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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

■ Telecoms Rules

The Council approved the new rules establishing the European Electronic Communications Code and the Body of European Regulators for Electronic Communications (BEREC), closing the legislative process after more than two years of negotiations. The BEREC Regulation will enter into force on the third day following its publication in the EU Official Journal; while Member States will have two years to transpose the Directive establishing the Code into national law. The new Code will modernise the current European telecoms framework.

[Directive establishing the European Electronic Communications Code](#) – [Regulation establishing the Body of European Regulators for Electronic Communications](#)

■ Platform-to-Business Regulation

The Internal Market Committee of the EP adopted the report on the proposal for a regulation on promoting fairness and transparency for business users of online intermedia-

tion services and the mandate to enter into inter-institutional negotiations with the Council. Trilogue meetings among the co-legislators will start once the Parliament in plenary gives its green light. EU Ministers agreed on their position on 29 November. The proposed regulation is the first EU legislative act that addresses relations between online platforms and the businesses. The adopted text will be available soon.

[Draft EP report](#)

■ Digital Investments

The Council adopted a partial general approach on the proposal for a regulation establishing the Digital Europe Programme, a new funding programme to be launched in 2021 to support the digital transformation of the EU, with a special focus on: supercomputing, artificial intelligence, cyber-security, advanced digital skills, and ensuring wide use of digital technologies across the economy and society. Negotiations with the European Parliament will start as soon as the plenary has adopted the lawmakers' position.

[Council partial general approach](#)

■ Security of Electricity Supply

The Committee of Permanent Representatives endorsed the agreement reached between the negotiators of the Council and of the European Parliament last November on the proposal for a regulation on risk-preparedness in the electricity sector, which will repeal Directive 2005/89/EC. Under this regulation each Member State will be required to draw up a risk-preparedness plan. The text will need to be formally approved by the Parliament in plenary and by the Council. The regulation will enter into force twenty days after its publication in the EU Official Journal.

[Proposal for a Regulation on risk-preparedness in the electricity sector](#)

■ Clean Energy

The Council formally adopted the revised Energy Efficiency Directive, the revised Renewable Energy Directive and the new Governance of the Energy Union and Climate Action Regulation. In the coming weeks the texts will be published in the EU Official Journal. The new legislation will enter into force three days later.

[Energy Efficiency Directive](#) – [Renewable Energy Directive](#) – [Governance Regulation](#)

■ SGEI de Minimis Regulation

The EC decided to prolong by two years the Regulation setting out the conditions under which support granted as compensation to providers of services of general economic interest does not constitute state aid.

[EC dedicated page](#)

■ ECN+

The Council approved the EP's position on the proposal for a directive to empower national competition authorities to be more effective enforcers. Following the entry into force of the directive, Member States will have two years to incorporate the new provisions into their domestic law.

[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](#)

■ Capital Markets Union

The Council reached a compromise position on two proposals for the revision of the European market infrastructure regulation (EMIR) and of the statute of the European system of central banks and the European Central Bank. Inter-institutional negotiations with the European Parliament can now start.

[Council position on EMIR CPP](#) – [Council position on ECB statute](#)

■ Money Laundering

The Council adopted conclusions on the Action Plan for enhanced monitoring to better tackle money laundering and terrorist financing.

[Council conclusions on Anti-Money Laundering Action Plan](#)

■ Banking Union

The Council endorsed the agreement reached between the Presidency and the EP on the key measures of a comprehensive package aimed at reducing risks in the EU banking sector. The EU institutions hope to finalise the negotiations on the remaining issues of the banking package by the end of the year. The Council and the Parliament will then have to formally adopt the proposed regulation at first reading.

[Banking Package](#)

■ Euro's International Role

The EC presented a Communication on ways to further strengthen the role of the euro. Together with the Communication, the Commission adopted a Recommendation to promote a wider use of the single currency in the field of energy, in particular for international agreements and transactions. In the coming months the Commission will also launch a series of targeted consultations on the use of euro in oil and gas transactions; on possible actions to promote the use of the euro in the transport-manufacturing sector and on raw materials and agri-food commodities transactions.

[EC Communication](#) – [EC Recommendation on the international role of the euro in the field of energy](#)

■ REACH

The EC adopted the revision of several Annexes of the EU Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals, clarifying the registration requirements with regard to nanomaterials. The new registration requirements will apply as of 1 January 2020.

[EC dedicated page](#)

■ E-evidence

The Council reached a general approach on the proposal for a regulation on European production and preservation orders for electronic evidence in criminal matters. This text will constitute the basis for the discussions with the EP. Inter-institutional negotiations will start once the Parliament has decided on its position.

[Council general approach](#)

■ Collective Redress

The Legal Affairs Committee of the European Parliament adopted its report on the proposal for a directive on representative actions for the protection of the collective inter-

ests of consumers, which will repeal Directive 2009/22/EC. The proposal would create an EU-wide framework for a minimum level of consumer redress in every Member State. The Council is still discussing its position. Inter-institutional negotiations will start once the EU Member States has agreed on a general approach on the proposal.

[Draft EP report](#)

■ Company Law

The Committee of Permanent Representatives of the Council agreed on a compromise text of the proposal for a directive on the use of digital tools and processes in company law, which will amend Directive 2017/1132. Inter-institutional negotiations with the European Parliament will now start.

[Council position](#)

■ Connecting Europe Facility

The Council adopted a partial general approach on the proposal for a Regulation establishing the Connecting Europe Facility, repealing Regulations 1316/2013 and 283/2014. The new rules ensure that the EU's flagship pro-

gramme will continue to fund key projects in the areas of energy, digital and transport beyond 2020. Financial and horizontal issues are still currently discussed as part of the negotiations on the next multiannual financial framework for the period 2021-2027. Negotiations with the European Parliament can now start.

[Council general approach](#)

■ eJustice

The Council adopted the strategy and action plan on the development of e-Justice for the period 2019-2023. The new policy will focus on improving access to information in the area of justice; the digitalisation of judicial and extra-judicial proceedings, and the implementation of national eJustice systems.

[Action Plan – Strategy](#)

■ 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

■ Emissions Trading System

The EC launched a public consultation on the roadmap of the revision of the rules for free allocation in the EU Emissions Trading System. Contributions can be submitted until 22 February.

[EC dedicated page](#)

■ Circular Economy

The EC published a consultation on the EU Product Policy Framework in order to collect inputs on how to better contribute to the circular economy goal. Contributions can be submitted until 24 January.

[EC dedicated page](#)

■ Banking – EMIR

The European Banking Authority, the European Insurance and Occupational Pensions Authority and the European Securities and Markets Authority published a report on new draft regulatory technical standards (RTS) on the risk mitigation techniques for OTC derivative contracts not cleared by a bilateral margin requirements. The RTS need to be endorsed by the European Commission.

[ESA Report](#)

■ Payment Services

The European Banking Authority published its final Guidelines on the conditions that account servicing payment service providers (ASPSPs) must meet in order to be exempted from the obligation to implement the fall-back mechanism under Regulation 2018/389.

[Final Report Guidelines](#)

■ Solvency II

The European Insurance and Occupational Pensions Authority published the technical information on the symmetric adjustment of the equity capital charge for Solvency II with reference to the end of November.

[EIOPA dedicated page](#)

■ Capacity Allocation and Congestion Management Regulation

The Agency for the Cooperation of Energy Regulators launched a public consultation on the amendments of common capacity calculation methodology proposed by Transmission System Operators of the EU Member States

belonging to the Core capacity calculation region (Austria, Belgium, Croatia, the Czech Republic, France, Germany, Hungary, Luxembourg, Netherlands, Poland, Romania, Slovakia and Slovenia). Interested parties are invited to submit their feedback by 24 December.

[ACER dedicated page](#)

DECISIONS

EC Decision of 06 December – DK / DE Interconnector

■ **Transmission of electricity**

The EC adopted a decision rendering binding commitments offered by TenneT, the German grid operator, to increase cross-border flows of electricity between Denmark and Germany.

[Case information](#)

EC Decision of 06 December – Fairfax Financial Holdings / Eurolife Erb Insurance Group

■ **Activities of insurance agents and brokers; life insurance, non-life insurance; reinsurance**

The EC approved the acquisition of sole control over Euro-life Erb Insurance Group Holdings S.A. by Fairfax Financial Holdings Limited.

[Case information](#)

EC Decision of 06 December – E.ON / Helen / Virta

■ **Service activities incidental to land transportation**

The EC approved the acquisition of joint control over Liikennevirta Oy by E.ON SE, via its subsidiary E.ON Drive Infrastructure GmbH and Helen Oy.

[Case information](#)

EC Decision of 05 December – Dana / Oerlikon Drive Systems

■ **Manufacture of parts and accessories for motor vehicles**

The EC approved the acquisition of GrazianoFairfield AG, controlled by OC Oerlikon Corporation AG, by Dana Incorporated.

[Case information](#)

EC Decision of 04 December – Covanta Holding Corporation / Green Investment Group / Brockwell Energy / Earls Gate Energy Centre

■ **Remediation activities and other waste management services**

The EC approved the acquisition of joint control over Earls Gate Energy Centre Limited by Covanta Holding Corporation, Green Investment Group Limited and Brockwell Energy Limited.

[Case information](#)

EC Decision of 04 December – MET Renewables / O Zone / NIS Energowind

■ **Production of electricity**

The EC approved the acquisition of joint control over NIS Energowind by MET Renewables, part of the MET Group and O Zone a.d.

[Case information](#)

EC Decision of 04 December – Sharp / Skytec UMC

■ **Manufacture of computer, electronic and optical products**

The EC approved the acquisition of Skytec UMC Ltd by Sharp Corporation.

[Case information](#)

EC Decision of 04 December – The Carlyle Group / Marriott International / Penha Longa

■ **Hotels and similar accommodation**

The EC approved the acquisition of joint control over Penha Longa Resort by Carlyle Group L.P. and Marriott International Inc.

[Case information](#)

EC Decision of 04 December – CVC / Recordati

■ **Manufacture of basic pharmaceutical products and preparations**

The EC approved the acquisition of Recordati S.p.a by CVC Partners SICAVFIS S.A.

[Case information](#)

EC Decision of 04 December – DP World Investments / Unifeeder

■ Sea and coastal freight water transport

The EC approved the acquisition of Unifeeder A/S by DP World Investments B.V.

[Case information](#)

EC Decision of 03 December – Pizza Hut / Telepizza

■ Restaurants and mobile food service activities

The EC approved the merger between Pizza Hut International LLC and Telepizza Group S.A.

[Case information](#)

EC Decision of 30 November – PepsiCo / SodaStream International

■ Manufacture of soft drinks; production of mineral waters and other bottled waters

The EC approved the acquisition by PepsiCo Inc. of SodaStream International Ltd.

[Case information](#)

EC Decision of 30 November – Centerbridge / Hospital Topco

■ Hospital activities

The EC approved the acquisition by Centerbridge Partners L.P. of Hospital Topco Limited.

[Case information](#)

FROM THE OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration CPPIB / OTPP / IDEAL / CAGT – Case M.9165 has been published.

[Document 2018/C 439/02](#) – [Case information](#)

Non-opposition to the notified concentration Klio / Bertelsmann / Holtzbrinck / Skoobe – Case M.9125 has been published.

[Document 2018/C 435/01](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration Autolaunch / Beijing Electric Vehicle Co / JVs – Case M.9187 has been published.

[Document 2018/C 441/09](#) – [Case information](#)

Prior notification of the concentration MML Capital Partners / Macquarie Group / Peggy Holdco – Case M.9225 has been published.

[Document 2018/C 439/17](#) – [Case information](#)

Prior notification of the concentration Bollore / APMM / CIT – Case M.8747 has been published.

[Document 2018/C 439/16](#) – [Case information](#)

Prior notification of the concentration Sumitomo Corporation / Toyota Motor Corporation / Mobilots Corporation – Case M.9216 has been published.

[Document 2018/C 437/11](#) – [Case information](#)

Prior notification of the concentration Sumitomo Corporation / Toyota Motor Corporation / Kinto Corporation – Case M.9215 has been published.

[Document 2018/C 437/10](#) – [Case information](#)

Prior notification of the concentration Apollo Management / Aspen Insurance Holdings – Case M.9149 has been published.

[Document 2018/C 437/09](#) – [Case information](#)

Prior notification of the concentration DV4 / ABP / OMERS / QIA / Real Estate JV – Case M.9154 has been published.

[Document 2018/C 435/09](#) – [Case information](#)

Prior notification of the concentration Oyak / Cimpor Portugal – Case M.9213 has been published.

[Document 2018/C 435/08](#) – [Case information](#)

BRUSSELS INTERN

■ Digital Taxation

EU Ministers held a debate on the proposal for a directive on the common system of a digital services tax, based on the European Commission's proposal of last March. Several delegations could not accept the compromise text presented by the Presidency, therefore the text will be discussed further by the Council working group.

[Presidency compromise – Franco-German joint declaration](#)

■ ePrivacy Regulation

The Council presented a progress report on the proposal for a Regulation on Privacy and Electronic Communications, which will replace the current ePrivacy Directive and complement the General Data Protection Regulation.

[Progress report](#)

■ Cyber-security Regulation

The Presidency of the Council aims to conclude inter-institutional negotiations with the European Parliament in the next trilogue scheduled for 10 December.

■ Clean Energy Package

In view of the fourth trilogue, which will take place on 11 December, the Presidency of the Council presented new compromise proposals on the draft regulation establishing a European Union Agency for the Cooperation of Energy Regulators.

[Four column document](#)

■ Clean Vehicles

EU Energy and Transport Ministers discussed the progress made on the proposal for a directive on the promotion of clean and energy-efficient vehicles, which will amend Directive 2009/33/EC. The new rules will extend the scope of the existing directive to cover all relevant procurement practices and set minimum targets for clean vehicles for 2025 and 2030. In the Council the file is still being discussed by the experts in the working group.

[Progress report](#)

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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