

Issue 02/2019

14 – 18 January 2019



Content

LAW	1
POLITICS/GENERAL	2
DECISIONS	2
FROM THE OJEU	3
BRUSSELS INTERN	4

Main Topics

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

LAW

■ ■ CO2 Emission Standards

The Committee of Permanent Representatives endorsed the provisional agreement reached last December by the Presidency of the Council and the representatives of the European Parliament on the proposal for a Regulation setting emission performance standards for new passenger cars and new light commercial vehicles, amending Regulation 715/2007. According to the new rules, between 2025 and 2029 new cars will emit 15% less compared to emission limits valid in 2021, while from 2030 onwards the limit will be on average 37.5% less compared to 2021 levels. A review clause provides for a possible revision of the 2030 targets and for the introduction of binding reduction targets for 2035 and 2040 onwards. The text now needs to be formally adopted by the co-legislators.

[Final compromise text approved by Coreper](#)

■ Tax Policy

The EC launched a debate to reform the decision-making process in relation to EU taxation policy, which currently requires unanimity among Member States. The Communication suggests a roadmap for a progressive transition towards qualified majority voting under the ordinary legislative procedure in certain areas of shared taxation policy. The European executive invited the Council and the European Parliament to define a timely and pragmatic approach for its implementation.

[EC Communication](#)

■ Banking Supervision

The European Central Bank and National Supervising Authorities have reached an agreement on the new cooperation mechanism. In particular, the agreement sets rules on what type of information should be exchanged, under which conditions, and what confidentiality and data protection safeguards will apply.

[EC dedicated page](#)

■ EU-US Trade

The EC adopted two negotiating mandates to start talks with the US on conformity assessment and on the elimination of tariffs for industrial goods. EU Member States must now approve the proposals before negotiations can begin.

[EC Recommendation on conformity assessment](#) – [EC Recommendation on the elimination of tariffs](#)

■ Steel Safeguard Measures

EU Member States gave their support to the EC's plan to impose definitive safeguard measures on imports of steel. The Commission will now finalise the procedure and the definitive measures will most likely enter into force in the beginning of February, replacing the provisional safeguards in place since last July.

[EC dedicated page](#)

■ Medical Products

The Committee of Permanent Representatives agreed on the Council's position on the proposal for a Regulation concerning the supplementary protection certificate for medical products. The regulation will introduce an exception for manufacturing for export purposes to the protection granted to an original medicine by a supplementary protection certificate. Inter-institutional negotiations with the European Parliament will start as soon as the lawmakers agree on a position.

[Council position on the proposal for a Regulation concerning the supplementary protection certificate for medical 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

■ Banking

The European Supervisory Authorities approved the content of the Multilateral Agreement on the practical modalities for exchange of information between the European Central Bank and all competent authorities responsible for supervising compliance of credit and financial institutions with anti-money laundering and countering the financing of terrorism obligations under the 4th Anti-Money Laundering Directive.

[Multilateral Agreement](#)

■ Capital Requirements Regulation

The European Banking Authority published its final Guidelines on the types of exposures associated with high risk under the CRR.

[EBA Guidelines](#)

■ European Grid Connection Codes

The Agency for the Cooperation of Energy Regulators launched a new tool to monitor national derogations criteria and decisions concerning the connection of system users in accordance with the European Grid Connection Codes.

[ACER dedicated page](#)

DECISIONS

[EC Decision of 17 January – BASF / Solvay's and P&I Business](#)

■ Manufacture of chemicals and chemical products

The EC approved the proposed acquisition of Solvay's nylon business by BASF, subject to conditions.

[Case information](#)

[EC Decision of 17 January – MUFG HD / Akamai / JV](#)

■ Monetary intermediation

The EC approved the acquisition of joint control over a newly created joint venture by Mitsubishi UFJ Financial Group Inc. and Akamai Technologies Inc.

[Case information](#)

EC Decision of 11 January – NN Group / Allianz Group / NRP / Target Entities

■ Renting and operating of own or leased real estate

The EC approved the acquisition of eight property companies by NN Group, Allianz Group and NRP Group.

[Case information](#)

FROM THE OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration NN Group / Allianz Group / NRP / Target Entities – Case M.9210 has been published.

[Document 2019/C 22/02 – Case information](#)

Non-opposition to the notified concentration IFM Investors / Vitol / VTTI – Case M.9207 has been published.

[Document 2019/C 22/01 – Case information](#)

Non-opposition to the notified concentration Siemens / TUTPL / SPC JV – Case M.9201 has been published.

[Document 2019/C 21/06 – Case information](#)

Non-opposition to the notified concentration SoftwareONE / Comparex – Case M.9191 has been published.

[Document 2019/C 21/05 – Case information](#)

Non-opposition to the notified concentration Bain Capital / Oscar Holding – Case M.9202 has been published.

[Document 2019/C 21/04 – Case information](#)

Non-opposition to the notified concentration Suzano Papel e Celulose / Fibria Celulose – Case M.8951 has been published.

[Document 2019/C 21/03 – Case information](#)

Non-opposition to the notified concentration Taiyo Nippon Sanso / Praxair EEA Business – Case M.9046 has been published.

[Document 2019/C 21/02 – Case information](#)

Non-opposition to the notified concentration Astorg Asset Management / Montagu Private Equity / Nemera Capital – Case M.9173 has been published.

[Document 2019/C 20/04 – Case information](#)

Non-opposition to the notified concentration Sharp / Skytec UMC – Case M.9194 has been published.

[Document 2019/C 20/03 – Case information](#)

Non-opposition to the notified concentration CMI / Hachette Filipacchi / Lagardere Publicite / Lagardere Digital France – Case M.9156 has been published.

[Document 2019/C 20/02 – Case information](#)

Non-opposition to the notified concentration AXA Group / Roland – Case M.8905 has been published.

[Document 2019/C 20/01 – Case information](#)

Non-opposition to the notified concentration The Carlyle Group / Marriott International / Penha Longa – Case M.9186 has been published.

[Document 2019/C 15/01 – Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration EDF / Ares / Real estate asset – Case M.9242 has been published.

[Document 2019/C 22/06 – Case information](#)

Prior notification of the concentration Cattolica / IMA France / IMA Italia Group – Case M.9241 has been published.

[Document 2019/C 22/05 – Case information](#)

Prior notification of the concentration Macquarie / Jera Power International / Orsted InvestCo / Swancor / Formosa I Wind Power – Case M.9268 has been published.

[Document 2019/C 21/09 – Case information](#)

Prior notification of the concentration OMERS / Altice / SFR FTTH – Case M.9244 has been published.

[Document 2019/C 20/11 – Case information](#)

Prior notification of the concentration EQT / Widex / JV – Case M.8941 has been published.

[Document 2019/C 20/10 – Case information](#)

Prior notification of the concentration Stena Rederi / Hyundai Glovis / JV – Case M.9223 has been published.

[Document 2019/C 20/09 – Case information](#)

Prior notification of the concentration Diamond Transmission Corporation / Infrared Capital Partners / Diamond Transmission Partners – Case M.9141 has been published.

[Document 2019/C 20/08 – Case information](#)

Prior notification of the concentration Delta / Air France-KLM / Virgin Group / Virgin Atlantic – Case M.8964 has been published.

[Document 2019/C 20/07 – Case information](#)

Prior notification of the concentration Sumitomo / Mahindra / JV – Case M.9248 has been published.

[Document 2019/C 20/06 – Case information](#)

Prior notification of the concentration Fosun International / Tom Tailor – Case M.9233 has been published.

[Document 2019/C 18/08 – Case information](#)

Prior notification of the concentration Societe Generale / Commerzbank EMC Business – Case M.9130 has been published.

[Document 2019/C 18/07 – Case information](#)

Prior notification of the concentration CVC Capital Partners / K3 – Case M.9218 has been published.

[Document 2019/C 18/06 – Case information](#)

BRUSSELS INTERN

■ Copyright

The Council Working Party discussed a new proposal drafted by the Romanian Presidency with regard to Article 13 of the proposal for a Directive on Copyright in the Digital Single Market.

■ Cross-border Conversions, Mergers and Divisions

The Council Working Party on Company Law discussed a compromise proposal prepared by the Presidency on the proposal for a directive on cross-border conversions, mergers and divisions, which will amend Directive 2017/1132.

[Presidency proposal](#)

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 2094 2160
holger.schmitz@noerr.com

Head of Antitrust & Competition Law



Dr. Alexander Birnstiel
T +49 89 28628 241
alexander.birnstiel@noerr.com

Regulatory Affairs Advisor



Giovanna Ventura
T +32 2 2745573
giovanna.ventura@noerr.com

The information in this newsletter does not replace advice in any particular case.

© Noerr LLP 2019
www.noerr.com