



Europaneews

Regulatory & Governmental Affairs

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/ Main Topics

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

/ Law

■ ■ Dual Use Items

Negotiators of the European Parliament and the Council reached an agreement on the review of the regulation setting up a regime for the control of the exports, transfer, brokering, technical assistance and transit of dual-use items. This agreement, which has also been confirmed by the committee in charge of the dossier at the European Parliament, now needs to be formally endorsed by the Parliament as a whole and the Council, before it can enter into force. The update of the rules follows the technological developments and the security risks related in particular to cyber-surveillance tools.

[Provisional agreement](#)

■ ■ EU-US Agenda

The EC published its proposal for a new comprehensive transatlantic agenda that includes proposals and considerations for data transfers, artificial intelligence and cooperation on standards. The European institution is also proposing to create a specific dialogue on the responsibility of online platforms and Big Tech, with a special focus on market distortions and fair taxation. An EU-US Summit is confirmed for next year.

[Joint Communication](#)

■ ■ Cybersecurity of Connected Devices

The Council approved conclusions setting out the priorities to boost the competitiveness of the European IoT industry. In particular, the Council underlines the need for horizontal legislation to

address the relevant risks for privacy and cybersecurity of connected devices.

[Council Conclusions on the cybersecurity of connected devices](#)

■ Broadband Networks

The EC opened a public consultation on the review of the Broadband Cost Reduction Directive in order to collect views on incentivising the rollout of fast broadband networks including fibre and 5G. Contributions can be submitted until 2 March 2021.

[EC consultation page](#)

■ Democracy Action Plan

The EC released its European Democracy Action Plan which contains measures to promote free and fair elections and to strengthen media freedom and counter disinformation. Among the different initiatives of the plan, the Commission intends to implement legal action on political advertising that will address the sponsors of paid content and production and distribution channels; the Code of Practice on Disinformation will become a co-regulatory framework of obligations and accountability of online platforms, in line with the upcoming Digital Services Act.

[EC Communication on the European Democracy Action Plan](#)

/ Politics/General

■ Audio-visual and Media Sectors

The EC adopted an Action Plan to support the recovery and transformation of the media and audio-visual sectors. Most of the actions will be launched in the first months of 2021, together with targeted consultations with interested parties.

[EC Action Plan](#)

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

The Council and the European Parliament reached an agreement on amendments to EU rules on financial benchmarks, which have been proposed by the European Commission last July. The agreement needs to be formally adopted by both co-legislators.

[EC proposal for a regulation amending Regulation 2016/1011 as regards the exemption of certain third country foreign exchange benchmarks and the designation of replacement benchmarks for certain benchmarks in cessation](#)

■ Taxation

The Council approved conclusions on the main tax policy issues to be addressed in the coming years, providing guidance to the European Commission on the priorities for the near future. Among them there are the challenges of the digitalisation of the economy and the administrative cooperation between Member States' tax authorities.

[Council conclusions on fair and effective taxation](#)

■ 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](#)

■ Geo-blocking Regulation

The EC published its review of the Geo-blocking regulation, which prohibits unjustified geographical restrictions on access to goods and services within the EU since December 2018. The report also analyses the potential impact of an extension of the scope of the regulation for cross-border access to copyrighted content. The Commission will launch a dialogue with stakeholders to explore that possibility.

[EC dedicated page](#)

■ **Climate Action**

The EC adopted its annual Climate Action Progress Report, covering the European progress in cutting greenhouse gas emissions in 2019.

[EC Report](#)

■ **Banking and Covid-19**

The European Banking Authority decided to reactivate until 31 March 2021 its Guidelines on legislative and non-legislative moratoria because of the exceptional circumstances of the second wave.

[EBA dedicated page](#)

/ Decisions

EC Decision of 03 December – SKN / Lothar Group / NORDTEAM JV

■ **Wholesale of solid, liquid and gaseous fuels and related products**

The EC approved the creation of NORDTEAM, a new jointly venture by SKN-Schmierstoff Konzepte Nord and Lothar Group.

[Case information](#)

EC Decision of 03 December – FSI / WTI / MEL

■ **Electric power generation, transmission and distribution; waste collection, treatment and disposal activities; materials recovery**

The EC approved the acquisition of joint control of Multifuel Energy Limited and Multifuel Energy 2 Limited by First Sentier Investors International IM Limited and Wheelabrator Technologies Holdings Inc.

[Case information](#)

EC Decision of 03 December – Premier Oil / Chrysaor Holdings

■ **Extraction of crude petroleum and natural gas**

The EC approved the acquisition of Chrysaor Holdings Limited by Premier Oil Plc.

[Case information](#)

EC Decision of 02 December – Telefonica / Banco Bilbao Vizcaya Argentaria / Movistar Money Colombia JV

■ **Financial service activities**

The EC approved the acquisition of joint control over Movistar Money Colombia (“MMC”), a newly created company constituting a joint venture by Telefonica S.A. and Banco Bilbao Vizcaya Argentaria S.A.

[Case information](#)

EC Decision of 01 December – Bundesregelung für Rekapitalisierungsmassnahmen und nachrangiges

■ **Scheme**

The EC approved the German umbrella scheme to enable capital support to enterprises affected by coronavirus outbreak.

[Case information](#)

EC Decision of 01 December – ORIX / Cambourne / ORIX India Wind / GEH Assets

■ **Production of electricity**

The EC approved the acquisition of ORIX India Wind Business and GEH Assets by ORIX and Cambourne, via the jointly controlled holding company Greenko Energy Holdings.

[Case information](#)

EC Decision of 30 November – GardaWorld / G4S

■ Security and investigation activities

The EC approved the proposed acquisition of control over G4S plc by GardaWorld Security Corporation.

[Case information](#)

EC Decision of 30 November – Mann Mobilia / Tessner Holding / Tejo / Roller

■ Retail sale of furniture, lighting equipment and other household articles in specialised stores

The EC approved the proposed acquisition of joint control over Tejo Möbel Management Holding GmbH & Co. KG and Roller GmbH & Co. KG by Mann Mobilia Beteiligungs GmbH and Tessner Holding KG.

[Case information](#)

EC Decision of 27 November – Vestas / MHI Vestas JV

■ Manufacture of engines and turbines

The EC approved the acquisition of MHI Vestas Offshore Wind A/S by Vestas Wind Systems A/S.

[Case information](#)

EC Decision of 27 November – CIMIC / Elliott / Thiess

■ Mining support service activities

The EC approved the acquisition of Thiess Pty Ltd by CIMIC Group Limited and Elliott Investment Management.

[Case information](#)

/ From the OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration VW Group / Munich RE Group / JV – Case M.9769 has been published.

[Document 2020/C 419/07 – Case information](#)

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

[Document 2020/C 419/06 – Case information](#)

Non-opposition to the notified concentration Apollo Capital Management / Lopesan Group / IFA Faro Hotel / IFA Buenaventura – Case M.9675 has been published.

[Document 2020/C 419/05 – Case information](#)

Non-opposition to the notified concentration Ardian / Groupe Cerelia – Case M.9725 has been published.

[Document 2020/C 419/04 – Case information](#)

Non-opposition to the notified concentration Apollo Capital Management / Lopesan Group / IFA Faro Hotel

/ IFA Buenaventura – Case M.9675 has been published.

[Document 2020/C 419/03 – Case information](#)

Non-opposition to the notified concentration Vestas / MHI Vestas JV – Case M.10013 has been published.

[Document 2020/C 419/02 – Case information](#)

Non-opposition to the notified concentration HIG Capital / Lagardere Sports and Entertainment SAS / Lagardere Sports Inc. – Case M.9750 has been published.

[Document 2020/C 418/04 – Case information](#)

Non-opposition to the notified concentration ALSO / ABC Data Group – Case M.9324 has been published.

[Document 2020/C 418/03 – Case information](#)

Non-opposition to the notified concentration EXOR / GEDI – Case M.9705 has been published.

[Document 2020/C 418/02 – Case information](#)

Non-opposition to the notified concentration Trenitalia / Netinera Deutschland – Case M.9996 has been published.

[Document 2020/C 418/01 – Case information](#)

Non-opposition to the notified concentration GH0 / MIC / Envision – Case M.9922 has been published.

[Document 2020/C 415/08 – Case information](#)

Non-opposition to the notified concentration CPPIB / KKR / Axel Springer – Case M.9864 has been published.

[Document 2020/C 415/07 – Case information](#)

Non-opposition to the notified concentration Clearlake Capital Group / TA Associates Management / Ivanti Software – Case M.9950 has been published.

[Document 2020/C 415/06 – Case information](#)

Non-opposition to the notified concentration LGP / TPG / WellSky – Case M.9930 has been published.

[Document 2020/C 415/05 – Case information](#)

Non-opposition to the notified concentration Hg / KKR / Citation – Case M.10012 has been published.

[Document 2020/C 415/04 – Case information](#)

Non-opposition to the notified concentration PAI Partners / Wessanen – Case M.9369 has been published.

[Document 2020/C 415/03 – Case information](#)

Non-opposition to the notified concentration H&F / Carlyle / Vantage – Case M.10023 has been published.

[Document 2020/C 415/02 – Case information](#)

Non-opposition to the notified concentration SEGRO / PSPIB / SELP / Gonesse Site – Case M.9988 has been published.

[Document 2020/C 412/05 – Case information](#)

Non-opposition to the notified concentration ISTA International / Aareal Bank / Objego – Case M.9909 has been published.

[Document 2020/C 412/04 – Case information](#)

Non-opposition to the notified concentration Liberty / Ascoval / Hayange – Case M.9917 has been published.

[Document 2020/C 412/03 – Case information](#)

Non-opposition to the notified concentration MSI / Altice / Lightpath – Case M.9946 has been published.

[Document 2020/C 412/02 – Case information](#)

Non-opposition to the notified concentration AAUK2 / MUL / Ballyhoura Wind / CCWFL – Case M.9940 has been published.

[Document 2020/C 412/01 – Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration Burnam Parties / Kroenke Parties / SMG / Cascade Investment / StorageMart – Case M.10035 has been published.

[Document 2020/C 419/16 – Case information](#)

Prior notification of the concentration Accel-KKR Capital Partners / OMERS Private Equity / KCS – Case M.10092 has been published.

[Document 2020/C 419/15 – Case information](#)

Prior notification of the concentration Allianz / Noble – Case M.9993 has been published.

[Document 2020/C 419/14 – Case information](#)

Prior notification of the concentration Advent / Nielsen Global Connect – Case M.10065 has been published.

[Document 2020/C 419/13 – Case information](#)

Prior notification of the concentration Porsche / Transnet / JV – Case M.10058 has been published.

[Document 2020/C 419/12 – Case information](#)

Prior notification of the concentration Bain Capital / Ahlstrom-Munksjö – Case M.9981 has been published.

[Document 2020/C 417/09 – Case information](#)

Prior notification of the concentration EPGC / Metro – Case M.9977 has been published.

[Document 2020/C 417/08 – Case information](#)

Prior notification of the concentration HDI Assicurazioni / Amissima Assicurazioni – Case M.10069 has been published.

[Document 2020/C 417/07 – Case information](#)

Prior notification of the concentration ABN AMBRO BANK / ODDO BHF / JV – Case M.10029 has been published.

[Document 2020/C 415/15 – Case information](#)

Prior notification of the concentration SDK / Freja Transport & Logistics – Case M.10062 has been published.

[Document 2020/C 415/14 – Case information](#)

Prior notification of the concentration Vista Equity Partners / Francisco Partners Management / SmartBear Software – Case M.10042 has been published.

[Document 2020/C 415/13 – Case information](#)

Prior notification of the concentration Sumitomo / Tech Mahindra / JV – Case M.9998 has been published.

[Document 2020/C 412/14 – Case information](#)

Prior notification of the concentration Mazda Motor Corporation / Mazda Motor Manufacturing de Mexico – Case M.10048 has been published.

[Document 2020/C 412/13 – Case information](#)

Prior notification of the concentration De Agostini Group / Foodviserise / Alnut – Case M.10071 has been published.

[Document 2020/C 412/12 – Case information](#)

Prior notification of the concentration Ifm electronic / Endress+Hauser Group Services / Automation24 / Process+Lab Devices Online – Case M.10018 has been published.

[Document 2020/C 412/11 – Case information](#)

Prior notification of the concentration CMI / Rockaway / Mr MC / Gjrafa Tech – Case M.9848 has been published.

[Document 2020/C 412/10 – Case information](#)

/ Brussels intern

■ ■ Digital Services and Markets Acts

The release of the Digital Services Act and the Digital Markets Act by the European Commission has been again postponed to December 15, apparently for some internal debates on key elements of the Digital Markets Act. The DMA will introduce a new market

investigation tool and new rules for large online platforms, referred to as “gatekeepers”. According to some rumours, the powers of the new investigative tool will be limited because of some concerns over its operation and its legal basis. Also the scope of provisions related to the gatekeepers is expected to be restricted to few firms.

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