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## Main Topics

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- Media/Telecom
- Competition/SA
- Healthcare
- Aviation/Transport
- Foreign Trade
- Energy
- Compliance
- Food/Tobacco

## LAW

### ■ Empowering National Competition Authorities

The Economic and Monetary Affairs Committee of the European Parliament voted on the compromise text 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 plenary vote is expected to take place in Autumn. The directive will have to be formally adopted also by the Council; then it will be published in the EU Official Journal. Following its entry into force, Member States will have two years to transpose the new rules into the national law.

In March 2017 the Commission presented its proposal for a new directive to ensure that all NCAs have effective investigation and decision-making tools. On 30 May the co-legislators, the European Parliament and Council, reached a provisional agreement on the proposal. The Committee of Permanent Representatives of the Council endorsed the agreement last 20 June.

The agreed text provides that members of the decision-making body of NCA should have sufficient financial, technical and technological resources; companies under investigation will have to be informed of the preliminary objections raised against them in a statement of objections; the legality and proportionality of the "interim measure" may be reviewed in expedited appeal procedures; the possibility for applicants to submit statements in relation to full or summary applications and requests for markers in an official language of the Member State of the NCA concerned or, if agreed by both the applicant and the NCA, in another official language of the EU; NCAs should have a leniency programme allowing them to grant immunity from fines to undertakings for secret cartels.

[Compromise text of the proposal for a Directive to empower the competition authorities of the Member States](#)

### ■ Telecommunications

The Committee on Industry, Research and Energy of the European Parliament voted on the new European Electronic Communications Code proposal. The plenary vote is expected to take place in Autumn. The text needs to be formally adopted by the EP and the Council, then published in the EU's Official Journal. Member States will then have two years to transpose the Directive into national law. The new Code will broaden the scope of the framework to include also new communications tools, the so-called over-the-top services.

[Final compromise texts of the Proposal for a Directive establishing the European Electronic Communications Code](#)

### ■ Cyber-security

The Industry, Research and Energy Committee of the European Parliament voted on the Regulation on the EU Cyber-security Agency (ENISA) and a European cyber-security certification framework (Cyber-security Act). The Regulation will repeal Regulation 526/2013. The vote in plenary is scheduled for 12-13 September. The regulation will introduce a voluntary system for certifying the security level of technology products; the lawmakers introduced an amendment in order to have a mandatory certification for critical infrastructure, including energy grids, water and energy supplies and banking systems. Member States representatives at the Council already approved their position on the Commission proposal, therefore inter-institutional negotiations can now start. The adopted text will be available soon.

[Draft report on the proposal for a Regulation](#)

### ■ Toxic Substances

The EC presented a proposal to restrict the placing on the market of articles containing four phthalates: DEHP, DBP, BBP and DIBP. The restriction will apply to products produced both in and outside the EU. The European Parliament and the Council will have now three months to scrutinise the measure before its adoption by the Commission. Once adopted, the restriction will be published in the EU Official Journal and will apply 18 months after the entry into force. The text will be available soon.

### ■ Application of EU Law

The EC published the 35<sup>th</sup> Annual Report on monitoring the application of EU law.

[EC 2017 Report](#)

### ■ Dual Quality of Products

The Committee on Internal Market and Consumer Protection voted on its report on the dual quality of products in the Single Market. The lawmakers call for swift cross-border cooperation and data-sharing in order to ensure that the rules are enforced better and more consistently. The debate and vote in plenary is scheduled for 13 September; while the new legislative proposal amending the Unfair Commercial Practices Directive is expected to be put to a committee vote in November.

[Draft report on dual quality of products in the single market](#)

### ■ 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

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### ■ Electronic Communications

The EC launched a consultation on guidance on cost of capital for EU electronic communications regulators, as part of the initiative on the methodology for calculating the Weighted Average Cost of Capital in the context of national regulatory measures notified to the Commission under article 7 of the Framework Directive for Electronic Communications.

[EC consultation page](#)

### ■ Proportionality and Subsidiarity

The Task Force on Subsidiarity, Proportionality and Doing Less, More Efficiently presented its final report to Commission President. The document contains recommendations in order to improve the quality and effectiveness of legislation, to better involve regional and local authorities and national parliaments in EU policymaking and implementation. The Commission will now prepare a communication on further enhancing subsidiarity, proportionality and better regulation in the daily operation of the EU.

[Final report](#)

## ■ Brexit

The UK Government published the so-called White Paper where it asks the EU for a post-Brexit association agreement, including a free trade area for goods.

[UK White Paper](#)

## ■ Banking

The European Banking Authority published the final peer review Report on the Regulatory Technical Standards (RTS) on the information to be notified when exercising the right of establishment and the freedom to provide services for credit institutions.

[EBA Report on the Peer Review of the RTS on Passport Notifications](#)

## ■ Projects of Common Interest

The Agency for the Cooperation of Energy Regulators published its 4<sup>th</sup> consolidated annual report on the progress of Projects of Common Interest (PCIs) for trans-European Energy Infrastructure in electricity and gas.

[ACER coordinated report](#)

## DECISIONS

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### **EC Decision of 11 July – Samvardhana Motherson Automotive Systems / Reydel Automotive**

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#### ■ Manufacture of other parts and accessories for motor vehicles

The EC approved the acquisition of Reydel Automotive Holdings B.V. and Reydel Automotive Management B.V. by Samvardhana Motherson Automotive Systems Group B.V.

[Case information](#)

### **EC Decision of 11 July – HIG Capital / INEOS (Baleycourt Business & ICT Business)**

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#### ■ Manufacture of chemicals and chemical products; manufacture of vegetable and animal oils and fats

The EC approved the acquisition of exclusive control of INEOS Enterprises France SAS, INEOS Champlor SAS, INEOS Enterprises Group Limited and INEOS ChloroToluenes Limited by H.I.G. Capital LLC.

[Case information](#)

### **EC Decision of 11 July – Bouygues / Alpiq Intec and Kraftanlagen München**

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#### ■ Engineering activities; treatment and disposal of hazardous waste; electrical installation

The EC approved the acquisition of Alpiq InTec AG and Kraftanlagen München GmbH by Bouygues Construction.

[Case information](#)

### **EC Decision of 06 July – Complaint regarding unlawful State aid in favour of Sociedad Estatal Correos y Telegrafos**

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#### ■ Postal and courier activities

The EC found the publicly-owned Spanish postal operator, Correos, overcompensated for the delivery of its universal postal service obligation between 2004 and 2010, therefore it ordered Spain to recover around 167 million euro.

[Case information](#)

### **EC Decision of 06 July – PIMCO / ECHO / JV**

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#### ■ Renting and operating of own or leased real estate

The EC approved the creation of a joint venture by Pacific Investment Management Company LLC (“PIMCO”) and Echo Investment S.A.

[Case information](#)

### **EC Decision of 06 July – Mitsui / Kansai / JV**

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#### ■ Manufacture of paints, varnishes and similar coatings, printing ink and mastics

The EC approved the acquisition of joint control over Kansai Helios Coatings GmbH by Mitsui & Co. Ltd. and Kansai Paint Co. Ltd.

[Case information](#)

### **EC Decision of 06 July – T-Mobile Austria / UPC Austria**

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#### ■ Telecommunications

The EC approved the proposed acquisition of UPC Austria by T-Mobile Austria.

[Case information](#)

## **EC Decision of 06 July – Reductions on the nuclear levy for electro-intensive undertakings in Slovakia**

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### ■ **Manufacture of refined petroleum products; aluminium production**

The EC approved Slovakia's plan to grant reductions on a nuclear levy to certain electro-intensive users.

[Case information](#)

## **EC Investigation – Madeira Free Trade Zone – Tax scheme – ex officio investigation**

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### ■ **Tax allowance**

The EC opened an in-depth investigation to assess whether Portugal applied the Madeira Free Zone regional aid scheme in conformity with the Commission decisions.

[Case information](#)

## **EC Decision of 06 July – ACS / Hochtief / Atlantia / Abertis Infraestructuras**

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### ■ **Service activities incidental to land transportation**

The EC approved the proposed acquisition of Abertis by ACS and Atlantia.

[Case information](#)

## **FROM THE OJEU**

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### ■ **Non-opposition to concentrations**

Non-opposition to the notified concentration PIMCO / Echo / JV – Case M.8904 has been published.

[Document 2018/C 244/02](#) – [Case information](#)

Non-opposition to the notified concentration Advent International / Zentiva – Case M.8937 has been published.

[Document 2018/C 244/01](#) – [Case information](#)

Non-opposition to the notified concentration Permira / Exclusive Group – Case M.8919 has been published.

[Document 2018/C 243/01](#) – [Case information](#)

Non-opposition to the notified concentration MEC / Mitsui / SDPSK / JV – Case M.8866 has been published.

[Document 2018/C 241/06](#) – [Case information](#)

Non-opposition to the notified concentration HPS / MDP / HAPS – Case M.8987 has been published.

[Document 2018/C 241/05](#) – [Case information](#)

Non-opposition to the notified concentration JIC / TAHL / Australia Nature's Care Biotech – Case M.8916 has been published.

[Document 2018/C 241/04](#) – [Case information](#)

Non-opposition to the notified concentration Apollo Management / Generali Belgium – Case M.8929 has been published.

[Document 2018/C 241/03](#) – [Case information](#)

Non-opposition to the notified concentration Partners Group / CPPIB / GlobalLogic – Case M.8972 has been published.

[Document 2018/C 241/02](#) – [Case information](#)

Non-opposition to the notified concentration Total / Direct Energie – Case M.8926 has been published.

[Document 2018/C 241/01](#) – [Case information](#)

Non-opposition to the notified concentration Francisco Partners / Verifone Systems – Case M.8928 has been published.

[Document 2018/C 239/01](#) – [Case information](#)

### ■ **Prior notification of concentrations**

Prior notification of the concentration Sumitomo / Parkwind / Northwester2 – Case M.8970 has been published.

[Document 2018/C 244/06](#) – [Case information](#)

Prior notification of the concentration CACF / Bankia / JV – Case M.8999 has been published.

[Document 2018/C 244/05](#) – [Case information](#)

Prior notification of the concentration GIC Group / FPL / JustGroup / JV – Case M.8996 has been published.

[Document 2018/C 243/08](#) – [Case information](#)

Prior notification of the concentration Sonatrach / Augusta Refinery Assets – Case M.8959 has been published.

[Document 2018/C 243/07](#) – [Case information](#)

Prior notification of the concentration Tenneco / Federal-Mogul – Case M.8949 has been published.

[Document 2018/C 243/06](#) – [Case information](#)

Prior notification of the concentration Bain Capital / Reifen Krieg Group – Case M.9000 has been published.

[Document 2018/C 243/05](#) – [Case information](#)

Prior notification of the concentration LG Electronics / ZKW Holding / Mommert Gewerbeimmobilien – Case M.8938 has been published.

[Document 2018/C 239/06](#) – [Case information](#)

Prior notification of the concentration Kuehne + Nagel / Temasek / JV – Case M.9001 has been published.

[Document 2018/C 239/05](#) – [Case information](#)

Prior notification of the concentration AXA Group / Roland – Case M.8905 has been published.

[Document 2018/C 239/04](#) – [Case information](#)

## BRUSSELS INTERN

### ■ Electricity

Inter-institutional negotiations on the internal market for electricity (repealing Regulation 714/2009) and on common rules for the internal market in electricity (repealing Directive 2009/72/EC) are still on-going. A second trilogue meeting is scheduled for 11 September. The EU institutions hope to have a common text by the end of the Austrian Presidency of the Council.

### ■ E-Privacy

The Council Working Party on telecommunications will discuss on 17 July a revised text on the proposal for a Regulation concerning the respect for private life and the protection of personal data in electronic communications and repealing Directive 2002/58/EC (so called regulation on Privacy and Electronic Communications). Special attention will be dedicated to articles 6, 8 and 10 of the proposal .

[Presidency 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](mailto:holger.schmitz@noerr.com)

### Head of Antitrust & Competition Law



Dr. Alexander Birnstiel  
T +49 89 28628 241  
[alexander.birnstiel@noerr.com](mailto:alexander.birnstiel@noerr.com)

### Regulatory Affairs Advisor



Giovanna Ventura  
T +32 2 2745573  
[giovanna.ventura@noerr.com](mailto:giovanna.ventura@noerr.com)

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