



Europaneews

Regulatory & Governmental Affairs

Issue 15/2019, 29 April – 03 May 2019

/ 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 Strategic Agenda

The EC presented a set of policy recommendations for the next strategic agenda for the years 2019-2024. EU leaders will meet in Romania on 9 May and will discuss also these recommendations which contain policy orientations and priorities for the future. In addition to that, the Commission presented two documents on the most important achievements of the latest years and ten key proposals which are still pending, in particular with regard to the implementation of the single market.

[EC Communication – Key Achievements – Unfinished Issues](#)

■ Electronic Commerce

The EC released its proposal for future international rules and obligations on electronic commerce. The proposal will be discussed by the WTO members during the meetings of 13-15 May in Geneva.

The information in this newsletter does not replace advice in any particular case.
© Noerr LLP 2019 / noerr.com

[EC proposal on Electronic Commerce](#)

■ Investment Court System

The Court of Justice of the EU stated that the Investment Court System (ICS) provisions of the Comprehensive Economic and Trade Agreement (CETA) between the EU and Canada are consistent with the EU Treaties, in line with the Opinion of the Advocate General of last January. The trade agreement with Canada is under provisional application since September 2017 and can enter fully into force once ratified by all Member States.

[CoJ Opinion – EC dedicated page on CETA](#)

■ Banking Union

The EC adopted a Report on the application of the Bank Recovery and Resolution Directive (BRRD) and the Single Resolution Mechanism Regulation (SRMR).

The Commission will continue its analysis in the coming months.

[EC Report](#)

■ Anti-Fraud System

The EC adopted a new Anti-Fraud Strategy which aims to improve the detection, sanctioning and prevention of fraud. The European Anti-Fraud Office (OLAF) will also have a stronger advisory and supervisory role; in particular, it will conduct mandatory reviews of the anti-fraud strategies of all Commission Directorates and monitor their implementation.

/ Politics/General

■ State Aid Modernisation

The EC launched a public consultation on the prolongation of the State aid Regulations and Guidelines reformed under the State aid modernization package that will expire by the end of 2020. Contributions can be submitted until 16 May.

[EC dedicated page](#)

■ International Competition Network

The European Commission's Directorate General for Competition joined the new International Competition Network Framework on Competition Agency Procedures.

[ICN dedicated page](#)

■ Payment Services Directive

The European Banking Authority published clarifications to a third set of issues raised by its Working Group on APIs under PSD2.

[EBA document](#)

[EC Communication – Annex to the Communication – Action Plan](#)

■ 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](#)

■ Counterparty Credit Risk

The European Banking Authority launched a consultation on the Regulatory Technical Standards on the Standardized Approach for Counterparty Credit Risk. Contributions can be submitted until 2 August.

[EBA consultation paper](#)

■ Supervisory Colleges

The European Banking Authority published its 2018 Report on the functioning of supervisory colleges.

[EBA Report](#)

■ Insurance Stress Test

The European Insurance and Occupational Pensions Authority published its 2018 Insurance Stress Test Recommendations.

[EIOPA Recommendations](#)

■ REMIT

The Agency for the Cooperation of Energy Regulators published a new edition of the REMIT Quarterly.

[ACER REMIT Quarterly](#)

/ Decisions

EC Decision of 29 April – Alliance Automotive Group / PartsPoint Group

■ Wholesale trade of motor vehicle parts and accessories

The EC approved the acquisition of PartsPoint Group B.V. (“PartsPoint”) by Alliance Automotive Holding Limited (“Alliance Automotive”).

[Case information](#)

EC Decision of 26 April – Visa MIF and Mastercard II

■ Financial service activities

The EC accepted the commitments offered by Mastercard and Visa to reduce their multilateral interchange fees for payments in the EEA.

[Case information Visa](#) – [Case information Mastercard](#)

EC Decision of 26 April – Investcorp / Aberdeen / JV

■ Fund management activities

The EC approved the acquisition of joint control over a newly created joint venture by Aberdeen Asset Management plc and Investcorp Holdings Limited.

[Case information](#)

EC Decision of 26 April – 3i Group / TIIC Management / Meridiam Infrastructure Finance / DirectRoute (Limerick)

■ Service activities incidental to land transportation

The EC approved the acquisition of joint control over DirectRoute (Limerick) Holdings Limited (“Limerick

HoldCo”) by 3i Group plc, TIIC Management S.a.r.l. and Meridiam Infrastructure Finance S.a.r.l (“Meridiam”).

[Case information](#)

EC Decision of 26 April – 3i Group / TIIC Management / Aberdeen Infrastructure / DirectRoute (Fermoy)

■ Service activities incidental to land transportation

The EC approved the acquisition of joint control over DirectRoute (Fermoy) Holdings Limited (“Fermoy HoldCo”) by 3i Group plc, TIIC Management S.a.r.l. and Aberdeen Infrastructure Partners LP Inc. (“AIPLP”).

[Case information](#)

EC Decision of 26 April – PFR / IFM / PSA / DCT

■ Sea and coastal freight water transport; support activities for transportation

The EC approved the acquisition of Gdansk Port Holdings S.a.r.l. (“GPHS”) by Polski Fundusz Rozwoju S.A. (“PFR”), IFM Investors Pty Ltd and PSA Baltics NV.

[Case information](#)

EC Decision of 26 April – Swiss Life / Montagu / Pondus

■ Renting and operating of own or leased real estate

The EC approved the acquisition of control over Pondus GmbH & Co. KG by Swiss Life Holding AG and Montagu Private Equity LLP.

[Case information](#)

/ From the OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration CACF / BBPM / Agos Ducato / ProFamily – Case M.9288 has been published.

[Document 2019/C 151/03](#) – [Case information](#)

Non-opposition to the notified concentration OEP / WP Group – Case M.9347 has been published.

[Document 2019/C 151/02](#) – [Case information](#)

Non-opposition to the notified concentration Liberty House Group / ArcelorMittal Divestment Businesses – Case M.9172 has been published.

[Document 2019/C 151/01 – Case information](#)

Non-opposition to the notified concentration Seven Energy / Huaneng-Yudean / InterGen – Case M.9305 has been published.

[Document 2019/C 147/02 – Case information](#)

Non-opposition to the notified concentration The Walt Disney Company / Twenty-First Century Fox – Case M.8785 has been published.

[Document 2019/C 147/01 – Case information](#)

■ **Prior notification of concentrations**

Prior notification of the concentration INEOS / Ashland Global (Composites Business and Butanediol

Manufacturing Facility) – Case M.9238 has been published.

[Document 2019/C 151/06 – Case information](#)

Prior notification of the concentration Onex / AEG / JV – Case M.9307 has been published.

[Document 2019/C 150/07 – Case information](#)

Prior notification of the concentration TDR Capital / NKD Group – Case M.9329 has been published.

[Document 2019/C 147/06 – Case information](#)

/ Brussels intern

■ **Future of EU Energy Systems**

The Energy Working Party of the Council is working on the conclusions on the Future of Energy Systems in the EU. The Presidency prepared a revised draft that will be discussed on 7 May.

[Presidency draft conclusions](#)

■ **LNG Trade**

The first business energy forum between the EU and US was held in Brussels to discuss the possibilities to

further enhance the transatlantic LNG trade. In the Joint Statement of July 2018, both parties agreed to strengthen their strategic cooperation on energy, with a special focus on expanded exports of LNG from the US to the EU.

/ Contact

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 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