



Content

LAW	1
POLITICS/GENERAL	3
DECISIONS	4
FROM THE OJEU	4
BRUSSELS INTERN	5

Main Topics

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

LAW

■ ■ Emissions Standards For Trucks

As part of its Mobility Package, the EC presented for the first time a proposal to impose CO2 targets on heavy-duty vehicles. According to the Commission's proposal, by 2030 the targets should be 30% and by 2025 average emissions will have to be 15% lower than in 2019.

This is the third and final package that the Juncker Commission adopted and with these initiatives the European executive aims to complete the agenda for a modern, clean, safe and connected mobility. The package consists of a series of initiatives on road safety, vehicle and pedestrian safety; on connected and automated mobility; on batteries; on fuel price comparison; on tyre labelling; on weights and dimensions; on maritime transport fitness check; on information exchange in transport; and on trans-European Transport Network.

[EC proposal for a Regulation setting CO2 emission performance standards for new heavy-duty vehicles](#)

[Third Mobility Package dedicated page](#)

[EC Communication "Sustainable Mobility for Europe" – Annex I – Annex II](#)

■ Action Plan on Batteries

As part of its third Mobility Package, the EC put forward an Action Plan for the development and manufacturing of batteries in Europe. The Commission's goal is to boost innovating and sustainable battery manufacturing projects in the Union.

[EC Report on Raw Materials for Battery Applications](#)

■ Automated Mobility

As part of its third Mobility Package, the EC published a Communication on connected and automated mobility.

[EC Communication on the road to automated mobility "EU Strategy for mobility"](#)

■ Road Safety

As part of its third Mobility Package, the EC presented a proposal for new advanced safety features for vehicles. The new rules will amend Directive 2008/96/EC. The proposal will be submitted to the Council and the EP.

The EC also published a proposal for a regulation on type-approval requirements for motor vehicles and their trailers, components and systems as regards their general safety.

[EC proposal for a Directive on road infrastructure safety management – Annex](#)

[EC proposal for a Regulation on type-approval requirements for motor vehicles – Annex](#)

■ E-documentation for Transport

As part of its third Mobility Package, the EC presented a proposal for a regulation on electronic freight transport information in order to facilitate digital information flows for logistic operations.

[EC proposal for a Regulation on electronic freight transport information – Annexes](#)

■ Trans-European Transport Network

As part of its third Mobility Package, the EC released a legislative proposal to streamline permitting procedures for TEN-T projects. Together with that, the Commission also published a call for proposals to support projects that contribute to road safety, digitisation and multimodality in Member States. The call will be open until 24 October.

[EC proposal for a Regulation on streamlining measures for advancing the realisation of the trans-European transport network – Call for proposals](#)

■ Trade – Iran Nuclear Deal and US Sanctions

The EC reaffirmed its commitment to the continued, full and effective implementation of the Iran nuclear deal, as long as Iran remains fully committed and respects its obligations. In order to mitigate the impact of US sanctions on European businesses, the European executive proposed a series of measures. In particular, it launched the formal process to activate the Blocking Statute, which bans European companies from complying with the US sanctions against Iran. The European institution will have to update the list of US sanctions on Iran falling within the scope of the Blocking Statute and have it in force before 6 August. The Commission also launched the formal process to remove obstacles for the European Investment Bank to finance activities in Iran. The Council and the European Parliament will have two months to object to these measures before they can enter into force.

With regard to the proposed US steel and aluminium tariffs, the EC will seek to negotiate a permanent and unlim-

ited exemption from them, as a precondition for any trade negotiations with Washington. The Commission's proposal includes discussions on voluntary regulatory cooperation; reform of the WTO; energy cooperation in the field of liquefied natural gas; market access, including cars; and liberalisation of public procurement.

■ Greenhouse Gas Emission Reductions

The Council adopted a regulation which sets out binding emission reduction targets for Member States in sectors falling outside the scope of the EU Emissions Trading System for the period 2021-2030. Agriculture, buildings, waste management and transport, with the exclusion of aviation and international shipping, are in the scope of the new regulation. The regulation will soon be published in the EU Official Journal and will enter into force 20 days later.

[Effort Sharing Regulation](#)

The Council adopted a regulation establishing a framework for the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry (LULUCF) in the 2030 climate and energy framework. After this formal adoption, the regulation will be published in the Official Journal of the EU.

[LULUCF Regulation](#)

■ Environmental Reporting Obligations

The Council adopted a decision on environmental reporting, with the aim to cut red tape and bring legal clarity. The legislation will enter into force on the 20th day following its publication in the Official Journal of the EU.

[Decision amending Regulation 1257/2013, Directive 94/63/EC, Directive 2009/31/EC, Directives 86/278/EEC and 87/217/EEC and repealing Directive 91/692/EEC](#)

■ Air Quality

The EC presented a Communication outlining a set of measures that national, regional and local actors should take to fight air pollution.

[EC Communication](#)

■ Chemicals

The Council decided not to oppose the adoption of a regulation amending Regulation 1272/2008 on classification, labelling and packaging of substances and mixtures for the purposes of its adaptation to technical and scientific progress and correcting regulation 2017/776. The new rules may now be adopted by the Commission, unless the EP objects.

[EC regulation amending Regulation 1272/2008 – Annex](#)

■ Energy Efficient Buildings

The Council adopted new rules on energy efficient buildings, amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency. The directive will soon be published in the Official Journal of the EU and it will enter into force 20 days later. Member States have 20 months to transpose the new rules.

[Directive on Energy Efficient Buildings](#)

■ Money Laundering

The Council adopted new rules to prevent money laundering and terrorist financing, amending Directive 2015/849. The main changes involve access to information on beneficial ownership, improving transparency in the ownership of companies and trusts; addressing risks linked to prepaid cards and virtual currencies; cooperation between financial intelligence units; improved checks on third countries. The EP already approved the new directive.

[Directive on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing](#)

■ Spirit Drinks

The Council decided not to oppose a Commission regulation amending Annex III to Regulation 110/2008.

[EC regulation amending Annex III – Annex](#)

■ Cosmetic Products

The Council decided not to oppose the adoption by the Commission of two regulations amending Regulation 1223/2009 on cosmetic products with a view to adapting to technical and scientific progress the use of certain ingredients authorised as a UV-filter in cosmetic products and restricting the use of *Tagetes erecta*, *Tagetes minuta* and *Tagetes patula* extracts and oils. These regulations may now be adopted by the Commission unless the EP objects.

[EC regulation amending Annex VI – Annex](#) – [EC regulation amending Annexes II and III – Annex](#)

■ 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

■ Digital Single Market

The EC published a Communication on completing the Digital Single Market, which contains a set of actions that EU Member States shall take before the end of the year. For the European executive, all the pending proposals on the DSM should be agreed by this December.

[EC Communication on Completing a trusted DSM for all](#)

■ Telecommunication Sweep

The EC and national consumer protection authorities released the results of an EU-wide screening of more than 200 websites offering fixed and mobile phone, internet, audio and video streaming services. Only 21.3% of them passed the first test for compliance with the EU consumer rules. National authorities will further examine the websites with irregularities.

[Results](#)

■ Innovation Procurement

The EC published a notice in order to offer practical guidance on innovation public procurement. In particular, the Commission aims to clarify the innovation procurement concept and how it should be used.

[EC Guidance](#)

■ Research and Innovation

The EC presented a renewed Agenda for Research and Innovation, which lists a set of concrete actions, such as, among others, further simplifying EU state aid rules to facilitate public funding of innovative projects and establishing a European Innovation Council to offer a one-stop shop for high potential technologies.

[EC Renewed European Agenda for Research and Innovation](#)

■ Gas Network Codes

The Agency for the Cooperation of Energy Regulators and the European Network of Transmission System Operators

for Gas launched a consultation on the Gas Network Codes Functionality issues on data exchange solutions at Virtual Trading Points and Storage Facilities. The consultation runs until 6 June. Following the consultation, ACER and ENTSOG will present further actions.

[Consultation dedicated page](#)

■ Electricity and Gas Projects of Common Interest

The Agency for the Cooperation of Energy Regulators published the third edition of the Summary Report on Cross-border Cost Allocation Decisions for Electricity and Gas Projects of Common Interest (PCIs).

[Summary Report](#)

DECISIONS

EC Decision of 16 May – Carlyle / Accolade Wines Holdings Australia / Accolade Wines Holdings Europe

■ Manufacture and wholesale of beverages

The EC approved the acquisition of Accolade Wines Holdings Australia Pty Ltd and Accolade Wines Holdings Europe Limited by Carlyle Asia Partners IV, L.P.

[Case information](#)

EC Decision of 15 May – Aid for intermodal transport units

■ Freight rail and road transport

The EC approved aid scheme to support the shift of freight traffic from road to rail and inland waterways in the Czech Republic.

[Case information](#)

EC Decision of 15 May – Prolongation of Enterprise Management Incentives Scheme

■ Tax allowance

The EC approved prolongation of the UK Enterprise Management Initiative scheme.

[Case information](#)

EC Decision of 08 May – Apollo Management / Cyprus Cooperative Bank / Altamira Cyprus

■ Activities auxiliary to financial services

The EC approved the acquisition of Altamira Cyprus by Cyprus Cooperative Bank (“CCB”) and Apollo Capital Management, L.P.

[Case information](#)

EC Decision of 08 May – Prysmian / General Cable

■ Manufacture of wiring and wiring devices

The EC approved the acquisition of General Cable by Prysmian.

[Case information](#)

FROM THE OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration TA Associates / Rothschild / Datix – Case M.8845 has been published.

[Document 2018/C 167/01](#) – [Case information](#)

Non-opposition to the notified concentration GE / Rosneft / JV – Case M.8820 has been published.

[Document 2018/C 165/02](#) – [Case information](#)

Non-opposition to the notified concentration P7S1 / TF1 / Mediaset / Channel 4 Group / EBX – Case M.8714 has been published.

[Document 2018/C 165/01](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration Goodyear / Bridgestone / TireHub – Case M.8906 has been published.

[Document 2018/C 171/07](#) – [Case information](#)

Prior notification of the concentration HgCapital / TA Associates / Access – Case M.8924 has been published.

[Document 2018/C 171/06](#) – [Case information](#)

Prior notification of the concentration Platinum Equity / LifeScan – Case M.8887 has been published.

[Document 2018/C 170/09](#) – [Case information](#)

Prior notification of the concentration Altor Funds / Trioplast Industrier – Case M.8884 has been published.

[Document 2018/C 170/08](#) – [Case information](#)

Prior notification of the concentration Comcast / Sky – Case M.8861 has been published.

[Document 2018/C 170/07](#) – [Case information](#)

Prior notification of the concentration Fortum / Uniper – Case M.8660 has been published.

[Document 2018/C 169/06](#) – [Case information](#)

Prior notification of the concentration Kennedy Wilson / AXA / JV – Case M.8882 has been published.

[Document 2018/C 169/05](#) – [Case information](#)

Prior notification of the concentration 3i Group / Deutsche Alternative Asset Management / Attero Holding – Case M.8902 has been published.

[Document 2018/C 169/04](#) – [Case information](#)

Prior notification of the concentration AEA Investors / BCI / Springs – Case M.8918 has been published.

[Document 2018/C 167/08](#) – [Case information](#)

Prior notification of the concentration One Equity Partners / Walki Holding – Case M.8914 has been published.

[Document 2018/C 167/07](#) – [Case information](#)

BRUSSELS INTERN

■ ■ Copyright in the Digital Single Market

The Permanent Representatives Committee of the Council will examine and, most likely, endorse the Presidency compromise on the proposal for a Directive on copyright in the DSM next week. It should also grant a mandate to the Presidency to start inter-institutional negotiations with the EP with a view to reaching an agreement at first reading.

[Presidency text](#)

■ ■ Online Platforms

The Competitiveness Council will discuss on 28 May a Presidency paper on the proposal for a regulation on Platforms-to-business relations.

[Presidency paper](#)

■ ■ Artificial Intelligence

The Competitiveness Council will have a debate on 28 May on a Presidency note on artificial intelligence.

[Presidency note](#)

■ Free Flow of Non-Personal Data

On 4 June the Internal Market Committee of the European Parliament shall adopt the draft report on the proposal for a Regulation on the free flow of non-personal data.

■ ePrivacy Regulation

The European Commission called on EU Member States to agree on a common position on the proposal for a Regulation on Privacy and Electronic Communications as soon as

possible, in order to start inter-institutional negotiations with the EP and have a final text before the end of the year.

■ ECN+

The third inter-institutional negotiation meeting on the proposal for a Directive to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market will be held on 30 May. Negotiators of the Council and the EP hope to agree on a final version of the text.

■ ■ Competition in Air Transport

On 7 June the Council will examine the Presidency compromise text on the proposal for a Regulation on safeguarding competition in air transport and most likely it will adopt a common approach. A Council general approach allows starting negotiations with the European Parliament.

[Presidency compromise text](#)

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 2094 2160
holger.schmitz@noerr.com

Head of Antitrust & Competition Law



Dr. Alexander Birnstiel
T +49 89 28628 241
alexander.birnstiel@noerr.com

Regulatory Affairs Advisor



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

The information in this newsletter does not replace advice in any particular case.

© Noerr LLP 2018
www.noerr.com