

# **Regulatory & Governmental Affairs**

Issue 34/2023. 02 - 06 October 2023

# **Table of Contents**

Aviation/Transport

Healthcare

Law					1
Politics / General					2
Decision	ı				3
From the OJEU					4
Brussels intern					5
Contact					5
Main Topics					
Law	Bank/Insurance/Tax	Environment	Media/Telecom	Competition/SA	

Foreign Trade Energy Compliance

Food/Tobacco



# Law

#### **Electric Vehicles**

The EC formally launched an anti-subsidy investigation into the imports of battery electric vehicles from China. The investigation will be concluded within maximum 13 months of initiation.

Notice of initiation

#### **Fluorinated Gases**

Negotiators of the European Parliament and the Council reached a provisional agreement on two proposals to strengthened rules to reduce greenhouse gas (GHG) emissions from fluorinated gases (F-gases) and ozone-depleting substances (ODS). The agreement now needs to be formally adopted by the European Parliament and the Council, then it will be published in the EU Official Journal and enter into force. The text will be available soon.

#### **Green Bonds**

The European Parliament approved the provisional agreement reached with the Council on the creation of European Green Bonds, which aims to enable investors to direct their investments towards more sustainable technologies and companies in line with the EU taxonomy. The text will be available soon.

### **Generalized Scheme of Preferences**

The European Parliament approved the extension of the current Generalized Scheme of Preferences for a further 4 years.

Adopted text

## Cyber-security

The EC is collecting feedback on its initiative to establish the European cybersecurity certification scheme (EUCC), that will introduce a set of security requirements for ICT security products and ICT products with an inbuilt security functionality. Contributions can be submitted until 31 October.

EC dedicated page

## **Critical Technology Areas**

The EC adopted a recommendation on critical technology areas for the EU's economic security. Out of the ten areas, the document identifies four technology areas that are considered highly likely to present the most sensitive and immediate risks related to technology security and technology leakage: advanced semiconductors technologies; artificial intelligence technologies; quantum technologies; biotechnologies. The Commission together with Member States will conduct collective risk assessments of these four areas by the end of the year. Further initiatives may be put forward next Spring.

**EC** Recommendation



### State Aid - Fishery de minimis Regulation

The EC adopted an amendment of the so-called "de minimis" Regulation for the fishery and aquaculture sector. The revised regulation will enter into force 20 days after its publication in the EU Official Journal.

EC dedicated page

### **Anti-dumping**

Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of certain seamless pipes and tubes, of iron or steel originating in the Russia has been published in the EU Official Journal.

Document C/2023/93

### **Economically Coercive Practices**

The European Parliament adopted the political agreement reached during the negotiations with the Council on the proposal for a regulation on an instrument to counteract economic coercion. The text now needs to be formally endorsed by the Council before being published in the EU Official Journal.

Adopted text

### **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**

### **Markets in Crypto-Assets**

The European Securities and Markets Authority published a second consultation on the Markets in Crypto-Assets Regulation (MiCA). Contributions can be submitted until 14 December.

**Dedicated page** 

### **Banking**

The European Banking Authority published its annual work programme for 2024.

EBA work programme

### **European Commission Legal Service**

The EC appointed Florence Clotuche-Duvieusart as Principal Adviser in the European Civil Service Law Team at the Legal Service of the Commission. The date of effect is to be determined at a later stage.



# **Decision**

# EC Decision of 05 October – EPCG / JTCP / Tymon / CMI Radio broadcasting; motion picture and television program activities; publishing of books

The EC approved the acquisition of joint control of Czech Media Invest a.s. ("CMI") by EP Group a.s. ("EPCG"), Tymon a.s. ("Tymon") and J&T Capital Partners ("JTCP").

Case information

# EC Decision of 05 October – Goldman Sachs / Charlesbank Capital Partners / World Insurance Associates Insurance

The EC approved the acquisition of joint control of World Insurance Associates by Goldman Sachs Asset Management and Charlesbank Capital Partners.

Case information

# EC Decision of 04 October – KKR / The Fuchs Family Foundation / OHB

# Manufacture of air and spacecraft and related machinery; space transport; repair and maintenance of aircraft and spacecraft

The EC approved the acquisition of joint control of OHB SE by The Fuchs Family Foundation and KKR & Co. Inc.

Case information

# EC Decision of 02 October – Shell / EGO Trade of electricity

The EC approved the acquisition of sole control of EGO Srl by Shell plc. Case information

# EC Decision of 02 October – Liberty / ISD Dunaferr Manufacture of basic metals

The EC approved the acquisition of sole control of ISD Dunaferr and ISD Kokszolo by Liberty Steel. Case information

## EC Decision of 02 October – Bridgepoint / Windar



### Manufacture of other special-purpose machinery

The EC approved the acquisition of sole control of Windar Renovables S.A. by Bridgepoint Group plc. Case information

# EC Decision of 02 October – Apollo / Applus Technical testing and analysis; engineering activities and related technical consultancy

The EC approved the acquisition of sole control of Applus by Apollo Management X. Case information

# From the OJEU

### Non-opposition to concentrations

Non-opposition to the notified concentration KKCG / Rockaway / JV - Case M.11037 has been published.

Document C/2023/110 - Case information

Non-opposition to the notified concentration Totalenergies / RNS Holding / RNS Enerji – Case M.11249 has been published.

Document C/2023/95 - Case information

Non-opposition to the notified concentration BNP Paribas / Stellantis / PCDF Assets / FCAB Assets / JV – Case M.10726 has been published.

Document C/2023/90 - Case information

Non-opposition to the notified concentration Reliance / Brookfield / Digital Realty / JV – Case M.11250 has been published.

Document C/2023/89 - Case information

Non-opposition to the notified concentration EF Exclusive Cars / FG Automobil Holding / FG Exclusive Cars JV – Case M.11263 has been published.

Document C/2023/88 - Case information

Non-opposition to the notified concentration Nordic Capital / Foxway – Case M.11161 has been published.

Document C/2023/87 - Case information



#### Prior notification of concentrations

Prior notification of the concentration APG / Platinum Compass / INA / PT Refflesia – Case M.11305 has been published.

Document C/2023/151 - Case information

Prior notification of the concentration Nippon Express / Cargo-Partner - Case M.11221 has been published.

Document C/2023/150 - Case information

Prior notification of the concentration CMI / Editis - Case M.11153 has been published.

Document C/2023/104 - Case information

# **Brussels intern**

# **Artificial Intelligence**

Negotiations on the final version of the AI Act are still on-going. Representatives of the Council and the European Parliament will have some technical meetings before next inter-institutional meeting scheduled for 25 October.

### Wind Industry

The European Commission is considering whether to launch an ex-officio anti-subsidy investigation into Chinese wind turbines.

# **Contact**

# For suggestions, comments please contact:

Noerr Partnerschaftsgesellschaft mbB Rechtsanwälte Steuerberater Wirtschaftsprüfer Rue Guimard 9 1040 Brussels Belgium



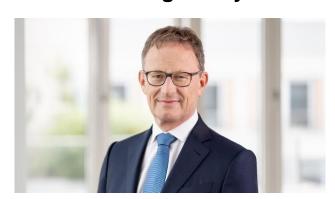
# **Co-Head of Regulatory & Governmental Affairs**



Dr. Holger Schmitz Partner

T +49 30 20942160 holger.schmitz@noerr.com

# **Co-Head of Regulatory & Governmental Affairs**



**Dr. Alexander Birnstiel Partner** 

T +49 89 28628241 alexander.birnstiel@noerr.com

# **Associated Partner**



Dr. Dr. Claus Zimmermann Associated Partner

T +32 4 91905460 claus.zimmermann@noerr.com



# **Regulatory Affairs Advisor**



Giovanna Ventura Legal Advisor

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