



Europeanews

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

■ Insolvency Directive

The Council formally adopted the directive on preventive restructuring frameworks, second chance and measures to increase the efficiency of restructuring, insolvency and discharge procedures. This is the final step of the legislative procedure. Now the directive will be published in the EU Official Journal. Member States will then have two years to transpose the new rules into national law.

[Directive on preventive restructuring frameworks, on discharge of debt and disqualifications, and on measures to increase the efficiency of procedures concerning restructuring, insolvency and discharge of debt](#)

■ European Semester

The EC issued the so-called country-specific recommendations for Member States for the next 12 to 18 months. With these recommendations the Commission calls on EU Member States to pursue effective structural reforms, investment strategies and responsible fiscal policies. The Council will now have to endorse them.

[EC Communication 2019 European Semester – Country-specific Recommendations](#)

■ Dual-use Goods

The Council agreed its negotiating mandate on the proposal for a regulation setting up a regime for the controls of exports, brokering, technical assistance, transit and transfer of dual-use items. The proposal will introduce some changes to the current European export control system; in particular, new provisions to

further harmonise licensing processes through the introduction of new general export authorisations. Negotiations with the European Parliament will now start.

[Mandate for negotiations on the proposal for a Regulation](#)

■ Data Retention

The Council adopted conclusions on the way forward with regard to the retention of data stemming from telecommunication operators and service providers for the purpose of fighting crime. In the document the Council asks the European Commission to organize targeted consultations with stakeholders and to prepare a comprehensive study on possible solutions for retaining data. A future legislative initiative is not excluded. The Commission shall report back to the Council on the state of play of this work by the end of the year.

[Council conclusions](#)

■ Freight Transport Information

The Council agreed on a general approach on the proposal to establish a uniform legal framework for the transmission of electronic freight transport information (eFTI). Negotiations with the European Parliament can now begin.

[Council general approach on the proposal for a regulation on electronic freight transport information](#)

/ Politics/General

■ Privacy and Electronic Communications

EU Telecommunications Ministers took note of the progress made on the proposal for a regulation concerning the respect for private life and the protection of personal data in electronic communications. The new regulation will replace the current directive, basically covering not only traditional telcos but also providers of new services, and it will complement the General Data Protection Regulation which entered into force on 25 May 2018. The text needs to be approved by both the Council

The information in this newsletter does not replace advice in any particular case.
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■ Publicly Funded Data

The Council adopted a directive on open data and the reuse of public sector information (PSI). The new rules will extend the scope of the legislation on the reuse of PSI beyond public sector bodies, in order to include also public undertakings in the transport and utilities sectors. The directive will enter into force 20 days after its publication in the EU Official Journal. Member States will then have two years to transpose it into national law.

[Directive on open data and the reuse of public sector information](#)

■ Non-power Nuclear Technologies

The Council adopted conclusions on non-power nuclear and radiological technologies and applications, where EU Member States basically ask the European Commission to develop an Action Plan.

[Council conclusions](#)

■ 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](#)

and the European Parliament; while the lawmakers adopted their position in October 2017, EU Member States are still debating on a number of issues.

[Presidency progress report](#)

■ Assignment of Claims

The Council discussed the progress made on the proposal for a regulation on assignments of claims, which aims at ensuring greater legal certainty for investors in cross-border transactions in claims. Once

EU Member States agree on a common position, negotiations with the European Parliament will start.

[Progress report on the proposal for a Regulation on the law applicable to third-party effects of assignments of claims](#)

/ Decisions

EC Decision of 05 June – INEOS Enterprises Holdings Limited / Ashland’s Global Compound Resin Business and Manufacturing Facility in Marl

■ **Manufacture of chemicals and chemical products**

The EC approved the acquisition of parts of Ashland Global Holdings Inc. by INEOS.

[Case information](#)

EC Decision of 05 June – Baloise / Fideal

■ **Financial service activities**

The EC approved the acquisition of control by Baloise Holding AG of Fidea N.V.

[Case information](#)

EC Decision of 04 June – Evonik / PeroxyChem

■ **Manufacture of basic chemicals, fertilisers and nitrogen compounds, plastics and synthetic rubber in primary forms**

The EC approved the acquisition of PeroxyChem Holdings L.P. by Evonik Industries AG.

[Case information](#)

EC Decision of 04 June – EPH / AES Ballylumford / AES Kilroot Power

■ **Production of electricity**

The EC approved the proposed acquisition of sole control over AES Ballylumford Limited and AES Kilroot

Power Limited by EP UK Investments Limited (“EPUK”), controlled by Energeticky a prumyslovy holding a.s. (“EPH”).

[Case information](#)

EC Decision of 29 May – MRG / PMV / SFPI-FPIM / Euroports

■ **Warehousing and support activities for transportation; water transport**

The EC approved the acquisition of joint control over Euroports Holdings S.a.r.l. by Monaco Resources Group (“MRG”), Participatie Maatschappij Vlanderen (“PMV”) and Societe federale de participations et d’investissement (“SFPI”).

[Case information](#)

EC Decision of 29 May – VW Group / Intel / Allied Holdings / JV

■ **Passenger land transport n.e.c.**

The EC approved the acquisition of joint control of a newly created joint venture by Volkswagen Finance Luxembourg S.A. (“VWFL”), Mobileye Vision Technologies Ltd. (“Mobileye”) and Champion Motors Ltd.

[Case information](#)

/ From the OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration Clearlake / Insight / Appriss – Case M.9375 has been published.

[Document 2019/C 192/02 – Case information](#)

Non-opposition to the notified concentration Onex / AEG / JV – Case M.9307 has been published.

[Document 2019/C 188/02 – Case information](#)

Non-opposition to the notified concentration Kennedy Wilson / AXA / JV – Case M.9339 has been published.

[Document 2019/C 188/01 – Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration MIRA / BCI / iGH – Case M.9377 has been published.

[Document 2019/C 192/18 – Case information](#)

Prior notification of the concentration FIS / Worldpay – Case M.9357 has been published.

[Document 2019/C 192/17 – Case information](#)

Prior notification of the concentration Suez Organique / Avril PA / Terrial – Case M.9362 has been published.

[Document 2019/C 192/16 – Case information](#)

Prior notification of the concentration Orange / SecureLink – Case M.9385 has been published.

[Document 2019/C 189/13 – Case information](#)

Prior notification of the concentration Advent International Corporation / Evonik Methacrylates Business Division – Case M.9353 has been published.

[Document 2019/C 186/07 – Case information](#)

/ Brussels intern

■ ■ Online Platforms

Recently particular attention has been dedicated to the issue of competition policy within the digital economy, which raises various concerns among the institutions but not only. Several EU Member States stressed the need to reconsider the definition of “relevant market” with regard to big online platforms. Also for the current EU Commissioner for Competition, more intense scrutiny should be dedicated to dominant digital platforms in order to preserve competition in the market. Currently on the table there is also the French/German proposal to amend the EU competition policy, with suggestions relating to the digital giants.

■ Financial Sector Priorities

The next European Commission is expected to present a new strategy for the Capital Markets Union. Other top priorities shall be Fintech (with a legislative proposal on crypto assets) and financial stability, both for the banking and non-banking sectors.

■ Labelling of Tyres

The Presidency of the Council released the four-column document relating to the proposal for a Regulation on the labeling of tyres with respect to fuel efficiency and other parameters, which presents the different positions of the EU institutions. The proposal is currently being negotiated by the co-legislators.

[Four-column document](#)

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