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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

### ■ Geo-blocking

The Council adopted a regulation to ban unjustified geo-blocking in the internal market. The new law intends to remove barriers to e-commerce by avoiding discrimination based on customers' nationality, place of residence or of establishment. Some services such as financial, transport, electronic communication and healthcare are excluded from the scope of the regulation. For the time being, the ban will also not apply to digital content protected by copyright, as e-books, audio-visual services, music and video games. The regulation will take effect nine months after its publication in the EU Official Journal. A first evaluation of the impact of the new rules will be carried out by the European Commission two years after the entry into force of the regulation.

At the moment of the adoption, some Member States expressed their concerns about the agreed text. For Germany and France, the review of the scope will have to be accompanied by a comprehensive impact assessment. Luxembourg is sceptical about the real added value of the Regu-

lation and hopes that its review in two years will provide for more concrete and ambitious results.

[Regulation on addressing unjustified geo-blocking and other forms of discrimination](#)

### ■ Spectrum Reform

The Council and the European Parliament reached a preliminary agreement on several parts of the new telecom rules and on radio spectrum policy. The co-legislators agreed that spectrum licenses should last 15 years, with optional five-year extension, and that spectrum for 5G will be available for use by the end of 2020. Spectrum is a key pillar of the European Electronic Communications Code. Negotiations on the other parts of the Code are on-going; the EU institutions aim to complete the full reform of telecom regulation by April.

### ■ EU Emissions Trading System

The Council approved the reform of the EU Emissions Trading System for the period after 2020. This is the final step

in the legislative process. The directive will enter into force on the 20<sup>th</sup> day following its publication in the EU Official Journal. According to the new rules, the cap on the total volume of emissions will be reduced annually by 2.2%; the number of allowances to be placed in the market stability reserve will be doubled temporarily until the end of 2023; a new mechanism to limit the validity of allowances in the market stability reserve above a certain level will become operational in 2023; the sectors at highest risk of relocating their production outside the EU will receive full free allocation; Member states can continue to provide compensation for indirect carbon costs in line with state aid rules.

[Directive amending Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments and Decision 2015/1814](#)

### ■ Competition Enforcement

The Economy and Monetary Affairs Committee of the European Parliament adopted new rules to enable Member States' competition authorities to be more effective enforcers of EU antitrust rules. The Council, co-legislator together with the European Parliament, is still discussing on its compromise proposal. Inter-institutional negotiations will start as soon as Member States have agreed on a general approach. The text adopted by the Committee will be available soon.

[Draft report on the proposal for a Directive to empower the competition authorities of the Member States](#)

### ■ Waste Legislative Package

The Environment Committee of the European Parliament voted on the provisional agreement resulting from the in-

ter-institutional negotiations on the Waste Legislative Package: Waste Framework Directive, Packaging and packaging waste Directive, Landfill of waste Directive and End-of-life vehicles, Batteries and Waste electrical and electronic equipment Directives Landfill of waste. The revised legislation needs to be approved by the full assembly and to be formally adopted by the Council. It will enter into force 20 days after its publication in the Official Journal of the EU. The texts of the proposals will be available soon.

[Directive amending Directive 2008/98/EC on waste – Directive amending Directive 94/62/EC on packaging and packaging waste – Directive amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment – Directive amending Directive 1999/31/EC on the landfill of waste](#)

### ■ Spirit Drinks

The EP voted on updates to the existing legislation on the definition, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs and the protection of geographical indications for spirit drinks.

[EP report on the proposal for a Regulation](#)

### ■ 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

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### ■ Brexit

The EC published the draft Withdrawal Agreement between the EU and the UK. It consists of six parts, including introductory provisions, citizens' rights, some separation issues (such as goods placed on the market before the withdrawal date, the financial settlement, transitional arrangements and institutional provisions) and a protocol on the borders with Ireland. The draft will now be sent to the Council and the EP for discussion. The guidelines on the future relationship between the EU and the UK are ex-

pected to be adopted on 22-23 March at the European Council meeting.

[Draft Withdrawal Agreement](#)

### ■ Antitrust Damages – Jurisdiction

The European Court of Justice issued an opinion in the dispute between Lithuanian Airlines and Latvian carrier on the right jurisdiction for damages actions. According to the opinion of the advocate general, the right jurisdiction depends on the nature of the misconduct.

[Opinion of Advocate General](#)

## DECISIONS

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### EC Decision of 26 February – Essilor / Luxottica

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#### ■ Manufacture of glass; Retail sale

The EC approved the proposed merger between Essilor and Luxottica.

[Case information](#)

### EC Decision of 26 February – Apollo Management / Phoenix Services

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#### ■ Wholesale of waste and scrap

The EC approved the acquisition of sole control over Phoenix Services International LLC by Apollo Management, L.P.

[Case information](#)

### EC Decision of 23 February – Support scheme for the acquisition of electric buses for urban public transport

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#### ■ Passenger land transport

The EC approved German scheme to support public transport operators until the end of 2021, covering the additional costs for the acquisition of electric and plug-in hybrid buses and the construction of the related electric charging infrastructure.

[Case information](#)

### EC Decision of 23 February – Michelin / Sumitomo / JV

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#### ■ Wholesale trade of motor vehicle parts and accessories

The EC approved the creation of a joint venture by Michelin North America, Inc. (“MNAI”) and Sumitomo Corporation of Americas (“SCOA”).

[Case information](#)

## FROM THE OJEU

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#### ■ Non-opposition to concentrations

Non-opposition to the notified concentration COSCO Shipping / OOIL – Case M.8594 has been published.

[Document 2018/C 79/03](#) – [Case information](#)

Non-opposition to the notified concentration TA Associates / OTPP / Flexera Holdings – Case M.8798 has been published.

[Document 2018/C 79/02](#) – [Case information](#)

Non-opposition to the notified concentration BD / Bard – Case M.8523 has been published.

[Document 2018/C 79/01](#) – [Case information](#)

Non-opposition to the notified concentration Discovery / Scripps – Case M.8665 has been published.

[Document 2018/C 77/02](#) – [Case information](#)

Non-opposition to the notified concentration Michelin / Sumitomo / JV – Case M.8803 has been published.

[Document 2018/C 77/01](#) – [Case information](#)

Non-opposition to the notified concentration Shell / Impello – Case M.8775 has been published.

[Document 2018/C 75/01](#) – [Case information](#)

Non-opposition to the notified concentration Repsol / Kia / JV – Case M.8783 has been published.

[Document 2018/C 73/01](#) – [Case information](#)

#### ■ Prior notification of concentrations

Prior notification of the concentration Advent International / Circet Groupe – Case M.8821 has been published.

[Document 2018/C 77/06](#) – [Case information](#)

Prior notification of the concentration Richemont / Yoox Net a Porter Group – Case M.8806 has been published.

[Document 2018/C 77/05](#) – [Case information](#)

Prior notification of the concentration Diamond Transmission Corporation / InfraRed Capital Partners / JV – Case M.8728 has been published.

[Document 2018/C 75/04](#) – [Case information](#)

Prior notification of the concentration Ardian / DRT – Case M.8810 has been published.

[Document 2018/C 75/03](#) – [Case information](#)

Prior notification of the concentration APMH Invest / Mitsui / Maersk Product Tankers – Case M.8697 has been published.

[Document 2018/C 73/09](#) – [Case information](#)

## BRUSSELS INTERN

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### ■ Digital Taxation

The European Commission is considering a targeted measure and a comprehensive solution with regard to the taxation of digital companies. The targeted solution will serve as an interim measure while agreement on the comprehensive one is reached. The Commission is also evaluating the possibility of a simplification mechanism based on the one-stop-shop model. A first proposal is expected for March.

### ■ Cryptocurrency

The European Commission is considering proposing regulation on cryptocurrencies in case next G20 meeting will not be able to address the risks linked to them.

### ■ Energy Union

The Council Working Party will discuss next week the proposal for a Regulation on the governance of the energy union in view of the second trilogue meeting with the European Parliament.

[Presidency compromise proposal](#)

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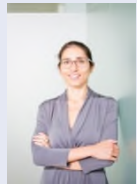
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