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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

■ Electricity Market

Negotiators of the Council and the European Parliament reached a provisional agreement on the two proposals for the EU energy market design. The agreement will have to be formally approved by the two co-legislators. Once endorsed by both the Parliament and the Council, the two texts will be published in the EU Official Journal. The regulation will enter into force immediately, while the directive will have to be transposed into national law within 18 months.

The new electricity market design proposals, a directive and a regulation, aim to adapt the current rules to new market realities. The directive will set out the regulatory framework for transmission and distribution system operators; it will allow electricity providers to set their own prices and Member States to apply public interventions in price setting. The regulation revises the rules of the internal electricity market to ensure its competitiveness; it also lays down the conditions for Member States to establish capacity mechanisms.

The final texts will be available soon.

[Compromise proposal for a Directive on common rules for the internal market in electricity](#) – [Compromise proposal for a Regulation on the internal market for electricity](#)

■ Cyber-security

The Permanent Representatives Committee of the Council approved the provisional agreement reached between the Presidency of the Council and the European Parliament last 10 December 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.

[Provisional agreement](#)

■ Non-performing Loans

The negotiators of the Council and the European Parliament reached a political agreement on capital requirements applying to banks with non-performing loans (NPLs) on their balance sheets. The text needs now to be formally adopted by the two institutions. The agreed text will be available soon.

[EC dedicated page](#)

■ Anti-money Laundering

The Permanent Representatives Committee agreed the Council's negotiating position on the proposal reinforcing the role of the European Banking Authority as regards risks posed to the financial sector by money laundering activities.

[Presidency compromise proposal](#)

■ Cross-border Payments

The Permanent Representatives Committee endorsed the provisional agreement reached between the Presidency and the European Parliament on the proposal regarding the alignment of the costs of cross-border payments in euros which will also increase the transparency of charges related to currency conversion services across the EU. Parliament and Council will have to formally adopt the proposed regulation.

[Final compromise text](#)

■ Business Insolvency

The Permanent Representatives Committee of the Council confirmed the agreement reached between the Presidency and the European Parliament on the directive on preventive restructuring frameworks, second chance and measures to increase the efficiency of restructuring, insolvency and discharge procedures. The text needs to be formally adopted by the two institutions and published in the EU Official Journal. Member States will then have two years to implement the new rules in their national legislation. The agreed text will be available soon.

[Council general approach](#)

■ Green Finance

The Permanent Representatives Committee endorsed the Council's position on two proposals aiming at making finance greener. Negotiations with the European Parliament can now start on the proposal for a regulation on disclosure; while with regard to the proposal for a regulation on low-carbon benchmarks, inter-institutional negotiations will start once the Parliament has agreed on its position.

[Council position on the proposal for a Regulation on disclosures](#) – [Council position on the proposal for a Regulation on low carbon benchmarks](#)

■ Single-use Plastics

The Council and the European Parliament reached a provisional agreement on a new directive which aims to reduce the impact of plastics, by banning the use of certain throwaway products. The text must be formally approved by the Parliament and the Council before its publication in the EU Official Journal. Member States will then have two years to transpose it. The agreed text will be available soon.

[Preparation for a proposal for a Directive on the reduction of the impact of certain plastic products on the environment](#)

■ CO2 Emissions New Cars and Vans

Negotiators of the Council and the European Parliament agreed on new CO2 emission rules for cars and vans. According to the agreement reached, emissions from new cars will have to decrease by 37.5% by 2030 and 31% for vans. The agreed text on the proposal will be available soon.

[Working document – Annex](#)

■ CO2 Emissions Heavy-duty Vehicles

The Council reached a general approach on the proposal for a regulation setting CO2 emission performance standards for new heavy-duty vehicles. Member States agreed an overall binding reduction target of 30% from 2030 onwards. Inter-institutional negotiations with the European Parliament are expected to start in January.

[Council general approach](#)

■ REACH

The EC adopted a decision to restrict the use of four phthalates (DEHP, BBP, DBP and DIBP) in consumer products. The restrictions will come into effect as of June 2020.

[EC dedicated page](#)

■ Type Approval Vehicles

The Council approved the European Parliament's position on the proposed regulation on new rules on type-approval of a wide range of light motor vehicles with two, three or four wheels.

[Regulation on the application of the Euro 5 step to the type-approval of two- or three-wheel vehicles and quadricycles](#)

■ 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

■ Roaming

The EC published a report on the implementation of Regulation 531/2012 on roaming on public mobile communications networks within the Union.

[EC report](#)

■ Artificial Intelligence

The High-level Expert Group on Artificial Intelligence released the first draft of its ethics guidelines for the development and use of artificial intelligence. Interested parties can submit their comments until 18 January.

[EC dedicated page](#)

■ Chargers for Mobile Phones

The EC launched a consultation on its inception impact assessment on the rules to standardise charging solutions for mobile phones. Contributions can be submitted until 12 January.

[EC dedicated page](#)

■ European Electricity and Gas Retail Markets

The Council of European Energy Regulators published its Monitoring Report on the Performance of European Retail Markets in 2017.

[CEER Monitoring Report](#)

■ Tariff Network Code

The Agency for the Cooperation of Energy Regulators published four reports on the implementation of the Network Code on Harmonised Transmission Tariff Structures for Gas.

[ACER dedicated page](#)

■ Gas Supply

The Agency for the Cooperation of Energy Regulators published a study on the estimation of the Cost of Disruption of Gas Supply in Europe.

[ACER Study](#)

■ REMIT

The Agency for the Cooperation of Energy Regulators published the second version of the Guidance on the implementation of web feeds for Inside Information Platforms, which includes a new chapter on the collection of historical inside information.

[ACER Guidance](#)

■ EBA Working Group

The European Banking Authority issued a call for expressions of interest to participate in its working group on Application Programming Interfaces under PSD2. Expressions of interest should be submitted by 14 January.

[EBA Call for expressions of interest](#)

■ Non-performing Loans

The European Banking Authority published its final Guidelines on disclosure of non-performing and forborne exposures.

[EBA Guidelines](#)

■ OTC Derivatives

The European Supervisory Authorities published two draft Regulatory Technical Standards on the clearing obligation and risk mitigation techniques for non-cleared OTC derivatives.

[Final draft RTS on risk-mitigation techniques – Final report on amendments to the EMIR Clearing Obligation](#)

■ Benchmarking Portfolios

The European Banking Authority launched a consultation to amend the Commission's Implementing Regulation on benchmarking of internal models. Contributions can be submitted until 31 January 2019.

[EBA consultation paper](#)

DECISIONS

EC Decision of 20 December – Carlyle / Sedgwick

■ Activities auxiliary to financial services and insurance activities

The EC approved the acquisition of sole control over Sedgwick Inc. by funds managed by affiliates of The Carlyle Group L.P.

[Case information](#)

EC Decision of 19 December – Gibraltar Corporate Tax Regime

■ Tax advantage

The EC approved the acquisition of joint control over two joint venture, Kinto Corporation and Mobilots Corporation by Toyota Motor Corporation and Sumitomo Corporation.

[Case information I](#) – [Case information II](#)

EC Decision of 19 December – DV4 / ABP / OMERS / QIA / Real Estate JV

■ Real estate activities

The EC approved the acquisition of joint control over a joint venture at Middlewood Locks by Oxford Jersey Holding Company Limited, DV4 Limited, Stichting Depository APG Strategic Real Estate Pool and Qatari Diar Real Estate Investment Company Q.P.S.C.

[Case information](#)

EC Decision of 19 December – Gibraltar Corporate Tax Regime

■ Tax advantage

The EC found that Gibraltar's corporate tax exemption regime for interest and royalties are illegal. The beneficiaries now have to return unpaid taxes to Gibraltar.

[Case information](#)

EC Decision of 18 December – Apollo Management / Aspen Insurance Holdings

■ Financial service activities

The EC approved the acquisition of sole control over Aspen Insurance Holdings Limited by Apollo Management L.P.

[Case information](#)

EC Decision of 18 December – Bavarian gigabit pilot project

■ Broadband infrastructures

The EC approved Bavarian project to deploy very high capacity networks in six municipalities.

[Case information](#)

EC Decision of 17 December – BC Partners / United Group

■ Television programming and broadcasting activities

The EC approved the acquisition of United Group by BC Partners.

[Case information](#)

EC Decision of 17 December – Sumitomo / Metal One / JV

■ Wholesale of metals and metal ores; wholesale of other machinery and equipment

The EC approved the acquisition of joint control of Metal One Pipe & Tubular Products Inc. by Sumitomo and Metal One.

[Case information](#)

EC Decision of 17 December – China Reinsurance Group Corporation / Chaucer

■ Insurance, reinsurance and pension funding

The EC approved the acquisition of sole control over Chaucer by China Reinsurance Group Corporation ("China Re").

[Case information](#)

EC Decision of 17 December – IPCEI on Microelectronics

■ Project of common European interest

The EC approved the project jointly notified by France, Germany, Italy and the UK for research and innovation in microelectronics.

[Case information France](#) – [Case information Germany](#) – [Case information Italy](#) – [Case information UK](#)

EC Decision of 14 December – Potential aid to Oltchim

■ Manufacture of inorganic basic chemicals

The EC concluded that Romania needs to recover incompatible aid from petrochemical company Oltchim.

[Case information](#)

EC Decision of 14 December – BEH Gas

■ Distribution of gaseous fuels; manufacture of gas

The EC fined Bulgarian Energy Holding, Bulgargaz and Bulgartransgaz, the so-called BEH Group, for blocking competitors' access to key gas infrastructure in Bulgaria.

[Case information](#)

FROM THE OJEU

■ Non-opposition to concentrations

Non-opposition to the notified concentration Cerberus Group / Staples UK Limited / Marke Creative Merchandise – Case M.9189 has been published.

[Document 2018/C 460/07](#) – [Case information](#)

Non-opposition to the notified concentration E.ON / Helen / Virta – Case M.9032 has been published.

[Document 2018/C 460/06](#) – [Case information](#)

Non-opposition to the notified concentration Centerbridge / Hospital Topco – Case M.9160 has been published.

[Document 2018/C 460/05](#) – [Case information](#)

Non-opposition to the notified concentration Blackstone / Telereal Trillium / Real Estate JV – Case M.9131 has been published.

[Document 2018/C 460/04](#) – [Case information](#)

Non-opposition to the notified concentration Eurocar / Bonaldi – Case M.8963 has been published.

[Document 2018/C 460/03](#) – [Case information](#)

Non-opposition to the notified concentration SoftBank / Toyota Motor Corporation / Monet Technologies JV – Case M.9158 has been published.

[Document 2018/C 459/05](#) – [Case information](#)

Non-opposition to the notified concentration CapMan / NH-Amundi / Green Investment Group / Cloud Snurran – Case M.9143 has been published.

EC Decision of 14 December – Guess

■ Retail sale of clothing, footwear and leather goods; wholesale of clothing and footwear

The EC fined Guess for restricting retailers from online advertising and selling cross-border to consumers.

[Case information](#)

EC Decision of 14 December – MinebeaMitsumi / U-Shin

■ Manufacture of electric motors, generators, transformers; manufacture of other parts and accessories of motor vehicles

The EC approved the proposed acquisition of sole control by MinebeaMitsumi Inc. over U-Shin Ltd.

[Case information](#)

[Document 2018/C 459/03](#) – [Case information](#)

Non-opposition to the notified concentration Santander Group / Hyundai Motor Company Group / JV – Case M.9166 has been published.

[Document 2018/C 459/02](#) – [Case information](#)

Non-opposition to the notified concentration Eurocar / Vicentini – Case M.9070 has been published.

[Document 2018/C 459/01](#) – [Case information](#)

Non-opposition to the notified concentration ADM / Neovia – Case M.9123 has been published.

[Document 2018/C 457/01](#) – [Case information](#)

Non-opposition to the notified concentration CVC / MUFG / Ngern Tid Lor – Case M.9159 has been published.

[Document 2018/C 454/03](#) – [Case information](#)

Non-opposition to the notified concentration Fairfax Financial Holdings / Eurolife ERB Insurance Group – Case M.9193 has been published.

[Document 2018/C 454/02](#) – [Case information](#)

Non-opposition to the notified concentration JAB / Pret A Manger – Case M.9010 has been published.

[Document 2018/C 454/01](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration Aunde / Brose / JV – Case M.9174 has been published.

[Document 2018/C 460/25 – Case information](#)

Prior notification of the concentration MUFG HD / Akamai / JV – Case M.9214 has been published.

[Document 2018/C 460/24 – Case information](#)

Prior notification of the concentration Cargill / ADM / Grainbridge JV – Case M.9178 has been published.

[Document 2018/C 460/23 – Case information](#)

Prior notification of the concentration Amcor / Bemis – Case M.9094 has been published.

[Document 2018/C 459/17 – Case information](#)

Prior notification of the concentration UPL / Arysta LifeScience – Case M.9095 has been published.

[Document 2018/C 454/08 – Case information](#)

Prior notification of the concentration Siemens / TUTPL / SPC JV – Case M.9201 has been published.

[Document 2018/C 454/07 – Case information](#)

■ **Withdrawal of notification of concentrations**

The withdrawal of the notification of the concentration Amcor / Bemis – Case M.9094 has been published.

[Document 2018/C 456/02 – Case information](#)

BRUSSELS INTERN

■ **Cross-border Mergers and Divisions**

The Council Working Party will discuss a Presidency compromise proposal for a directive on cross-border conversions, mergers and divisions on 7 January.

[Presidency text](#)

■ **Digital Services Taxation**

The European Parliament is putting pressure on the Council in order to reach an agreement on the proposal for a directive on the common system of a digital services tax before the end of its mandate next Spring. In the Council, several delegations could not accept the latest compromise proposal presented by the Presidency, therefore the text will be discussed further by the Council working group.

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