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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

■ Copyright

The Council's Permanent Representatives Committee agreed its position on the directive on copyright in the digital environment. The text will be used as Council position during the inter-institutional negotiations with the European Parliament and the Commission. The so-called trilogues will start as soon as the Parliament has agreed on its own position; the final vote in the lead Committee (Committee on Legal Affairs) is expected for the end of June.

The Council compromise text includes a new right for press publishers for the online use of their press publications, but contrary to the Commission's proposal, the protection would last one year instead of the 20 proposed by the European executive. The agreed text targets online service providers whose main purpose is to provide access to a large amount of copyright-protected content uploaded by their users for the purpose of making profits from organising and promoting it.

[Draft directive on copyright in the digital single market](#)

■ Cybersecurity Certification

The Permanent Representatives Committee of the Council reached an agreement on the proposal for a Regulation on the EU Cyber-security Agency and on the framework for the establishment of European cyber-security certification schemes. The Council shall adopt a general approach on 8 June; trilogue negotiations will start after the EP has decided on its position, most likely this Autumn.

[Council compromise proposal](#)

■ Screening of Foreign Direct Investments

The Committee on International Trade of the European Parliament voted on its legislative report on establishing a framework for the screening of foreign direct investment into the EU. MEPs also agreed to enter into inter-institutional negotiations with representatives of the Council and the Commission in order to reach an agreement on a final text. The Committee extended the list of critical sectors, which should include according to the

lawmakers also automobiles, media, data analysis, biomedicines, in addition to the sectors proposed by the Commission in its original proposal of September 2017 (energy, transport, financial infrastructure, cyber-security and the supply of critical inputs). MEPs suggested to set up an Investment Screening Coordination Group with representatives of Member States and chaired by the European Commission. Inter-institutional negotiations are provisionally scheduled for 10 July, the EU institutions aim to publish the final regulation by the end of the year. The text adopted by the Committee will be available soon.

[Draft EP report on the proposal for a Regulation establishing a framework for screening of foreign direct investments](#)

■ ECN+

The Council and the EP reached a provisional agreement on the Commission proposal for a Directive to empower Member States' competition authorities to be more effective enforcers by providing them with appropriate tools. The text needs to be formally approved by the co-legislators, the Council and the European Parliament. The directive shall be endorsed and published by the end of the year. The agreed text will be available soon.

■ Single-use Plastics

The EC presented a proposal to reduce single-use plastics. The new rules will introduce a ban in certain products (such as plastic cotton buds, cutlery, plates, straws, drink stirrers and sticks for balloons); consumption reduction targets for food containers and drinks cups; obligations for producers; collection targets; labelling requirements; and awareness-raising measures. The proposal will now be submitted to the EP and Council for adoption through the so-called ordinary legislative procedure.

[EC proposal for a Directive on the reduction of the impact of certain plastic products on the environment](#)

■ Capital Markets Union

The EC adopted a delegated regulation which amends Regulation 2015/35 as regards the calculation of regulatory capital requirements for securitisations and simple, transparent and standardised securitisations held by insurance and reinsurance undertakings. The new rules will ap-

ply directly as of 1 January 2019 if the Council and the EP do not object to it.

[Commission delegated regulation](#)

■ EU VAT System

The EC proposed some technical amendments to the proposal on an overhaul of the EU rules on VAT. The new rules will define the cross-border trade of goods as a single taxable supply, ensuring that goods are taxed in the EU country where the transport ends.

[EC proposal for a Council Directive amending Directive 2006/112/EC as regards the introduction of the detailed technical measures for the operation of the definitive VAT system for the taxation of trade between Member States](#)

■ Pharmaceuticals IP Rights

The EC proposed some amendments to Regulation 469/2009 on the supplementary protection certificate for medicinal products. The proposal aims to improve the current system on export manufacturing waiver to Supplementary Protection Certificates (SPCs).

[EC proposal for a Regulation concerning the supplementary protection certificate for medicinal products](#)

■ Mutual Recognition of Goods in the Internal Market

The Council reached a general approach on a draft regulation aimed at improving the mutual recognition of goods lawfully marketed in another Member State. Once the European Parliament has adopted its position, inter-institutional negotiations will start.

[General approach on the proposal for a Regulation on the mutual recognition of goods lawfully marketed in another Member State](#)

■ 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

■ US Duties

The EC launched legal proceedings against the US in the WTO for its decision to impose additional duties of 25% and 10% on imports of steel and aluminium. The European

institutions will also use the possibility to rebalance the situation by targeting a list of US products with additional duties. The Commission started preparations to trigger this measure.

[EU list for rebalancing](#)

■ Contractual Gas Congestion

The Agency for the Cooperation of Energy Regulators published the 5th edition of the Annual Report on Contractual Congestion at Interconnection Points.

[ACER dedicated page](#)

DECISIONS

EC Decision of 31 May – 3i Group / Deutsche Alternative Asset Management / Attero Holding

■ Waste collection, treatment and disposal activities; materials recovery

The EC approved the acquisition of Attero Holding by 3i Group and Deutsche Alternative Asset Management (“DAAM”), ultimately owned by Deutsche Bank AG.

[Case information](#)

EC Decision of 30 May – One Equity Partners / Walki Holding

■ Manufacture of rubber and plastic products

The EC approved the acquisition of sole control over Walki Holding Oy by One Equity Partners VII, LP, through its subsidiary OEP FiberPack Cayman Co Ltd.

[Case information](#)

EC Decision of 30 May – Liberty Global / Ziggo

■ Telecommunications; programming and broadcasting activities

The EC confirmed approval of acquisition of Ziggo by Liberty Global, subject to conditions.

[Case information](#)

EC Decision of 29 May – HPS / MDP / Capita

■ Activities of insurance agents and brokers

The EC approved the acquisition of joint control over Capita Specialist Insurance Solution Ltd (“Capita”) by HPS Investment Partners (“HPS”) and Madison Dearborn Partners (“MDP”).

[Case information](#)

EC Decision of 29 May – AIG / Validus

■ Insurance

The EC approved the acquisition of sole control over Validus Holdings Limited (“Validus”) by American International Group Inc (“AIG”).

[Case information](#)

EC Decision of 28 May – Stadtwerke Olching / Bag Netz / NG Olching / Olching Verwaltungs GmbH

■ Distribution of electricity

The EC approved the acquisition of joint control over Stadtwerke Olching Stromnetz GmbH & Co. KG (“NG Olching”) and Stadtwerke Olching Stromnetz Verwaltungs GmbH (“Olching Verwaltungs”) by Stadtwerke Olching GmbH (“SWO”) and Bayernwerk Netz GmbH (“BAG Netz”), belonging to the E.ON Group.

[Case information](#)

EC Decision of 25 May – 3i Group / FSI / Hermes / Scandlines

■ Water transport and service activities incidental to water transportation

The EC approved the acquisition of Scandlines by First State Investments International Limited (FSI), 3i Group plc and Hermes Investment Management Group.

[Case information](#)

EC Decision of 25 May – Exemption from network charges for large electricity consumers in Germany

■ Tax advantage

The EC ordered Germany to recover the aid from certain large electricity users exempted from network charges in 2012-2013.

[Case information](#)

FROM THE OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration 3i Group / FSI / Hermes / Scandlines – Case M.8895 has been published.

[Document 2018/C 187/02](#) – [Case information](#)

Non-opposition to the notified concentration Alps / Alpine – Case M.8833 has been published.

[Document 2018/C 187/01](#) – [Case information](#)

Non-opposition to the notified concentration Edenred / UTA – Case M.8857 has been published.

[Document 2018/C 185/02](#) – [Case information](#)

Non-opposition to the notified concentration Kuraray / PTTGC / Sumitomo / JV – Case M.8739 has been published.

[Document 2018/C 185/01](#) – [Case information](#)

Non-opposition to the notified concentration Sedgwick / Cunningham Lindsey – Case M.8764 has been published.

[Document 2018/C 183/02](#) – [Case information](#)

Non-opposition to the notified concentration Archer Daniels Midland / Cargill / JV Egypt – Case M.8856 has been published.

[Document 2018/C 183/01](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration Teva / PGT OTC Assets – Case M.8889 has been published.

[Document 2018/C 187/06](#) – [Case information](#)

Prior notification of the concentration HSBC / Global Payments – Case M.8901 has been published.

[Document 2018/C 187/05](#) – [Case information](#)

Prior notification of the concentration BNP Paribas / ABN AMRO Bank Luxembourg – Case M.8890 has been published.

[Document 2018/C 186/08](#) – [Case information](#)

Prior notification of the concentration LyondellBasell Industries / A. Schulman – Case M.8877 has been published.

[Document 2018/C 185/10](#) – [Case information](#)

Prior notification of the concentration Thyssen Alfa / Max Aicher Recycling / Noris Metallrecycling – Case M.8893 has been published.

[Document 2018/C 185/09](#) – [Case information](#)

Prior notification of the concentration Blackstone / Cirsa – Case M.8940 has been published.

[Document 2018/C 185/08](#) – [Case information](#)

Prior notification of the concentration Permira / Cisco (Target Businesses) – Case M.8945 has been published.

[Document 2018/C 185/07](#) – [Case information](#)

Prior notification of the concentration TUI / Hotelbeds Group destinations services business – Case M.8930 has been published.

[Document 2018/C 185/06](#) – [Case information](#)

Prior notification of the concentration BASF / Solvay's Polyamide Business – Case M.8674 has been published.

[Document 2018/C 185/05](#) – [Case information](#)

Prior notification of the concentration Strabag / Max Bögl International / SMB – Case M.8496 has been published.

[Document 2018/C 183/08](#) – [Case information](#)

Prior notification of the concentration Permira / Exclusive Group – Case M.8919 has been published.

[Document 2018/C 183/07](#) – [Case information](#)

Prior notification of the concentration HPS / MDP / PFP – Case M.8961 has been published.

[Document 2018/C 181/07](#) – [Case information](#)

Prior notification of the concentration Mitsubishi Corporation / Arjun Infrastructure Partners / South Staffordshire – Case M.8920 has been published.

[Document 2018/C 181/06](#) – [Case information](#)

■ Online Platforms

The Council on 28 May held a debate on a draft regulation aimed at promoting fairness and transparency for business users of online intermediation services, which was presented by the Commission on 26 April. The Council working group will further examine the proposal with a view to reaching an agreement on the final text by the end of the current legislative term.

[Presidency discussion paper](#)

■ European Union Agency for the Cooperation of Energy Regulators

At the Energy Council meeting of 11 June, EU Ministers shall adopt a general approach on the proposal for a Regulation establishing a European Union Agency for the Cooperation of Energy Regulators.

[Compromise text](#)

■ Governance of the Energy Union

Final trilogue on the proposal for a Regulation on governance of the Energy Union is scheduled for 5 June.

[Presidency compromise text](#)

■ VAT for Electronic Publications

The Council was unable to reach an agreement at this stage on the proposed directive that will allow Member States to apply non-standard VAT rates to electronic publications and by doing so aligning VAT rules for electronic and physical publications.

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