



Europanews

Regulatory & Governmental Affairs

Issue 10/2020. 16 - 20 March 2020

/ Content

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

/ Main Topics

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

/ Law

EU Law and Covid-19

The legislative procedure for all new EU laws has been put on hold to focus on emergency measures to cope with the Covid-19 outbreak. Trilogue negotiations between the European Commission, the Council and the European Parliament on all drafts are in stand-by.

Covid-19 and Economy

The EC published a communication on coordinated economic response to the outbreak, with proposals in particular for the transport, tourism and banking sectors.

<u>EC Communication</u> – <u>Annex</u> – <u>EC proposal for a</u> <u>Regulation on Covid-19 response investment</u>

Covid-19 and Budget

The Committee of Permanent Representatives of the Council agreed the position of EU Member States on the legislative proposal to make available 37 billion euro of Cohesion funds to Member States to address the economic consequences of the outbreak. The European Parliament will have to agree its position, then the Council is expected to adopt the regulation by written procedure.

Proposal for a Regulation concerning the Coronavirus Response Investment Initiative

Covid-19 and State Aid

The EC adopted a Temporary Framework to support the economy of Member States allowing them to use the full flexibility foreseen under article 107(3)(b) TFEU, after having consulted Member States. The framework applies to all aid notified since 1 February and it will be in place until the end of December 2020.

The framework provides for five types of aid:

- direct grants, selective tax advantages and advance payments;

- state guarantees for loans taken by companies from banks;

- subsidised public loans to companies;

- safeguards for banks that channel State aid to the real economy;

- short-term export credit insurance.

The framework complements the other support measures that can be used under the existing state aid rules.

Temporary Framework for State Aid Measures

Covid-19 and Medical Gear

The EC decided to set up a strategic stockpile of face masks, intensive care equipment and other essential medical gear to tackle shortages in Member States. The Commission will finance 90% of the stockpile.

EC Implementing Decision 2020/414

Covid-19 and Trade Defence

The EC published adaptation measures that will allow the European executive to pursue its trade defence investigations.

EC notice

Covid-19 and Export Authorisation

The EC adopted an export authorization scheme for protective equipment that will be valid for six weeks. During this period, essential medical goods can only be exported to non-EU countries with the explicit authorization of Member States.

EC Implementing Regulation 2020/402

Covid-19 and Airport Slot

The EC agreed its position on the proposal to suspend temporarily the airport slot requirements until 24 October 2020. The text needs to be approved by both the Council and the European Parliament and the institutions are currently treating the proposal as a matter of urgency.

EC proposal for a Regulation on airport slots

Covid-19 and Passenger Rights

The EC presented guidelines to ensure EU passenger rights when travelling by air, rail, ship and bus are applied in a coherent manner across the EU in the context of the Covid-19 outbreak.

Interpretative guidelines on EU passenger rights regulations

Brexit

The EC published a draft legal agreement for the future partnership with the UK. The text aims to support the negotiations. Also the Government of London put forward drafts covering the future relations in areas such as air transport, energy, trade. The EU intends to establish a free trade area for goods and to avoid non-tariff trade barriers and promote digital trade.

<u>Draft legal text</u> – <u>Foreign policy, security and defence</u> <u>part of the text</u>

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

EU Borders

The EC published its communication on temporary restriction on non-essential travel to the EU.

/ Decisions

EC Decision of 19 March – Glencore Energy UK / Orsted LNG Business

Manufacture of gas; distribution of gaseous fuels

The EC approved the acquisition of Orsted's LNG Business by Glencore Energy.

Case information

EC Decision of 19 March – Red Rock Power / CapMan Infra Lux Management / NH-Amundi

Asset Management / JV

Production of electricity

The EC approved the acquisition of Cloud Snurran AB by Red Rock Power Limited, CapMan Plc and NH-Amundi Asset Management Co. Ltd.

Case information

EC Decision of 17 March – AMG / Shell / JV Waste collection

The EC approved the creation of a new joint venture called Shell & AMG Recycling B.V. by AMG Advanced Metallurgical Group N.V. and Shell Overseas Investments B.V.

Case information

EC Decision of 16 March – KII / Infor Software publishing

The EC approved the acquisition of sole control over Infor Inc. by Koch Industries Inc.

Case information

EC communication

EC Decision of 13 March – Telia Company / Capman AIFM / JV

Telecommunications activities

The EC approved the acquisition of joint control over a newly created joint venture by Telia Company AB and CapMan AIFM.

Case information

EC Decision of 13 March – Toyota Financial Services Corporation / Mitsui & Co / Kinto Brasil Renting and leasing of motor vehicles

The EC approved the creation of a joint venture by Toyota Financial Services Corporation and Mitsui & Co.

Case information

EC Decision of 13 March – Bertelsmann / Penguin Random House Book publishing

The EC approved the acquisition of sole control over Penguin Random House by Bertelsmann SE & Co. KgaA.

Case information

EC Decision of 13 March – Macquarie / Aberdeen / Pentacom / JV Telecommunications

The EC approved the acquisition of joint control over Pentacom Investment Holdco S.L. by Pentacom

Investments Holdco Limited and Aberdeen Infrastructure IV B.V.

Case information

Case information

EC Decision of 13 March – UTC / Raytheon

Manufacture of air and spacecraft and related machinery

The EC approved the proposed acquisition of Raytheon by United Technologies Corporation (UTC), subject to conditions.

/ From the OJEU

Non-opposition to concentrations

Non-opposition to the notified concentration Berge / Mitsubishi Corporation / Berge Auto / JV – Case M.9717 has been published.

Document 2020/C 91/01 - Case information

Non-opposition to the notified concentration AXA / Groupe Credit Agricole / ELL Luxembourg 2 – Case M.9739 has been published.

Document 2020/C 88/02 - Case information

Non-opposition to the notified concentration SCP / Real – Case M.9703 has been published.

Document 2020/C 88/01 - Case information

Non-opposition to the notified concentration Volvo Cars / AB Volvo / World of Volvo JV – Case M.9417 has been published.

Document 2020/C 86/03 - Case information

Non-opposition to the notified concentration TSR Recycling / Sims Metal Management (Certain Recycling Assets) – Case M.9649 has been published.

Document 2020/C 86/02 - Case information

Non-opposition to the notified concentration FFHL / Omers / Riverstone – Case M.9719 has been published.

Document 2020/C 86/01 - Case information

Prior notification of concentrations

Prior notification of the concentration Freudenberg / Low & Bonar – Case M.9592 has been published.

Document 2020/C 91/06 – Case information

Prior notification of the concentration Salini Impregilo / Astaldi – Case M.9507 has been published.

Document 2020/C 90/04 - Case information

Prior notification of the concentration EXOR / GEDI – Case M.9705 has been published.

Document 2020/C 89/02 - Case information

Prior notification of the concentration Sinopec Group / Joint Stock Company Novatek / Gazprombank / SINOVA Natural Gas Company – Case M.9742 has been published.

Document 2020/C 88/05 - Case information

Prior notification of the concentration Apollo Capital Management / Lopesan Group / Ifa Faro Hotel / Ifa Buenaventura Hotel – Case M.9675 has been published.

Document 2020/C 86/08 - Case information

Prior notification of the concentration Generali / Klesia / JV – Case M.9662 has been published.

Document 2020/C 86/07 - Case information

/ Brussels intern

Unfair Commercial Practices

The European Commission is working together with consumer authorities of the Member States to draft guidelines to coordinate actions between national authorities, traders and platform in order to tackle the spread of fake products and practices online following the Covid-19 outbreak. The guidance shall be published in the next few days.

/ 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

Regulatory Affairs Advisor



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

Co-Head of Regulatory & Governmental Affairs



Dr. Alexander Birnstiel T +49 89 28628241 alexander.birnstiel@noerr.com