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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

■ Supply of Digital Content

The Council adopted its position on the directive setting out new rules for business-to-consumer contracts for the supply of digital content and digital services. In particular, the EU Ministers reached an agreement on the scope of the directive, the remedies for lack of supply and non-conformity, the time limits for the supplier's liability and the period of the reversal of the burden of the proof. Some delegations complained that the original proposal of the European Commission was watered down by allowing Member States to keep different national provisions on some elements of the directive. The Council and the EP will enter into negotiations on the final text as soon as the latter has decided on its position. The new rules will cover data produced and supplied in digital form, services allowing for the creation, processing or storage of data in digital form, services allowing for the sharing of data and any durable medium used exclusively as a carrier of digital content.

[General approach](#)

■ Portability of Digital Services

The Council adopted new rules on cross-border portability of all online content services which are provided against payment of money. Also free to air services will have the option of benefiting from the regulation, which will start to apply in the first quarter of 2018, nine months after its publication in the EU's Official Journal.

[Regulation on cross-border portability of online content services in the internal market](#)

■ Cross-border Parcel Delivery

The Council adopted a general approach on the proposal for a regulation to increase regulatory oversight and price transparency for cross-border parcel delivery services. The text clarifies the scope of the measures and introduces a new definition of parcel. According to the Council general approach, the Commission will set up a website to display

the cross-border delivery rates offered by delivery firms. Both the Council and the EP have to agree on the text before it can enter into force; the European lawmakers have not yet adopted their position.

[General approach](#)

■ Money Laundering

The Council adopted its position on the proposed directive on countering money laundering by criminal law. The text establishes minimum rules concerning the definition of criminal offences and sanctions, supplementing the 4th Anti-money Laundering Directive, and remove obstacles to cross-border judicial and police cooperation. As soon as the European Parliament adopts its position, inter-institutional negotiations on the final text will start.

[General approach](#)

■ Capital Markets Union

The EC published the Mid-term Review of the Capital Markets Union Action Plan, which shows the progress made so far and sets the timeline for new initiatives. In addition to the new nine priorities, the Commission will present legislative proposals on a pan-European personal pension product, for an EU-framework on covered bonds and on securities law.

[EC dedicated page](#)

■ Aviation

The EC adopted a series of initiatives in order to support the European aviation sector. The so called Open and Connected Aviation Package contains: a legislative proposal for a Regulation on safeguarding competition in air transport (repealing Regulation 868/2004); interpretative guidelines on Regulation 1008/2008 – rules on ownership and con-

trol of EU airlines; interpretative guidelines on Regulation 1008/ 2008 – Public Service Obligations; practices to ensure air service continuity in the event of industrial action. The proposal for a regulation will now be examined by the co-legislators, the Council and the EP.

[Proposal for a Regulation – Interpretative guidelines on O&C of EU air carriers – Interpretative guidelines on PSO – Practices facilitating continuity of air traffic management – EC Communication](#)

■ EU Public Prosecutor Office

The Ministers of 20 Member States reached a general approach on the proposal to create the European Public Prosecutor's Office (EPPO), agreeing on the details of its functioning and role. Following this agreement reached among Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Luxembourg, Portugal, Romania, Slovakia, Spain and Slovenia, the European Parliament will have to give its consent before the Regulation can finally be adopted. The remaining Member States can join the enhanced cooperation at any time. The EPPO will investigate and prosecute fraud and other crimes against the financial interests of the Union, not earlier than three years after the entry into force of the regulation.

[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

■ State Aid Control

The EC and China signed a Memorandum of Understanding for a dialogue on state aid control. Working groups at technical level will set up a mechanism of consultation and cooperation.

[Memorandum of Understanding](#)

■ 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 May and on the relevant risk-free interest rate term structures (RFR).

[EIOPA dedicated page – RFR page](#)

The Authority also published the latest draft version of the Solvency II XBRL Taxonomy to be applied by insurance companies for reporting with the reference date of 31 December 2017. Feedback from stakeholders can be submitted by 30 June.

[EIOPA release notes](#)

■ Banking

The European Banking Authority published its 2018 EU-wide stress test draft methodology and templates for discussion with the industry.

[EBA Draft Methodological Note](#)

■ EU-China Customs Cooperation

The EC and China signed a Strategic Framework for Customs Cooperation for the years 2018-2020.

[Strategic Framework](#)

DECISIONS

EC Decision of 07 June – CWS-BOCO / Rentokil Initial Target Businesses

■ Dry-cleaning; collection of non-hazardous waste

The EC approved the acquisition of several businesses of Rentokil Initial plc by CWS-boco, a subsidiary of Franz Haniel & Cie.

[Case information](#)

EC Decision of 06 June – Rescue aid to airport Marche Ancona

■ Air transport

The EC approved Italian plans to grant temporary rescue aid to Aerdorica Spa, the operator of Marche airport.

[Case information](#)

EC Opening of Proceedings of 06 June – Guess

■ Retail sale of clothing

The EC opened a formal investigation into the distribution agreements and practices of Guess.

[Case information](#)

EC Decision of 05 June – National Programme for broadband aggregation infrastructure

■ Telecommunications

The EC approved the Croatian national broadband scheme for 2017-2023.

[Case information](#)

EC Decision of 02 June – GE / ATI / JV

■ Manufacture of metals

The EC approved the acquisition of joint control over a newly created joint venture by General Electric and ATI.

[Case information](#)

FROM THE OJEU

■ Roaming

Regulation (EU) 2017/920 of the EP and of the Council of 17 May 2017 amending Regulation (EU) No 531/2012 as regards rules for wholesale roaming markets has been published.

[Regulation 2017/920](#)

■ Non-opposition to concentrations

Non-opposition to the notified concentration Deutsche Telekom / Orange / BuyIn – Case M.8284 has been published.

[Document 2017/C 180/02](#) – [Case information](#)

Non-opposition to the notified concentration LGP / OMERS / OPE Caliber Holdings – Case M.8477 has been published.

[Document 2017/C 179/03](#) – [Case information](#)

Non-opposition to the notified concentration BC Partners / PSC / Shawbrook – Case M.8471 has been published.

[Document 2017/C 179/02](#) – [Case information](#)

Non-opposition to the notified concentration Shangai Shenda / IAC ST&A Business – Case M.8450 has been published.

[Document 2017/C 179/01](#) – [Case information](#)

■ Prior notification of concentrations

Prior notification of the concentration Apax Partners / Safety-Kleen – Case M.8525 has been published.

[Document 2017/C 182/04](#) – [Case information](#)

Prior notification of the concentration Goldman Sachs / Caldic – Case M.8499 has been published.

[Document 2017/C 182/03](#) – [Case information](#)

Prior notification of the concentration INEOS / DONG E&P – Case M.8473 has been published.

[Document 2017/C 180/11](#) – [Case information](#)

Prior notification of the concentration Macquarie Group / Cargill Petroleum business assets – Case M.8506 has been published.

[Document 2017/C 180/10](#) – [Case information](#)

Prior notification of the concentration VINCI / DUFREY / LFP – Case M.8382 has been published.

[Document 2017/C 180/09](#) – [Case information](#)

Prior notification of the concentration Peugeot / Opel – Case M.8449 has been published.

[Document 2017/C 179/08](#) – [Case information](#)

Prior notification of the concentration BNP Paribas / Caisse des Depots et Consignations / Societe Generale / Euronex / Euroclear / S2IEM / CACEIS / JV – Case M.8429 has been published.

[Document 2017/C 179/07](#) – [Case information](#)

BRUSSELS INTERN

■ EU Telecom Rules

The Council held a debate on the revision of the EU telecom rules, in particular on the proposal for a European Electronic Communications Code, which will apply to both providers of both networks and services. The new rules intend to widen the scope in order to include new communication tools such as over-the-top services, instant messaging apps and web-based email. Ministers discussed in particular in what areas and to what extent coordination mechanisms should be reinforced. The text must be approved by the Council and the European Parliament, but they both have not yet adopted their positions.

■ ePrivacy

The Ministers of the EU Member States discussed the progress made on a proposal to update privacy rules for electronic communications. Works at technical level are still needed even though the Maltese Presidency aims to finalise its first examination by the end of June. Also the European Parliament has to adopt its position.

■ Insolvency Directive

The Council held a policy debate on the so-called Insolvency Directive. Ministers of EU Member States confirmed that the new rules should guarantee flexibility with regard to the mandatory appointment or involvement of a restructuring practitioner and that the debtor should remain, at least partially, in possession of his business and his assets during preventive restructuring procedures. They also

agreed on limiting the role of the courts or administrative authority in preventive restructuring frameworks.

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