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Main Topics

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- Enviroment
- Media/Telecom
- Competition/SA
- Healthcare
- Aviation/Transport
- Foreign Trade
- Energy
- Compliance
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LAW

■ Online Platforms

The EC issued a proposal for a regulation on promoting fairness and transparency of online platforms.

The draft law covers online platform intermediaries, including third-party e-commerce market places, app stores, social media for business and price comparison tools; and general online search engines that provide services to businesses established in the EU and that offer goods or services to consumers located in the EU. Excluded from the scope of the regulation are online advertising and payment services that do not intermediate direct transactions between businesses and consumers and intermediaries that operate between businesses only.

Providers of online intermediation services will have to ensure that their terms and conditions are clear, available and easy to understand; they will also provide for an internal system for handling the complaints. In addition to that, they will have to explain the main parameters determining ranking .

The proposal is complemented by a Decision setting up a Group of experts for the Observatory on the Online Platform Economy, which will provide the Commission with advice and expertise on the evolution of the online platform economy. The Commission will assess the need for further measures within three years.

The EC calls on the co-legislators, the European Parliament and the Council, to work towards a rapid adoption of the legislative proposal, which aims at completing the enforcement of EU competition law.

[EC proposal for a Regulation on promoting fairness and transparency for business users of online intermediation services – EC Decision on setting up the Group of experts](#)

■ Data

The EC presented a set of measures to create a common data space and increase the availability of data in the Union. The package includes:

- guidance on private sector data sharing in business-to-business and business-to-government contexts;
- a proposal to review Directive 2003/98/EC on the re-use of public sector information;
- recommendation on access to and preservation of scientific information.

With regard to private sector data sharing, the Commission will also launch another consultation process on business-to-business data sharing.

[EC Communication – Guidance on sharing private sector data – EC proposal for a revision of Directive 2003/98/EC – Recommendation on access to and preservation of Scientific Information](#)

■ Artificial Intelligence

The EC presented a Communication on Artificial Intelligence. The document is based on three pillars in order to increase public and private investments; prepare for socio-economic changes; and ensure appropriate ethical and legal framework. With regard to the last point, the Commission plans to present ethical guidelines by the end of the year; while by mid-2019 it will publish guidance on the interpretation of the Product Liability Directive.

The Commission intends to have a coordinated plan by the end of the year, therefore it will work with Member States in the coming months in order to define a common approach for the future, encouraging cooperation across the Union.

[EC Communication “Artificial Intelligence for Europe”](#)

■ Online Disinformation

The EC published a Communication on online disinformation. In order to tackle the situation, the Commission is proposing a Code of Practice that should be developed by July by online platforms. In addition to that, the Commission will support the creation of an independent European network of fact-checkers and it will also launch a secure European online platform on disinformation in September. Other actions will follow in order to promote media literacy and stimulate quality journalism. Before the end of the year, the Commission will report on the progress made and it will eventually propose additional measures, including of regulatory nature.

[EC Communication “Tackling online disinformation” – EC Study on fake news and disinformation](#)

■ Significant Market Power Guidelines – Telecoms Market

The EC issued revised Guidelines on market analysis and the assessment of significant market power for electronic communications networks and services. The guidelines are complementary to the Electronic Communications Code, which is currently under negotiation by the EU institutions

and they reflect the latest developments in case-law. They will support National Regulatory Authorities when analysing markets in the electronic communications sector.

[EC Communication on SMP Guidelines](#)

■ Whistleblower Protection

The EC presented its proposal to strengthen the protection given to whistle-blowers across the EU. The draft law includes obligation for public and private sector to establish internal procedures for reporting and follow-up; other obligations are also foreseen for competent national authorities. The proposal will cover breaches of EU legislation in the fields of competition, privacy and data protection, public procurement, financial services, money laundering, product safety, environmental and consumer protection.

[EC Communication – EC proposal for a Directive on the protection of persons reporting on breaches of Union law – Annex part I – Annex part II](#)

■ Company Law Package

The EC presented its Company Law Package, which includes two proposals: one for a directive on cross-border conversions, mergers and divisions and the other for a directive on the use of digital tools. Both proposals will amend Directive 2017/1132 and aim to reduce unnecessary burdens and costs.

[EC proposal for a Directive on the use of digital tools and process in company law – EC proposal for a Directive on cross-border conversions, mergers and divisions](#)

■ Market Access for Defence SMEs

The EC issued a recommendation on cross-border market access for sub-suppliers and small and medium-sized enterprises in the defence sector. The text also lists actions to be taken at national level.

[EC Recommendation](#)

■ EU – Mexico Trade Agreement

The EU and Mexico reached an agreement in principle on the trade part of the EU-Mexico Global Agreement. The new deal will introduce simpler customs procedures for sectors like pharmaceuticals, machinery and transport equipment and all trade in goods will be duty-free. Some technical details still need to be defined, therefore negotiations will continue in order to finalise the text by the end of the year. Afterwards it will be submitted to the European Parliament and the Council for approval.

[Agreement in principle – EC dedicated page](#)

■ 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

■ Imports of Aluminium

The EC introduced a prior surveillance system for imports of aluminium products, in response to the new US import tax. Companies that intend to import into the EU aluminium products covered by this measures will have to request an import license.

[Commission implementing Regulation 2018/640](#)

■ Consumer Financial Services

The EC published a Study on consumer financial services. The report highlights the remaining obstacles and the challenges for consumers. The Commission will organise a public hearing on 29 June to exchange views with the stakeholders on the possible measures to improve the situation.

[EC Study “Distribution systems of retail investment products across the EU”](#)

■ Prospectus Regime

The EC presented its roadmap for a Commission delegated regulation supplementing the new Prospectus Regulation (2017/1129), which will be fully applicable as of 21 July 2019. Feedback can be submitted until 22 May.

[EC dedicated page](#)

■ Securitisation

The European Banking Authority launched a public consultation on its draft Guidelines on STS criteria for both non-asset-backed commercial paper and asset-backed commercial paper securitisation. The consultation runs until 20 July.

[EBA consultation paper for non-ABCP securitisation](#) – [EBA consultation paper for ABCP securitisation](#)

■ Capacity Allocation and Congestion Management Regulation

The Agency for the Cooperation of Energy Regulators launched a public consultation on the compliance of the amended proposal for the price coupling algorithm and the continuous trading matching algorithm with the CACM Regulation. Contributions can be submitted by 18 May.

[ACER dedicated page](#)

DECISIONS

EC Decision of 26 April – Mitsui Rail Capital Europe / Siemens Nederland / JV

■ Service activities incidental to land transportation

The EC approved the creation of a joint venture by Mitsui Rail Capital Europe and Siemens Nederland.

[Case information](#)

EC Decision of 26 April – Panalpina / DFG / PA NL Perishables

■ Freight air transport

The EC approved the acquisition of joint control over the Dutch perishables business of Panalpina (“PA NL Perishables”) by its current parent Panalpina of Switzerland and Dutch Flower Group.

[Case information](#)

EC Decision of 25 April – Viohalco / Koramic / JV

■ Lead, zinc and tin production

The EC approved the creation of a joint venture between ElvaHalcor, controlled by Viohalco, and NedZik, controlled by Koramic.

[Case information](#)

EC Decision of 24 April – Black Diamond Capital Management / GST Autoleather

■ Manufacture of other parts and accessories for motor vehicles

The EC approved the acquisition of GST Autoleather by Black Diamond Capital Management.

[Case information](#)

EC Decision of 24 April – Geely / Saxo Bank

■ Financial service activities

The EC approved the acquisition of sole control over Saxo Bank A/S by Geely Financials Denmark A/S.

[Case information](#)

EC Decision of 24 April – Highlands and Island Airports Limited – Sumburgh Airport

■ Air transport

The EC approved public service compensation to Highlands and Islands Airports Limited (HIAL) for the operation of Sumburgh airport.

[Case information](#)

FROM THE OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration Geely / Saxo Bank – Case M.8735 has been published.

[Document 2018/C 148/02](#) – [Case information](#)

Non-opposition to the notified concentration Spectris / Macquarie Group / Soundwave Holdings – Case M.8807 has been published.

[Document 2018/C 146/02](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration SEB / ALI – Case M.8878 has been published.

[Document 2018/C 148/10](#) – [Case information](#)

Prior notification of the concentration Advent International / Laird – Case M.8872 has been published.

[Document 2018/C 146/06](#) – [Case information](#)

EC Decision of 23 April – Altice / PT Portugal

■ Telecommunications

The EC fined the multinational cable and telecommunications company Altice for implementing its acquisition of PT Portugal before notification or approval.

[Case information](#)

EC Decision of 23 April – Apple / Shazam

■ Information technology and computer service activities

The EC opened an in-depth investigation to assess the proposed acquisition of Shazam by Apple.

[Case information](#)

EC Investigation of 23 April – Complaints against alleged State aid to Alitalia

■ Air transport

The EC opened an in-depth investigation into Italian State loan to Alitalia.

[Case information](#)

Prior notification of the concentration Carlyle / TA Associates / DiscoverOrg – Case M.8873 has been published.

[Document 2018/C 144/08](#) – [Case information](#)

Prior notification of the concentration Avenue Capital / Pemberton / Permira / Delsey – Case M.8886 has been published.

[Document 2018/C 144/07](#) – [Case information](#)

Prior notification of the concentration Archer Daniels Midland / Cargill / JV Egypt – Case M.8856 has been published.

[Document 2018/C 143/06](#) – [Case information](#)

Prior notification of the concentration Carlyle / Accolade Wines Holdings Australia / Accolade Wines Holdings Europe – Case M.8885 has been published.

[Document 2018/C 143/05](#) – [Case information](#)

Prior notification of the concentration Axalta Coating Systems / IVA – Case M.8552 has been published.

[Document 2018/C 141/02](#) – [Case information](#)

BRUSSELS INTERN

■ Audiovisual Media Services

The EU co-legislators, the Council and the Parliament, reached a preliminary political agreement on the main elements of the proposal for a revised on Audio-visual Media Services Directive. Further discussions are needed in order to finalise the remaining technical details of the draft law. The new rules will also apply to video-sharing platforms.

■ Copyright in the Digital Single Market

The Presidency of the Council, taken into account the positions expressed by Member States' delegations, drafted a compromise text which will be presented at the meeting of the Permanent Representatives Committee. The Committee is invited to endorse the proposed text and to grant a mandate to the Presidency to start negotiations with the European Parliament, which will start as soon as the latter has decided on its position.

[Presidency text](#)

■ Energy Union

Inter-institutional negotiations between the Council, the European Parliament and the Commission are still ongoing on the proposals of the Clean Energy for all Package, as part of the Energy Union Strategy.

The four column document containing the original proposal of the Commission, the positions of the Parliament and the Council and the compromise proposal (if already achieved) is available for the following draft laws:

[Regulation on the internal market for electricity – Directive on common rules for the internal market in electricity – Regulation on risk-preparedness in the electricity sector](#)

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

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