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- Healthcare
- Aviation/Transport
- Foreign Trade
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- Food / Tobacco

LAW

■ VAT

The EC presented a set of initiatives to modernise and improve the current VAT system and to avoid VAT fraud. The European executive introduced some cornerstones for a new single VAT area: the principle of taxation at destination for intra-EU cross-border supplies of goods; the confirmation that the vendor is liable in the case of an intra-EU supply of goods as a general rule; the extension of the one stop shop tool and less red tape. Together with these fundamental principles the Commission established four short-term measures to come into force by 2019: simplification of VAT rules for the so called “call-off stock arrangements”; simplification for chain transaction; simplification of the proof of transport; clarification. The notion of a “certified taxable person” has also been introduced.

The proposals have been submitted to the Council for its agreement and to the European Parliament for consultation. In order to enter into force unanimity at the Council level is necessary.

In November the Commission will release another set of measures, included a proposal for a modernised system of setting VAT rates, a proposal to reinforce administrative cooperation between Member States and a proposal to simplify VAT for SMEs. Next Spring the European executive will present a proposal laying down technical provisions for the effective operation of the definitive VAT system.

[EC Communication – EC Proposal for a Directive amending Directive 2006/112/EC – EC Proposal for a Council Implementing Regulation amending Implementing Regulation 282/2011 – EC Proposal for a Council Regulation amending Regulation 904/2010 – EC dedicated page](#)

■ Electronic Communications Code

The Committee on Industry of the European Parliament approved its legislative report on the proposal for a new directive establishing the European Electronic Communications Code. Part of the proposal which aimed at addressing the investment challenge has been changed compared to the Commission’s proposal. The text must be agreed in

trilogue negotiations with the Council and the Commission before it can enter into effect. The final text will be available soon.

[EP draft report on the proposal](#)

■ Public Procurement

The College of Commissioners adopted a set of measures on public procurement. The Commission's Communication presents a strategy defining key priority areas for Member States to improve procurement in practice and support investment within the Union. Together with the Communication there are three concrete initiatives on ex-ante assessment of large infrastructure project, guidance on professionalism of public buyers and a consultation to collect feedback on how to stimulate innovation.

[EC Communication – Initiative on ex-ante assessment of large infrastructure project](#) – [Guidance on professionalism of public buyers](#) – [Consultation on how to stimulate innovation](#)

■ Protection of Whistle-blowers

The Committee on Legal Affairs of the European Parliament voted on its non-legislative report regarding the protection of whistle-blowers acting in the public interest when disclosing the confidential information of companies and public bodies. MEPs call on the European Commission to present a horizontal legislative proposal with a view to effectively protecting whistle-blowers by the end of the year.

[Draft report on legitimate measures to protect whistle-blowers](#)

■ Electrical and Electronic Equipment

The EP voted on the report on the proposal for a Directive on the restriction of the use of certain hazardous substances in electrical and electronic equipment, amending Directive 2011/65/EU. The Council will have to approve its first reading position on the proposal.

[EP legislative resolution](#)

■ Anti-dumping

Negotiators of the Council and the European Parliament, reached an agreement on the Commission's proposal of November 2016 to change the EU's anti-dumping and anti-subsidy legislation. The main change is the introduction of a new way to calculate dumping in anti-dumping investigations on imports from members of the World Trade Organization in case prices and costs are distorted because of state intervention. The legislation is expected to enter into force before the end of the year. The text will be available soon.

■ 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

■ Telecom Market Regulation

The EC published the results of the public consultation to revise the European guidelines on market analysis and significant market power, so called SMP Guidelines. The results will feed into Commission's Communication planned for the second quarter of next year.

[EC dedicated page](#)

■ E-Government

EU Ministers signed the Tallinn Declaration on E-Government in presence of Commission Vice-President for the Digital Single Market. They committed to progress in the implementation of the Regulation on the electronic identification and trust services for electronic transactions in the internal market and the once-only principle for key public services.

[EC dedicated page](#)

■ Network Codes

The EC launched a public consultation on priorities for Network Codes and Guidelines for 2018 and beyond, in accordance with the Electricity and Gas Regulations. Contributions can be submitted by 15 December.

[EC dedicated page](#)

■ REMIT - Data Collection

The Agency for the cooperation of energy regulators published a public consultation on the revision of electronic formats for transaction data, fundamental data and inside information reporting under REMIT. Contributions can be submitted until 8 December.

[ACER dedicated page](#)

■ European Anti-Fraud Office

The EC published its report on the evaluation of the application of Regulation 883/2013 concerning investigations conducted by OLAF. In the coming months the Commission will assess the need for a proposal to amend the legal framework of the European Anti-Fraud Office.

[EC Report](#)

■ Customs Decisions System

The EC launched a new pan-EU electronic system to make it easier for businesses to get permission to import goods.

[EC dedicated page](#)

■ Banking

The European Banking Authority published a periodical update of its Risk Dashboard with the main risks and vulnerabilities in the EU banking sector.

[EBA dedicated page](#)

■ Investment Firms

The European Banking Authority published its Opinion on the design and calibration of a new prudential framework for investment firms.

[EBA Opinion – Annex to the Opinion](#)

■ EBA Work Programme

The European Banking Authority published its detailed annual work programme for next year. The Authority will focus in particular on the CRR/CRD and BRRD developments, on Brexit and on the expansion of its data infrastructure and analytical capabilities.

[EBA 2018 Work Programme](#)

DECISION

EC Decision of 05 October – Axis / Novae

■ Insurance, reinsurance

The EC approved the acquisition of Novae Group PLC by Axis Capital Holdings Limited.

[Case information](#)

EC Decision of 05 October – Konica Minolta / Innovation Network Corporation of Japan / Ambray Genetics

■ Human health activities

The EC approved the acquisition of joint control over Ambray Genetics by Konica Minolta Inc. and Innovation Network Corporation.

[Case information](#)

EC Decision of 04 October – Xella International / Ursa

■ Manufacture of other non-metallic mineral products n.e.c

The EC approved the acquisition of Ursa by Xella.

[Case information](#)

EC Decision of 04 October – KKR / WBA / Pharmerica

■ Retail sale of other goods in specialised stores

The EC approved the acquisition of PharMerica Corporation by KKR & Co. L.P and Walgreens Boots Alliance Inc.

[Case information](#)

EC Decision of 03 October – Alleged aid to Amazon

■ Tax base reduction

For the EC Luxembourg granted illegal tax benefits to Amazon and it has to recover 250 million euro in unpaid tax.

[Case information](#)

EC Decision of 02 October – Blackstone / Massmutual / Cambourne Life Investment / Rothesay

■ Insurance, reinsurance and pension funding

The EC approved the acquisition of joint control over Rothesay HoldCo UK Ltd by Massachusetts Mutual Life Insurance Company (“MassMutual”) and Cambourne Life Investment Pte. Ltd, together with the Blackstone Group LP.

[Case information](#)

EC Decision of 02 October – Baltic Rail Transport

■ Freight rail transport

The EC fined Lithuanian Railways for hindering competition on rail freight market.

[Case information](#)

EC Decision of 29 September – Trucks

■ Manufacture of motor vehicles

The EC approved the acquisition of Mersin Uluslararası Li-man Isletmeciliği A.S (“MIP”) by IFM Investors Pty Ltd (“IFM”) and PSA International Pte Ltd (“PSA”).

[Case information](#)

EC Decision of 29 September – 3M Company / Scott Safety

■ Other manufacturing n.e.c.

The EC approved the acquisition of Scott Safety by 3M Company.

[Case information](#)

EC Decision of 29 September – ABP Food Group / Fane Valley / Linden Foods

■ Processing and preserving of meat and production of meat products

The EC approved the proposed acquisition of joint control by ABP Food Group and Fane Valley over Linden Foods.

[Case information](#)

FROM THE OJEU

■ Withdrawal of notification of concentrations

Withdrawal of notification of the concentration Knorr-Bremse / Haldex has been published.

[Document 2017/C 332/01](#) – [Case information](#)

Withdrawal of notification of the concentration Mirova / Comsa / PGGM / Mas d’Enric Prison / Terrassa and la Bisbal Courts / Albali has been published.

[Document 2017/C 331/01](#) – [Case information](#)

■ Non-opposition to concentrations

Non-opposition to the notified concentration Balder / Varma / Serena – Case M.8576 has been published.

[Document 2017/C 331/03](#) – [Case information](#)

Non-opposition to the notified concentration Remondis / TSR Recycling – Case M.8632 has been published.

[Document 2017/C 331/02](#) – [Case information](#)

Non-opposition to the notified concentration Partners Group / Civica – Case M.8616 has been published.

[Document 2017/C 329/04](#) – [Case information](#)

Non-opposition to the notified concentration VW Credit / Daimler / Autogravity – Case M.8591 has been published.

[Document 2017/C 329/03](#) – [Case information](#)

Non-opposition to the notified concentration CKI / CKP / Ista Group – Case M.8610 has been published.

[Document 2017/C 329/02](#) – [Case information](#)

Non-opposition to the notified concentration DENSO / Fujitsu Ten – Case M.8625 has been published.

[Document 2017/C 329/01](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration Equistone Partners Europe SAS / Groupe Bruneau – Case M.8659 has been published.

[Document 2017/C 332/05](#) – [Case information](#)

Prior notification of the concentration CRH / XI (RMAT) – Case M.8626 has been published.

[Document 2017/C 332/04](#) – [Case information](#)

Prior notification of the concentration LGP / CPA – Case M.8650 has been published.

[Document 2017/C 332/03](#) – [Case information](#)

Prior notification of the concentration Evonik / DSM / JV – Case M.8514 has been published.

[Document 2017/C 331/09](#) – [Case information](#)

Prior notification of the concentration ENGIE / La Caisse des Depots et consignations / Ceolfalram76 – Case M.8608 has been published.

[Document 2017/C 329/12](#) – [Case information](#)

Prior notification of the concentration ArcelorMittal / Ilva – Case M.8444 has been published.

[Document 2017/C 329/11](#) – [Case information](#)

Prior notification of the concentration Greenergy / Inver – Case M.8601 has been published.

[Document 2017/C 329/10](#) – [Case information](#)

BRUSSELS INTERN

■ Digital Summit

The Digital Summit in Tallinn reconfirmed the overall interest of the EU Member States in completing the digital single market by the end of 2018. However, they remain divided over plans for a new tax on tech giants. EU telecoms ministers will meet at the end of October and they will discuss French proposal for a new EU law to tax technology companies based on their revenues. Germany, Italy, Spain, Austria, Portugal, Greece, Slovenia, Bulgaria and Romania already expressed their support. The taxation of the digital economy is an issue of high political and economic importance.

■ Company Law

The EC is working on a legislative proposal on the cross-border transfer of company headquarters which could finally establish a harmonised European framework on how to deal with the cross-border transfer of company seats.

■ Double Taxation

The Council is expected to approve a new system for resolving double taxation disputes at the Economic and Financial Affairs Council meeting of 10 October.

■ ETS Directive

The Presidency of the Council expects to conclude trilogue negotiations by the end of its six-month term in December. Under the latest compromise proposal prepared by the Estonian delegation, the number of emission permits that can be used to fund the transition to clean energy will be raised up to 60% of the auctioning volumes.

■ Greenhouse Gas Emission Reductions

EU Ministers will discuss the Effort Sharing Regulation on binding annual greenhouse gas emissions reductions by Member States from 2021 to 2030 at the Environment Council meeting of 13 October, view a view to reaching a general approach and to later start trilogue negotiations. The Estonian Presidency worked in particular on clarifying the provisions on the functioning of the safety reserve, including its size and conditions for access.

[Presidency compromise text](#)

■ Brexit

A fifth round of negotiations will take place in Brussels next week. For the President of the European Commission it is not yet possible to enter the second phase of negotiations.

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