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Main Topics

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

LAW

■ ■ Competition Air Transport

The Committee of Permanent Representatives approved the provisional agreement reached last 20 November between negotiators of the Council and of the European Parliament on the proposal regarding new measures to safeguard competition in aviation, addressing unfair practices in the supply of air services. The new regulation will repeal Regulation 868/2004. The agreed text must be formally adopted by the European Parliament and the Council. It will then be published in the EU Official Journal and it will enter into force twenty days afterwards.

[Compromise text](#)

■ Antitrust Proceedings

The EC published two new guidance documents to facilitate access to the Commission's files by companies subject to antitrust proceedings.

[Guidance on the use of confidentiality rings](#) – [Guidance on confidentiality claims](#)

■ Cyber-security Act

Negotiators of the Council and the European Parliament reached a political agreement on the proposal for a regulation on the EU cyber-security Agency and on information and communication technology cyber-security certification. The regulation will establish an EU framework for cyber-security certification for products, processes and services, offering businesses a one-stop portal and will reinforce the mandate of the EU Agency. The text needs to be formally approved by the EP and the Council. It will then be published in the EU Official Journal and will officially enter into force immediately. The agreed text will be available soon.

[Three column table](#)

■ Cross-border Online Transmission

The negotiators of the Council and the European Parliament reached a political agreement on the proposal laying down rules on the exercise of copyright to certain online

transmissions of broadcasting and retransmissions of TV and radio programmes. The proposal will complement the existing Satellite and Cable Directive. Existing contracts will remain unaffected for four years from the entry into force of the directive. This agreement needs to be confirmed by the European Parliament and the Council in the coming weeks. The agreed text will be available soon.

■ ACER

Negotiators of the Council and the European Parliament reached a provisional political agreement on the proposal for a regulation on the Agency for the Cooperation of Energy Regulators. The proposal is part of the Clean Energy Package and aims to adapt the role of the Agency to the new challenges in the electricity sector. The agreed text will be available soon.

[Compromise text on the proposal](#)

■ Securities Financing Transactions

The EC adopted a package of measure under the Securities Financing Transactions Regulation, specifying the details for the authorisation of trade repositories, the reporting requirements and other new measures to increase transparency in securities financing markets.

[EC dedicated page](#)

■ Tax Fraud

The EC presented proposals for new measures to establish better cooperation between tax authorities and Payment Service Providers. The proposals will now be submitted to the European Parliament for consultation and to the Council for adoption.

[EC proposal for a Council Regulation amending Regulation 904/2010 – EC proposal for a Council Directive amending Directive 2006/112/EC](#)

■ Capital Markets Union

The EC adopted a new delegated Regulation on new transparency requirements for investment firms, including systematic internalisers. The regulation will come into force after one month unless the European Parliament and the Council object to it.

[EC delegated Regulation](#)

■ VAT for Cross-border e-Commerce

The EC presented new measures to ensure the smooth running of the new VAT rules for e-commerce, which will enter into force in January 2021. The proposals will now be

sent to the European Parliament for consultation and the Council for agreement.

[EC proposal for a Council Directive as regards provisions relating to distance sales of goods – EC proposal for a Council Implementing Regulation](#)

■ Non-cash Payment Fraud

The Council and the European Parliament negotiators reached an agreement on the directive on combating fraud and counterfeiting of non-cash means of payment. The provisional agreement will now have to be confirmed by the two institutions. The agreed text will be available soon.

■ Contracts for Sales of Goods

The Council adopted its position on the proposal for a directive on certain requirements on contracts for the sale of goods, which aims to provide a coherent legal framework across the Union for distance transactions and face-to-face sales. Inter-institutional negotiations with the European Parliament can now start.

[Council general approach](#)

■ Brexit – Tariff Rate Quotas

The Committee of Permanent Representatives of the Council endorsed the deal reached with the European Parliament on the draft regulation setting new tariff rate quotas that will apply after the UK's withdrawal from the EU in respect of a number of agricultural, fish, industrial and processed agricultural products. The regulation needs to be formally adopted by the EP and the Council; it will then enter into force on the day of its publication in the EU Official Journal.

[Final compromise text](#)

■ EU-Japan Trade Agreement

The European Parliament approved the EU-Japan Economic Partnership Agreement, paving the way for its entry into force on 1 February 2019.

[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

■ Financial Services

The EC launched a consultation on the evaluation of the Distance Marketing of Financial Services Directive (Directive 2002/65/EC). Contributions can be submitted until 4 January.

[EC dedicated page](#)

■ Payment Services Directive

The European Banking Authority published its opinion on the use of eIDAS certificates under the Regulatory Technical Standards on Strong Customer Authentication and Common and Secure Communication.

[EBA Opinion](#)

■ Risk Management

The European Banking Authority launched a consultation on its draft Guidelines on ICT and security risk management. Contributions can be submitted until 13 March.

[EBA consultation paper](#)

■ Artificial Intelligence

The EC presented the coordinated plan prepared with Member States for the development and use of artificial

intelligence in Europe. The plan proposes joint actions in some key areas.

[EC dedicated page](#)

■ Council Programme

The Council endorsed its programme for the next 18 months. The programme was prepared by the incoming presidencies, Romanian, Finnish and Croatian and covers the period starting on 1 January 2019 and ending on 30 June 2020.

[Council Programme](#)

■ Circular Plastics Alliance

The EC launched an alliance of industry stakeholders covering the full plastics value chain as part of its efforts to reduce plastics littering and to increase the share of recycled plastics. In the coming months, the Commission will invite key stakeholders to join the Alliance and it will organise a first meeting in February next year.

DECISIONS

EC Decision of 13 December – Haier / Candy

■ Manufacture of electric domestic appliances

The EC approved the acquisition of Candy by Haier.

[Case information](#)

EC Decision of 12 December – SoftBank / Toyota Motor Corporation / MONET Technologies JV

■ Data processing, hosting and related activities; other passenger land transport

The EC approved the acquisition of control by SoftBank Group and Toyota Motor Corporation over MONET Technologies Corporation.

[Case information](#)

EC Decision of 12 December – Cerberus Group / Staples UK Limited / Marke Creative Merchandise

■ Non-specialised wholesale trade

The EC approved the acquisition of sole control over Marke Creative Merchandise Ltd. by the Cerberus Group.

[Case information](#)

EC Decision of 12 December – ADM / NEOVIA

■ Manufacture of prepared animal feeds and pet foods

The EC approved the acquisition of Neovia by Archer Daniels Midland group (“ADM”).

[Case information](#)

EC Decision of 11 December – Spectrum migration of DDT platforms resulting from the liberation of the 700 MHz band

■ Wireless telecommunications activities

The EC approved German plans to compensate the direct costs incurred by operators of digital terrestrial TV-signal transmission (“DTT”) to migrate from the 694-790 MHz frequency band to lower frequencies.

[Case information](#)

EC Decision of 11 December – BASF DOM Business / Solenis / JV

■ **Manufacture of chemicals and chemical products**

The EC approved the acquisition of joint control over a newly created joint venture combining Solenis and BASF's global paper and water chemicals business ("BASF DOM") by BASF SE ("BASF") and Clayton, Dubilier & Rice Inc. ("CD&R").

[Case information](#)

EC Decision of 11 December – Berge / GEFCO / JV

■ **Freight rail transport; sea and coastal freight water transport; warehouse and support activities for transportation**

The EC approved the creation of a new joint venture by Berge Automotive Logistics S.L. ("BAL") and GEFCO Espana S.A.

[Case information](#)

EC Decision of 11 December – Capman / NH-Amundi / Green Investment Group / Cloud Snurran

■ **Production of electricity**

The EC approved the proposed creation of a joint venture Cloud Snurran by CapMan plc, NH-Amundi Asset Management Co. Ltd and Green Investment Group ("GIG").

[Case information](#)

EC Decision of 11 December – Energizer / Spectrum Brands (Battery and Portable Lighting Business)

■ **Manufacture of batteries and accumulators**

The EC approved the acquisition of Spectrum Brands' batteries and portable lighting business by Energizer, subject to conditions.

[Case information](#)

EC Decision of 11 December – KME / MKM

■ **Copper production; treatment and coating of metals**

The EC approved the proposed acquisition of MKM by KME.

[Case information](#)

EC Decision of 11 December – Quaker / Global Houghton

■ **Manufacture of chemicals and chemical products**

The EC approved the acquisition of Houghton by Quaker, subject to conditions.

[Case information](#)

EC Decision of 11 December – Thales / Gemalto

■ **Computer programming, consultancy and related activities; manufacture of computers and peripheral equipment**

The EC approved the proposed acquisition of Gemalto by Thales, subject to conditions.

[Case information](#)

EC Investigation – Vodafone / Certain Liberty Global Assets

■ **Television programming and broadcasting activities; wired telecommunications activities**

The EC opened an in-depth investigation to assess Vodafone's proposed acquisition of Liberty Global's business in Czech Republic, Germany, Hungary and Romania.

[Case information](#)

EC Decision of 10 December – Michelin / CAMSO

■ **Manufacture of rubber tyres and tubes; retreading and rebuilding of rubber tyres**

The EC approved the acquisition Camso Inc. by Compagnie Generale des Etablissements Michelin.

[Case information](#)

EC Decision of 10 December – CVC / MUFG / NGERN TID LOR

■ **Insurance, reinsurance and pension funding**

The EC approved the acquisition of joint control over NgerN Tid Lor Company Limited by CVC Capital Partners SICAV-FIS S.A. and Mitsubishi UFJ Financial Group Inc.

[Case information](#)

EC Decision of 10 December – Carlyle / Apollo

■ **Renting and leasing of air transport equipment**

The EC approved the acquisition of sole control of Apollo Aviation Holdings Limited by The Carlyle Group.

[Case information](#)

EC Decision of 07 December – Partial financing of rail infrastructure charges

■ **Coordination of transport**

The EC approved a German aid scheme to promote the shift of freight traffic from road to rail.

[Case information](#)

EC Decision of 07 December – Equinor Refining Norway / Danske Commodities

■ Restaurants and mobile food service activities

The EC approved the acquisition by Equinor Refining Norway AS of Danske Commodities A/S.

[Case information](#)

EC Decision of 07 December – Santander Group / Hyundai Motor Company Group / JV

■ Life insurance; manufacture of motor vehicles; other financial service activities

The EC approved the creation of a joint venture between Santander Consumer Bank AG (“SCB”) and Hyundai Capital Services Inc. (“HCS”).

[Case information](#)

EC Decision of 07 December – Knauf / Armstrong

■ Construction of residential and non-residential buildings; manufacturing n.e.c.

The EC approved the acquisition of Armstrong World Industries’ ceilings business outside the Americas by Knauf, subject to conditions.

[Case information](#)

FROM THE OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration Dana / Oerlikon Drive Systems – Case M.9124 has been published.

[Document 2018/C 451/01](#) – [Case information](#)

Non-opposition to the notified concentration Engie/ Predica Prevoyance Dialogue du Credit Agricole / Omnes Capital / Equinox VIII A – Case M.9181 has been published.

[Document 2018/C 447/08](#) – [Case information](#)

Non-opposition to the notified concentration Engie / Predica Prevoyance Dialogue du Credit Agricole / Omnes Capital / 4 Wind Farms – Case M.9184 has been published.

[Document 2018/C 447/07](#) – [Case information](#)

Non-opposition to the notified concentration MET Renewables / O Zone / NIS Energowind – Case M.9133 has been published.

[Document 2018/C 447/06](#) – [Case information](#)

Non-opposition to the notified concentration Covanta Holding Corporation / Green Investment Group / Brockwell Energy / Earls Gate Energy Centre – Case M.9171 has been published.

[Document 2018/C 447/05](#) – [Case information](#)

Non-opposition to the notified concentration Pizza Hut / Telepizza – Case M.9025 has been published.

[Document 2018/C 447/04](#) – [Case information](#)

Non-opposition to the notified concentration PSPIB / Brookfield / QuadReal / BREP Brazil / Brookfield Brazil Retail – Case M.9077 has been published.

[Document 2018/C 447/02](#) – [Case information](#)

Non-opposition to the notified concentration Arcelor Mittal / Nippon Steel & Sumitomo Metal Corporation / Essar Steel India – Case M.9146 has been published.

[Document 2018/C 447/01](#) – [Case information](#)

Non-opposition to the notified concentration Caisse des depots et consignations / Meridiam / FICA HPCI – Case M.9153 has been published.

[Document 2018/C 444/04](#) – [Case information](#)

Non-opposition to the notified concentration Rehau / MB Barter & Trading – Case M.9137 has been published.

[Document 2018/C 444/03](#) – [Case information](#)

Non-opposition to the notified concentration Huaxin / Juniper / JV – Case M.8993 has been published.

[Document 2018/C 444/02](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration NN Group / Allianz Group / NRP / Target Entities – Case M.9210 has been published.

[Document 2018/C 451/09](#) – [Case information](#)

Prior notification of the concentration Bain Capital / Oscar Holding – Case M.9202 has been published.

[Document 2018/C 451/08](#) – [Case information](#)

Prior notification of the concentration Equistone Partners Europe / Courir – Case M.9206 has been published.

[Document 2018/C 449/10](#) – [Case information](#)

Prior notification of the concentration IFM Investors / Vitol / VITTI – Case M.9207 has been published.

[Document 2018/C 447/17](#) – [Case information](#)

Prior notification of the concentration Software ONE / Comparex – Case M.9191 has been published.

[Document 2018/C 446/08](#) – [Case information](#)

Prior notification of the concentration Dr August Oetker / Coop-Gruppe / F&B – Food and Beverage Services – Case M.9085 has been published.

[Document 2018/C 444/11](#) – [Case information](#)

Prior notification of the concentration Astorg Asset Management / Montagu Private Equity / Nemera Capital – Case M.9173 has been published.

[Document 2018/C 444/10](#) – [Case information](#)

BRUSSELS INTERN

■ Electricity Internal Market

The fifth inter-institutional meeting between the Council, the European Parliament and the Commission on the proposal for a Directive on common rules for the internal market in electricity was held on 5 December. Negotiations were based on the following four-column table.

[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

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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