



Content

LAW	1
POLITICS/GENERAL	2
DECISIONS	3
FROM THE OJEU	3
BRUSSELS INTERN	4

Main Topics

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

LAW

■ Renewable Energy

The Council and the European Parliament reached a political agreement on the proposal for a directive on the promotion of the use of energy from renewable sources. The directive will introduce a binding renewable energy target for 2030 of 32% with an upwards revision clause by 2023; another key aspect is the target for transport, which is set at 14% by 2030. The new regulatory framework also aims to improve the design and stability of support schemes and of the use of bioenergy; reduce administrative procedures and establish a clear and stable framework on self-consumption. According to the new rules, the EU will also phase out food-based biofuels, like palm oil, by 2030. The text of the Directive will have to be formally approved by the EP and Council. Once endorsed by both co-legislators in the coming months, the updated Renewable Energy Directive will be published in the Official Journal of the EU and will enter into force 20 days after publication. Member States will have 18 months to transpose the new rules into national law.

The Renewable Energy Directive is part of the Clean Energy Package which was published by the Commission in November 2016. Of the eight legislative proposals of the package, only two have been agreed by the co-legislators: this one and the Energy Performance in Buildings Directive, adopted last May.

The agreed text will be available soon.

■ Agency for the Cooperation of Energy Regulators

The Council agreed its general approach on the regulation on the EU Agency for the Cooperation of Energy Regulators (ACER). The new rules will assign specific tasks to the Agency, updating the regulation on the establishment of the Agency. Inter-institutional negotiations between co-legislators can now start.

[General approach](#) – [Four column document](#)

■ Audio-visual Media Services

The Committee of Permanent Representatives of the Council confirmed the agreement reached on 6 June between the Bulgarian Presidency and the European Parliament on the revised rules on audio-visual media services. The directive will be submitted to the Parliament for a vote at first reading, most likely in Autumn, then to the Council for final adoption. Following the publication in the EU Official Journal, Member States will have 21 months to transpose the new directive into their national legislation.

[Four-column table on the proposal for a revised AVMS Directive](#)

■ Screening of Investments

The Committee of Permanent Representatives of the Council agreed on a common position on the proposed regulation establishing a framework for screening of foreign direct investments. The Presidency of the Council will

start negotiations with the EP on the basis of this text, with a view to reaching an agreement within the current legislature. The text will be available soon.

■ CO2 Emissions

The EP adopted its legislative resolution on the proposal for a Regulation on the monitoring and reporting of CO2 emissions from and fuel consumption of new heavy-duty vehicles. Now the text needs to be formally approved by the Council.

[EP resolution](#)

■ 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

■ Artificial Intelligence

The EC appointed 52 experts of the High-level Expert Group which will make recommendations to the Commission in order to implement the Communication on AI published last April. The group will also draft ethical guidelines which shall be published by the end of the year. The Group will meet for the first time on 27 June.

[EC dedicated page](#)

■ Arms Trade

The EC and the High Representative adopted a Joint Communication with a set of actions to be taken at regional, national and international level to fight illicit trade of firearms, small arms and light weapons. The Communication would replace the one adopted by the European Council in 2005.

[Joint Communication](#)

■ Payment Services Directive 2

The European Banking Authority published an Opinion on the implementation of the regulatory technical standards on strong customer authentication and common and secure communication, which will apply from 14 September 2019.

[EBA Opinion](#)

The Authority also published a consultation paper on the guidelines on the conditions to be met to benefit from an exemption from contingency measures under article 33 of Regulation 2018/389. Contributions can be submitted until 13 August.

[EBA dedicated page](#)

■ Supervisory Reporting

The European Banking Authority issued a revised list of validation rules in its Implementing Technical Standards on supervisory reporting.

[EBA dedicated page](#)

DECISIONS

EC Decision of 14 June – Blackstone / Cirsa

■ Gambling and betting activities

The EC approved the acquisition of sole control over the Cirsa Gaming Corporation S.A. by The Blackstone Group L.P.

[Case information](#)

EC Decision of 14 June – Strabag / Max Bögl International / SMB

■ Construction of roads and motorways

The EC approved the acquisition of joint control over SMB Construction International by Max Bögl International and Strabag.

[Case information](#)

EC Decision of 13 June – Thyssen Alfa / Max Aicher Recycling / Noris Metallrecycling

■ Wholesale of waste and scrap

The EC approved the acquisition of joint control over Noris Metallrecycling GmbH by Thyssen Alfa Rohstoffhandel München GmbH and Max Aicher Recycling GmbH.

[Case information](#)

EC Decision of 12 June – HPS / MDP / PFP

■ Activities of insurance agents and brokers

The EC approved the acquisition of joint control over Professional Fee Protection Ltd (PFP) by HPS Investment Partners (HPS) and Madison Dearborn Partners (MDP).

[Case information](#)

EC Decision of 12 June – BHAP / Gestamp China / Manufacturing JV / Sales JV

■ Manufacture of parts and accessories for motor vehicles

The EC approved the creation of Gestamp Auto Components Co. Ltd and Gestamp Auto Components Sales Co. Ltd by Beijing Hainachuan Automotive Parts Co. Ltd and Gestamp Holding Co. Ltd.

[Case information](#)

EC Investigation – T-Mobile NL / Tele2 NL

■ Telecommunications; information service activities

The EC opened an in-depth investigation to assess the proposed acquisition of Tele2 NL by T-Mobile NL.

[Case information](#)

EC Decision of 08 June – Oaktree Capital Group / Bitarte / JV

■ Real estate activities

The EC approved the acquisition of joint control over a newly created joint venture by Bitarte S.A., belonging to the group Banco de Sabadell, and Oaktree Capital Group Holdings GP LLC.

[Case information](#)

EC Decision of 08 June – AMP Capital / AENA Internacional / Luton Airport

■ Service activities incidental to air transportation

The EC approved the acquisition of joint control over London Luton Airport Operations Limited (“LLAO”) by AMP Capital Investors Limited (“AMP Capital”) and Aena Desarrollo Internacional, S.M.E., S.A. (“Aena Internacional”).

[Case information](#)

FROM THE OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration Oaktree Capital Group / Bitarte / JV – Case M.8875 has been published.

[Document 2018/C 208/01](#) – [Case information](#)

Non-opposition to the notified concentration Advent International / Laird – Case M.8872 has been published.

[Document 2018/C 201/02](#) – [Case information](#)

Non-opposition to the notified concentration Carlyle / TA Associates / DiscoverOrg – Case M.8873 has been published.

[Document 2018/C 201/01](#) – [Case information](#)

Non-opposition to the notified concentration AIG / Validus – Case M.8865 has been published.

[Document 2018/C 199/02](#) – [Case information](#)

Non-opposition to the notified concentration HPS / MDP / Capita – Case M.8913 has been published.

[Document 2018/C 199/01](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration Intermediate Capital Group / Minimax Viking – Case M.8943 has been published.

[Document 2018/C 205/08](#) – [Case information](#)

Prior notification of the concentration Snam / DESFA – Case M.8953 has been published.

[Document 2018/C 208/11](#) – [Case information](#)

Prior notification of the concentration Total / Direct Energie – Case M.8926 has been published.

[Document 2018/C 208/10](#) – [Case information](#)

Prior notification of the concentration GBT / HRG – Case M.8862 has been published.

[Document 2018/C 208/09](#) – [Case information](#)

Prior notification of the concentration Partners Group / CPPIB / Global Logic – Case M.8972 has been published.

[Document 2018/C 208/08](#) – [Case information](#)

Prior notification of the concentration Siemens / Alstom – Case M.8677 has been published.

[Document 2018/C 208/07](#) – [Case information](#)

Prior notification of the concentration ACS / Hochtief / Atlantia / Abertis Infraestructuras – Case M.8894 has been published.

[Document 2018/C 208/06](#) – [Case information](#)

Prior notification of the concentration Ryanair / LaudaMotion – Case M.8869 has been published.

[Document 2018/C 208/05](#) – [Case information](#)

Prior notification of the concentration Intermediate Capital Group / Minimax Viking – Case M.8943 has been published.

[Document 2018/C 205/08](#) – [Case information](#)

Prior notification of the concentration JIC / TAHL / Australia Nature's Care Biotech – Case M.8916 has been published.

[Document 2018/C 205/07](#) – [Case information](#)

Prior notification of the concentration Boeing / Safran / JV (auxiliary power units) – Case M.8858 has been published.

[Document 2018/C 203/08](#) – [Case information](#)

Prior notification of the concentration KME / MKM – Case M.8909 has been published.

[Document 2018/C 201/06](#) – [Case information](#)

Prior notification of the concentration Otary / Eneco / Electabel / JV – Case M.8855 has been published.

[Document 2018/C 199/10](#) – [Case information](#)

BRUSSELS INTERN

■ Flow of Non-personal Data

The Council Working Party on Telecommunications will discuss on 18 June the proposal for a regulation on a framework for the free flow of non-personal data. Inter-institutional negotiations between the Council and the European Parliament started on 14 June.

[Four column document](#)

■ Dual Use Legislation

Discussions at the Council are still stuck on the Commission's proposal to impose export controls on technology products that can be used as spyware (mobile telecommunication interception equipment, intrusion software, monitoring centres, data retention systems and digital forensics). Nine Member States (Sweden, Cyprus, Estonia, Finland, Ireland, Italy, Poland, the Czech Republic and the UK) expressed their concerns on the text because of its possible effects on the competitiveness of the European industry. The other co-legislator, the European Parliament already adopted its report.

■ Governance of the Energy Union

The final trilogue meeting between negotiators of the Council and the European Parliament on the proposal for a regulation on the Governance of the Energy Union is scheduled for 19 June. Provisional agreement has been reached on a large number of issues, however there are still some key elements to be agreed.

[Four column document](#)

■ Energy Efficiency Directive

The last trilogue meeting on the proposal for a directive on energy efficiency failed. Negotiators of the Council and the European Parliament could not reach an agreement on the target for energy savings by 2030.

■ VAT

The Presidency of the Council prepared another compromise text of the proposal for a regulation amending Regulation 904/2010 and Regulation 2017/2454 as regards measures to strengthen administrative cooperation in the

field of value added tax. The Presidency aims to reach a general approach at the ECOFIN Council meeting on 22 June.

[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