



Content

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

Main Topics

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

LAW

■ Market Surveillance of Products

The co-legislators reached a provisional agreement on the proposal for a Regulation on market surveillance and compliance of products, which aims at removing unsafe and illegal products by strengthening controls of national authorities and customs officers. The regulation is part of a package of measures adopted by the European Commission in December 2017 on safe products and will amend Directive 2004/42/EC and Regulations 765/2008 and 305/2011. The text needs to be formally approved by the European Parliament and the Council, it will then enter into force in 2021.

The agreed text will be available soon.

[Presidency proposal](#)

■ Investment Fund Market

Negotiators of the Council and the European Parliament reached a political agreement on a package of measures (a regulation and a directive) aimed at facilitating the cross-

border distribution of investment funds by eliminating the remaining barriers and reducing the costs. The deal will now be submitted to the Permanent Representatives Committee of the Council for endorsement, then it will have to be formally adopted by the two co-legislators.

The agreed texts will be available soon.

[Presidency compromise on the proposal for a Regulation on facilitating cross-border distribution of collective investment funds – EC proposal for a Directive on cross-border distribution of collective investment funds](#)

■ Derivatives

The Council and the European Parliament reached a political agreement on improving the existing regulatory framework applying to over-the-counter (OTC) derivative market, reforming the European Market Infrastructure Regulation (EMIR). The text agreed by the co-legislators aims to provide simpler and more proportionate rules for OTC derivatives. This political agreement needs to be for-

mally adopted by the Council and the European Parliament.

The agreed text will be available soon.

■ 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

■ Tariff Code Implementation for Gas

The Agency for the Cooperation of Energy Regulators published its eleventh Report on the implementation of the Network Code on Harmonised Transmission Tariff Structures for Gas in Belgium.

[ACER Report](#)

DECISIONS

EC Decision of 06 February – Triton / Sunweb

■ Travel agency and tour operator activities

The EC approved the acquisition of sole control over the group Sunweb by Triton Managers V Limited and Triton Fund V GP S.a.r.l.

[Case information](#)

The EC approved the acquisition of joint control over the automotive pumps business of Xingfu by Pierburg Pump Technology GmbH and Shanghai Xingfu Motorcycle Co. Ltd.

[Case information](#)

EC Decision of 06 February – NEC / KMD

■ Computer programming, consultancy and related activities

The EC approved the acquisition of KMD Holding APS by NEC Corporation.

[Case information](#)

EC Decision of 04 February – OTPP / MDP / Fleet Complete

■ Computer programming, consultancy and related activities

The EC approved the acquisition of joint control over Complete Innovations Holdings Inc. (“Fleet Complete”) by the Ontario Teachers’ Pension Plan Board (“OTPP”) and Madison Dearborn Partners, LLC (“MDP”).

[Case information](#)

EC Decision of 04 February – Hanon Systems / Magna International (Rotor Business)

■ Manufacture of other parts and accessories for motor vehicles

The EC approved the proposed acquisition of control by Hanon Systems over the fluid pressure and controls business (“Rotor”) of Magna International Inc.

[Case information](#)

EC Decision of 05 February – Wieland / Aurubis Rolled Products / Schwermetall

■ Copper production

The EC prohibited Wieland’s proposed acquisition of Aurubis Rolled Products and Schwermetall.

[Case information](#)

EC Decision of 04 February – Pierburg / Xingfu / Xingfu Assets

■ Manufacture of parts and accessories for motor vehicles

EC Decision of 05 February – Siemens / Alstom

■ Manufacture of electrical equipment, engines, railway locomotives

The EC prohibited Siemens’ proposed acquisition of Alstom.

[Case information](#)

EC Decision of 04 February – Allianz / DIF / Infrared Capital Partners / Daiwater

■ **Water collection, treatment and supply; sewerage**

The EC approved the proposed acquisition of joint control over Daiwater Investment Limited by Allianz SE, DIF Tamblin Limited and InfraRed Capital Partners (Holdco) Limited.

[Case information](#)

EC Decision of 04 February – DTC / IRCP / Diamond Transmission Partners

■ **Transmission of electricity**

The EC approved the acquisition of joint control by Diamond Transmission Corporation Limited (“DTC”) and Infrared Capital Partners Limited (“IRCP”) over Diamond Transmission Partners RB (Holding) Limited.

[Case information](#)

FROM THE OJEU

■ **Non-opposition to concentrations**

Non-opposition to the notified concentration Siemens Project Ventures / Veja Mate Offshore Project – Case M.9240 has been published.

[Document 2019/C 50/02](#) – [Case information](#)

Non-opposition to the notified concentration Sumitomo / Mahindra / JV – Case M.9248 has been published.

[Document 2019/C 50/01](#) – [Case information](#)

Non-opposition to the notified concentration CVC Capital Partners / K3 – Case M.9218 has been published.

[Document 2019/C 49/02](#) – [Case information](#)

Non-opposition to the notified concentration BC Partners / United Group – Case M.9152 has been published.

[Document 2019/C 49/01](#) – [Case information](#)

Non-opposition to the notified concentration Aunde / Brose / JV – Case M.9174 has been published.

[Document 2019/C 46/01](#) – [Case information](#)

■ **Prior notification of concentrations**

Prior notification of the concentration E.ON / Innogy – Case M.8870 has been published.

[Document 2019/C 50/09](#) – [Case information](#)

Prior notification of the concentration The Carlyle Group / StandardAero – Case M.9264 has been published.

[Document 2019/C 50/08](#) – [Case information](#)

EC Decision of 04 February – Stena Rederi / Hyundai Glovis / JV

■ **Sea and coastal freight water transport**

The EC approved the creation of a joint venture by Stena Rederi and Glovis Europe, controlled by Hyundai Glovis.

[Case information](#)

EC Decision of 01 February – Macquarie / JERA Power International / Orsted InvestCo / Swancor / Formosa I Wind Power

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

The EC approved the proposed acquisition of joint control by Macquarie Corporate Holdings Pty Limited, Orsted InvestCo Ltd., Swancor Ind. Co. Ltd. and JERA Power International B.V. over Formosa I International Investment Co. Ltd.

[Case information](#)

Prior notification of the concentration CD&R / FHI – Case M.9261 has been published.

[Document 2019/C 49/11](#) – [Case information](#)

Prior notification of the concentration CommScope / ARRIS – Case M.9226 has been published.

[Document 2019/C 49/10](#) – [Case information](#)

Prior notification of the concentration Spirit / Asco – Case M.8948 has been published.

[Document 2019/C 49/09](#) – [Case information](#)

Prior notification of the concentration Engie / Michelin / Region AURA / CDC / Hymplusion – Case M.9256 has been published.

[Document 2019/C 49/08](#) – [Case information](#)

Prior notification of the concentration Blackstone / Sretaw / Beauparc – Case M.9219 has been published.

[Document 2019/C 47/06](#) – [Case information](#)

Prior notification of the concentration CVC / April – Case M.9273 has been published.

[Document 2019/C 46/06](#) – [Case information](#)

Prior notification of the concentration Patron Capital / Marriott International / PEH Warsaw Bidco – Case M.9167 has been published.

[Document 2019/C 43/03](#) – [Case information](#)

BRUSSELS INTERN

■ Foreign Direct Investments

On 13/14 February, the European Parliament will debate and vote on the proposal for a regulation establishing a framework for screening of foreign direct investments into the EU. Negotiators of the European Parliament and the Council reached a provisional agreement on the text last November.

[Provisional agreement](#)

■ Gas Market

The Presidency of the Council presented a compromise text on the proposal for a directive concerning common rules for the internal market in natural gas, which will amend Directive 2009/73/EC. EU Member States still have to agree on a common position, which will be then used as a basis for trilogue negotiations with the European Parliament.

[Presidency proposal](#)

■ ePrivacy Regulation

The Council Working Party on Telecommunications will discuss the new compromise text presented by the Presidency regarding 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.

[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

Co-Head of Regulatory & Governmental Affairs



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