

Newsletter

Issue 88 - January 2018

WISHES FOR 2018 FROM IMCO CHAIR



On behalf of myself and the whole IMCO committee I wish you a Happy New Year! 2018 will be a very interesting year: it is the last full year of this parliamentary term and the list of pending and upcoming files is very long. We will see the next crucial step in the Brexit negotiations, which will have a big impact on our internal market. We have a busy digital agenda with, amongst others, the ongoing work on better rules for the online and offline sales of tangible goods and digital content.

Our focus will also be on consumer protection. We will finalise our work to tighten the rules for better and safer cars and start on new legislation to make the sale of goods in the EU easier but safer. In 2018 IMCO needs to keep protecting its competences vis-à-vis the other committees if we want to have a strong internal market with respect for the consumer rights. I am looking forward to working together with all of you again in this year.

Anneleen Van Bossuyt
Chair

25TH ANNIVERSARY OF INTERNAL MARKET

Since 1993, intense and renewed efforts have been made to build the EU Single Market allowing people and business to move and trade freely across the borders within the EU, and to modernise and deepen it through a set of targeted legislative and non-legislative actions. The abolition of customs controls in intra-EU trade, and standardisation have been key driving factors in free movement of goods. In 2011, the Single Market Act set off work on a comprehensive and wide-ranging set of initiatives to spur growth through enhanced worker mobility in the Single Market (revised system for the recognition of professional qualifications, introduction of the European Professional Card), intellectual property rights (reform of the patent system, establishing EU unitary patent system), consumers (legislation enabling EU

consumers and business to settle disputes between them arising from the sale of goods or provisions of services out-of-court through Alternative Dispute Resolution (ADR) or Online Dispute Resolution Mechanism (ODR)), services and standardisation, Digital Single Market (tackling problems for online cross-border purchases, making the cross border use of electronic signature easier), and public procurement (Revision of the Public Procurement Directives). The Single Market Act II of 2012 notably aimed at supporting the digital economy across Europe (e.g. e-invoicing in public procurement) and on strengthening consumer confidence including on product safety. A lot remains to be done, but many important achievements have been reached simplifying trade and work within the EU and improving the protection of consumers.

NEXT COMMITTEE MEETINGS

(22-23 JANUARY 2018)

[Watch the committee meeting live](#)

Establishing the European Defence Industrial Development Programme

The IMCO committee will vote the Opinion of Ms Van Bossuyt on a Regulation establishing a European Defence Industrial Development Programme. A total of about 272 IMCO Amendments will be put into vote, in addition to a set of Compromise Amendments on different articles and recitals of the Regulation proposal, which the Rapporteur has produced and negotiated with the Shadow Rapporteurs. The most controversial issues concern the involvement of third country entities in the actions and the relevant aspects on intellectual property rights. The vast majority of political groups agreed to keep the budget to 500 million and to provide for 100% funding of SMEs actions.



DRAFTSPERSON: [Anneleen Van Bossuyt \(ECR\)](#) [Procedure file](#)

Single digital gateway

On 22 January, IMCO will consider amendments tabled to the draft report by Marlene Mizzi (S&D) on the Single Digital Gateway. Over 250 amendments were tabled in IMCO by the shadow rapporteurs and other MEPs. The amendments generally support and further develop the proposals put forward by the Rapporteur in her draft report. Issues addressed include the 'once-only' principle, further strengthening the data protection requirements, the number of languages required for information and procedures, the deadline for entry into force of the Regulation etc. Following the consideration of amendments in committee, the Rapporteur and Shadows will try to elaborate compromise amendments so that the vote in IMCO can take place on 22 February 2018.

DRAFTSPERSON: [Marlene Mizzi \(S&D\)](#) [Procedure file](#)

Approval and market surveillance of motor vehicles and their trailers



On Thursday 7 December, the fourth and final trilogue on the Regulation on Type-approval of motor vehicles took place at the EP premises in Brussels. The outstanding points were: market surveillance, governance of the type-approval system, fees, small series, penalties and administrative fines, defeat devices, CO2 emissions and personal data, as well as the transitional provisions and the date of application. A global agreement on which both delegations of Parliament and Council could compromise was reached. The agreement will be put to the vote in IMCO on Tuesday 23 January.

LINK: [Procedure file](#)

Services e-card

At its meeting on 22-23 January, the IMCO Committee will consider amendments tabled to the Commission proposal for the Regulation on European Services e-card and related administrative facilities (Rapp. A Van Bossuyt) and the proposal for a Directive on Legal and operational framework of the European services e-card introduced by the ESC Regulation (Rapp. M. Lokkegaard). The tabled amendments focus on a number of issues, namely: the process for application, assessment and decision making regarding an application for Services e-card (timeline), fees for issuing services e-card, validity of the services e card, professional liability insurance and insurance liability certificate, list of services eligible for Services e card (Annex), powers of authorities in particular with regard to checks and verifications (establishment of an applicant for services e card, validity of information, request to re-verify information in case of justified doubts, etc.), relation between Services e-card and the Professional Qualification Directive and EPC, tackling certain regulatory barriers in services, need for experts and stakeholders consultation.

DRAFTSPERSON: [Anneleen Van Bossuyt \(ECR\)](#) [Procedure file](#)

DRAFTSPERSON: [Morten Løkkegaard \(ALDE\)](#) [Procedure file](#)

Presentation of Goods Package

On 22 January, the Commission will present to IMCO the recently published Communication on "The Goods Package – Reinforcing trust in the single market" of 19 December 2017. The package consists of two new legislative proposals: (i) Proposal for a Regulation on the Mutual Recognition of Goods, and (ii) Proposal for a Regulation on Compliance and Enforcement. They seek to (i) boost and clarify the existing mutual recognition framework for products not covered by EU product rules, and (ii) strengthen compliance and enforcement of EU product rules by e.g. intensifying compliance checks and promoting cross-border cooperation. Alongside the proposals, new soft law initiatives will aim at supporting Member State's implementation.

Free flow of non-personal data



On 23 January, IMCO will hold an exchange of views with the Commission on its proposed Regulation on the free flow of non-personal data in the European Union, which it published in September. The overarching objective of the proposed Regulation is to unlock the massive potential of the EU data market by creating a more competitive and integrated internal market for data storage services and other data processing services. The proposal flows from the 2015 DSM Strategy, and builds on the E-commerce Directive and Services Directive. One of the key provisions would prohibit any national rule that requires data to be located in a specific territory in the Union for the purpose of data storage or other data-processing services.

DRAFTSPERSON: [Anna Maria Corazza Bidit \(EPP\)](#)

LINK: [Procedure file](#)

LAST COMMITTEE MEETINGS

(4 DECEMBER 2017)

European strategy on Cooperative Intelligent Transport Systems



On 4 December, IMCO adopted Mr Matthijs Van Miltenburg's (ALDE) opinion to TRAN Committee on A European Strategy on Cooperative Intelligent Transport Systems with 32 votes in favour, 1 against and 2 abstentions. The 7 compromise amendments proposed by the Rapporteur were all adopted. Among others, they included elements of consumers' right to protection of personal data, cybersecurity, technology neutrality, interoperability as well as setting a global approach to standardisation.

DRAFTSPERSON: [Matthijs Van Miltenburg \(ALDE\)](#) [Procedure file](#)

Notification procedure



On 4 December IMCO approved the report on the Directive on the enforcement of the Directive 2006/123/EC on services in the internal market, laying down a notification procedure for authorisation schemes and requirements related to services (Gutiérrez-Prieto, S&D). The Report received broad support by 30 votes in favour and 7 votes against. The agreement was mainly achieved on the basis of 16 compromise amendments, largely covering the 243 amendments tabled by the Rapporteur and IMCO Members. As anticipated, the passed amendments largely focus on clarification of the notification obligation, consultation process on the notified measures, and on balancing of the Commission's powers with regard to Member States. The implications of the so-called standstill period of 3 months under Article 6 have been clarified. The Plenary endorsed the Report and the mandate for inter-institutional negotiations with the Council which will kick-off in the coming weeks.

DRAFTSPERSON: [Sergio Gutiérrez Prieto \(S&D\)](#) [Procedure file](#)

Reform in professional services

On 4 December 2017 IMCO adopted with a broad support the Report on reforms in professional services (Rapporteur Nicola Danti) focussing on the need to ensure transparent, non-discriminatory and proportionate regulation of professions, while maintaining a high quality of the service provided. This report is the first political response of the Parliament to the Commission's initiatives, included in the Services Package. The report underlines the important role of regulated professions in the economy of the EU and calls on Member States to develop policies making EU professional services globally competitive. The report also notes that scientific progress, technological innovation and digitalisation have a considerable impact on the professional services, bringing new opportunities for professionals but also challenges for the labour market and the quality of services.

DRAFTSPERSON: [Nicola Danti \(S&D\)](#) [Procedure file](#)

Proportionality test before adoption of new regulation of profession



The legislative report on the Proportionality test (Rapporteur Andreas Schwab) was adopted in IMCO on 4 December 2017 with a broad support (33 votes in favour and 3 votes against). The compromises seek to ensure the free movement of professionals and to guarantee the freedom to choose an occupation, while removing disproportionate obstacles to the exercise of those fundamental rights. National rules should thus be adapted to the existing risks and take account of the technology and innovation to unlock a new range of job possibilities for regulated professions such as lawyers, accountants, architects, teachers and many others. The IMCO report provides for a specific status for healthcare professions, ensuring their "protection" within the proportionality principle, adding an obligation for the Member States to guarantee a high level of health protection and preventing deregulation in the sector. Temporary provision of cross-border services is greatly facilitated while at the same time legitimate public interest objectives are safeguarded. The compromises also ensure greater transparency through wider consultation of citizens before adopting new legislation.

DRAFTSPERSON: [Andreas Schwab \(EPP\)](#) [Procedure file](#)

Addressing geoblocking



On 4 December, IMCO confirmed the political agreement reached on the proposed geoblocking regulations in the trilogue of 21 November (see last newsletter). The agreement was also confirmed by COREPER at the end of November. The file is now undergoing lawyer-linguist revision before formal adoption in Parliament in the plenary session of February 2018. It will then have to be formally approved by the EU Council of Ministers. The regulation will be applicable nine months after its publication in the EU Official Journal.

LINK: [Subject file](#)

UPDATE ON IMCO TRILOGUES

Contract rules on the supply of digital content

During the first trilogue, a first exchange was held on the scope of the proposed Directive (Article 3) and on the articles on supply and failure to supply digital content (Articles 5 and 11). During the second trilogue, conformity criteria (Articles 6 and 6a), hierarchy of remedies (Article 12), liability of the trader (Articles 10) and burden of proof (Article 9) were discussed. Two more trilogue dates have been fixed for 30 January and 6 March 2018, under the Bulgarian Presidency.



LINK: [Subject file](#)

Parcel delivery services

The IMCO Rapporteur on "the cross-border parcel delivery services Regulation", Ms Biljana Borzan, will inform the Members about the provisional agreement reached between the co-legislators during the last trilogue meeting of 13 December 2017. The text has already been approved by COREPER and the TRAN committee (leading the file in the Parliament) plans to vote on the agreement in January. Amongst other, the agreed text provides for the National Regulatory Authorities to assess if tariffs for cross-border parcel delivery services are unreasonably high and, in line with the Consumers Rights Directive, traders should provide consumers with clear information on prices charged for cross-border parcel delivery.

LINK: [Procedure file](#)

ONLINE REGISTER ON DELEGATED ACTS

A new online register on delegated acts has been launched by the Parliament, the Council and the Commission to help the citizens and interested parties to follow the EU decision-making process. This register will make it easier to find and track EU decisions taken in the form of delegated acts. The new Interinstitutional Register of Delegated Acts offers a complete overview of the lifecycle of this process. It allows users to search and follow the development of

delegated acts from the planning stage conducted by the European Commission, up until the final publication in the Official Journal. The register also contains information about meetings of the expert groups supporting the Commission in the process of drafting delegated acts.

LINK: [Register](#)



IMCO Secretariat wishes you a happy and successful New Year!

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