules on geo-blocking, in order to eliminate remaining barriers.

# Contact

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