



## Europaneews

### Regulatory & Governmental Affairs

Issue 09/2021. 01 – 05 March 2021

## / Content

Law.....	1
Politics/General .....	2
Decisions.....	3
From the OJEU.....	3
Brussels intern .....	4
Contact .....	5

## / Main Topics

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

## / Law

### ■ EU Single Market

The EC adopted three guidance documents to strengthen the implementation of the rules relating to the free movement of goods and the prevention of national barriers. In particular on the implementation of Regulation 2019/515 on the mutual recognition of goods lawfully marketed in another Member State; on the application of treaty provisions regarding the free movement of goods; and on the implementation of article 4 of the new Market Surveillance Regulation.

[Guidance on the implementation of Regulation 2019/515 – Guidance on articles 34-36 of the TFEU – Guidance on the practical implementation of article 4 of Regulation 2019/1020](#)

### ■ Taxation

The Council approved its position on the proposed directive on the disclosure of income tax information by certain undertakings and branches, the so-called public country-by-country reporting directive (CBCR), which contains measures to enhance corporate transparency of big multinational companies. Inter-institutional negotiations with the European Parliament can now start. The proposed directive is part of the European Commission Action Plan on a fairer corporate tax system.

### [Council mandate](#)

### ■ Fiscal Policy

The EC published its guidance for Member States on the conduct of fiscal policy in response to the coronavirus pandemic, including the implications of

the Recovery and Resilience Facility. For the Commission, the coordination of national fiscal policies is essential to support the economic recovery. The guidance also aims to facilitate Member States in the preparation of their stability and convergence programmes which shall be presented in April.

[EC Communication “Fiscal Policy Response”](#)

#### ■ **Brexit**

The Council requested the European Parliament’s consent to its decision on the conclusion of the EU-UK Trade and Cooperation Agreement. Once the Parliament has given its consent, the Council will adopt the decision on the conclusion of the agreement, allowing its official entry into force. The agreement has been provisionally applied since 1 January 2021.

[Council decision](#)

#### ■ **Russia**

The Council decided to impose restrictive measures on four Russian individuals responsible for serious human rights violations, applying for the first time the framework of the new EU Global Human Rights Sanctions Regime which was established on 7 December 2020. The measures consist of a travel ban and asset freeze.

[Council decision](#)

#### ■ **Alert System for Dangerous Products**

The EC published its annual report on the Safety Gate, which is the EU rapid alert system for dangerous non-food products.

[Safety Gate 2020](#)

#### ■ **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

#### ■ **Energy**

The European Agency for the Cooperation of Energy Regulators and the Council of European Energy Regulators published their position paper on how to improve the Regulation on Guidelines for Trans-European Energy Networks, the so-called TEN-E Regulation.

[ACER-CEER position](#)

#### ■ **Money Laundering**

The European Banking Authority published its biennial Opinion on risks of money laundering and terrorist financing affecting the EU’s financial sector.

[EBA Opinion](#)

## / Decisions

### EC Investigation – Teva

#### ■ Pharmaceuticals

The EC opened a formal investigation into possible anticompetitive conduct of Teva in relation to a blockbuster multiple sclerosis medicine.

[Case information AT.40588](#)

### EC Decision of 03 March – IKB / Hypoport / Fundingport

#### ■ Financial service activities; credit granting

The EC approved the acquisition of joint control over Fundingport GmbH by IKB Deutsche Industriebank AG and Hypoport SE.

[Case information](#)

### EC Decision of 02 March – Temasek / Gategroup

#### ■ Passenger air transport; service activities incidental to air transportation

The EC approved the acquisition of sole control over Gategroup Holding AG by Temasek Holdings (Private) Limited.

[Case information](#)

### EC Investigation – Germany – Lignite phase-out

#### ■ Electricity

The EC opened an in-depth investigation to assess whether German plans to compensate lignite-fired power plants for phasing out earlier than foreseen are in line with EU State aid rules.

[Case information](#)

## / From the OJEU

### ■ Non-opposition to concentrations

Non-opposition to the notified concentration Worldline / Ingenico – Case M.9776 has been published.

[Document 2021/C 73/02 – Case information](#)

Non-opposition to the notified concentration Bain Capital / Ahlstrom – Munksjö – Case M.9981 has been published.

[Document 2021/C 73/01 – Case information](#)

Non-opposition to the notified concentration EFMS / VFMF / Focus Vision / Confermit / Dapresy – Case M.10140 has been published.

[Document 2021/C 71/07 – Case information](#)

Non-opposition to the notified concentration OTP / SL GIO II / SGI – Case M.10155 has been published.

[Document 2021/C 71/06 – Case information](#)

Non-opposition to the notified concentration Ares / OTP / TricorBraun – Case M.10150 has been published.

[Document 2021/C 71/05 – Case information](#)

Non-opposition to the notified concentration Blackstone / B&J / Applegreen – Case M.10132 has been published.

[Document 2021/C 71/04 – Case information](#)

Non-opposition to the notified concentration Liberty Global / DPG Media / JV – Case M.9802 has been published.

[Document 2021/C 71/03 – Case information](#)

### ■ Prior notification of concentrations

Prior notification of the concentration ADI / Maxim – Case M.9926 has been published.

[Document 2021/C 76/07 – Case information](#)

Prior notification of the concentration CDP Venture Capital / Generali Welion / JV – Case M.10194 has been published.

[Document 2021/C 75/06 – Case information](#)

Prior notification of the concentration Linde / Hyosung / JVs – Case M.10192 has been published.

[Document 2021/C 74/07 – Case information](#)

Prior notification of the concentration Coca Cola Hellenic Bottling Company / Heineken / Stockday – Case M.10061 has been published.

[Document 2021/C 74/06 – Case information](#)

Prior notification of the concentration Tengelman Warenhandelsgesellschaft / KiK Textilien und Non-Food – Case M.10179 has been published.

[Document 2021/C 74/05 – Case information](#)

Prior notification of the concentration Platinum Equity Group / Ingram Micro Inc. – Case M.10121 has been published.

[Document 2021/C 73/04 – Case information](#)

Prior notification of the concentration Schwarz Group / SUEZ Waste Management Companies – Case M.10047 has been published.

[Document 2021/C 71/13 – Case information](#)

Prior notification of the concentration Arch / Kelso / Warburg / Watford – Case M.10099 has been published.

[Document 2021/C 71/12 – Case information](#)

Prior notification of the concentration TIAA / AP1 / AP2 / GPIF / Target – Case M.10156 has been published.

[Document 2021/C 71/11 – Case information](#)

Prior notification of the concentration AustralianSuper / CPPIB / Transurban / Transurban Chesapeake – Case M.10183 has been published.

[Document 2021/C 71/10 – Case information](#)

Prior notification of the concentration Cordes & Graefe / FACQ – Case M.9970 has been published.

[Document 2021/C 71/09 – Case information](#)

## / Brussels intern

### ■ Automotive

The EU institutions are working on a proposal to make vehicles less polluting by 2025. An initiative is expected by the end of the year.

## / Contact

### **For suggestions, comments please contact:**

Noerr Partnerschaftsgesellschaft mbB Rechtsanwälte Steuerberater Wirtschaftsprüfer  
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