

Newsletter

Issue 90 - March 2017

SELECTED NEWS

Import of cultural goods



On 21 March the joint committee INTA-IMCO will hold a session to kick-start the parliamentary work on the proposal on the import of cultural goods. The two committees will exchange views with representatives of the European Commission, of the national customs administrations, represented by the Belgian customs authority, and with a representative of UNESCO. The session is expected to present a thorough overview of the implications of a new regime of control of the import of cultural goods from a number of different angles (implications for the protection of cultural heritage, for the daily work of customs officers or for the market of artefacts and antiques).

DRAFTSPERSON: [Daniel Dalton \(ECR\)](#)

[Procedure file](#)

Dual quality of products in the Single Market



On 22 March, IMCO will consider the draft report by Rapporteur Olga Sehnalová (S&D) on the Dual quality of products in the single market. For this report, ENVI is associated under Rule 54 with exclusive competence on the specific issues related to Regulation (EC) 178/2002 and Regulation (EU) No 1169/2011. In her draft report, the Rapporteur draws attention to the issue that products marketed and sold under the exact same brand, etc., do not always have identical product compositions. The Rapporteur considers this as an unacceptable practice, and calls among others for legal adjustments of the Unfair Commercial Practices Directive and for better and more efficient awareness raising activities to avoid the intentional misleading of consumers.

DRAFTSPERSON: [Olga Sehnalová \(S&D\)](#)

[Procedure file](#)

EXCHANGE OF VIEWS WITH VICE PRESIDENT JYRKI KATAINEN, RESPONSIBLE FOR JOBS, GROWTH, INVESTMENT AND COMPETITIVENESS

IMCO Committee will exchange views with Vice President Jyrki Katainen, responsible for Jobs, Growth, Investment and Competitiveness in the framework of the structured dialogue. The debate is expected to look into and evaluate what the Commission

has delivered so far in this legislative term, including initiatives such as the Investment Plan for Europe, the European Fund for Strategic Investment, the European Semester, the Single Market Strategy and the Digital Single Market Strategy.

NEXT COMMITTEE MEETINGS

(21-22 MARCH 2018)

[Watch the committee meeting live](#)

Services e-card

On 21 March, the IMCO Committee will vote on draft reports to the Regulation on European Services e-card and related administrative facilities (Rapp. A Van Bossuyt) and to the Directive on Legal and operational framework of the European services e-card introduced by the ESC Regulation (Rapp. M. Lokkegaard).

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

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

Regulation on ENISA



On 21 March, IMCO will consider the 393 amendments tabled in IMCO to the draft opinion by Rapporteur Nicola Danti (S&D) on "The Cybersecurity Act". In his draft opinion, Mr Danti supports the introduction of a new EU-wide cybersecurity certification framework, but has called for better stakeholder involvement, more awareness raising and protection of end-users. The amendments touch upon the same ideas, but are also considering the notion of self-declaration of conformity, the interplay of national and European schemes, and ways to clarify the schemes' assurance levels.

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

Goods Package - public hearing



On 21 March IMCO will hold a public hearing on the "Goods Package". The hearing will be organised in 5 panel discussions with invited experts. The first panel will exchange views on experiences of Member States with the current goods framework. The second panel will provide insight into the practical challenges with products entering EU from third countries. The third panel will present the new proposed problem solving procedure as well as explain more about the current SOLVIT mechanism and its daily challenges. The fourth and fifth panels will focus on the business experience and shine light on the impact of the Package on consumers.

LINK: [Hearing](#)

Free flow of non-personal data



On 22 March, IMCO will debate Ms Corazza Bildt's draft report on the Free flow of non-personal data. The overarching aim of the Commission's draft Regulation is to unlock the massive potential of the EU data market by creating a more competitive and integrated

internal market for data storage and processing services. At the heart of the proposal is a ban on national rules requiring data to be stored or processed in a specific Member State. The draft report strengthens this ban by limiting the possibility of exceptions from the ban to a minimum; it emphasises that the public sector stands to benefit as much as the private sector from the free flow of data; and it clears up the rules on data sets containing both personal and non-personal data. The deadline for amendments is 28 March.

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

LINK: [Procedure file](#)

Rail passenger rights



On 21 March, the IMCO Rapporteur on the proposal to revise Regulation (EC) 1371/2007 on rail passengers' rights and obligations, Mr de Jong (GUE/NGL), will present his draft Opinion. This focuses on amendments falling within the IMCO remit, namely fostering consumers' protection. Amendments aim at: improving the information obligations of the rail undertakings; creating more legal certainty for rail passengers; and making rail travel more accessible for people with disabilities or reduced mobility. The Rapporteur rejects the 'force-majeure' clause, as proposed by the Commission.

DRAFTSPERSON: [Dennis De Jong \(GUE/NGL\)](#) [Procedure file](#)

The public procurement strategy package

On 22 March, the EP Rapporteur of the INI Report on the public procurement strategy package, Mr Coelho (EPP), will present his draft Report. Mr Coelho welcomes the initiatives of the Commission and hopes that these would give an impetus for better implementation of the public procurement rules in the Member States and would accelerate national reforms as necessary. Amongst others, the Rapporteur calls in particular on the Member States to move from the lowest-price criterion to the MEAT and life-cycle costing; to support SMEs participation; to accelerate digitalisation; to develop National Public Procurement Strategies.

LINK: [Subject file](#)

LAST COMMITTEE MEETINGS

(21-22 FEBRUARY 2018)

Contracts for the sales of goods



On 22 February, the IMCO committee voted on the report of Mr. Pascal Arimont on a Directive on certain aspects of contracts for the sales of goods and adopted the mandate to enter into interinstitutional negotiations. The report was adopted with 29 votes in favour, 4 against, and 4 abstentions. A set of 56 compromise amendments were adopted covering the majority of Articles and Recitals of the proposed Directive; the compromises were supported by the vast majority of political groups. An alternative compromise amendment supported by ALDE and GUE/EFA on level of harmonisation was defeated. The S&D Shadow Rapporteur, Ms Anderson, intervened to thank the Rapporteur for the good cooperation during the negotiations and to express her support to his report.

[LINK: Subject file](#)

Single digital gateway

On 21 February, IMCO exchanged views on the Compromise Amendments and adopted the draft report by Marlene Mizzi (S&D) on Regulation on the Single Digital Gateway, as amended, with 33 votes in favour, 0 against and 3 abstentions. 394 AMs were tabled in IMCO, and a total of 55 Compromise Amendments were proposed by the rapporteur and adopted by IMCO MEPs. Issues addressed include: the 'once-only' principle, the information requirements, further strengthening of the data protection provisions, guaranteed accessibility, the number of languages required for information and procedures as well as the deadline for entry into force of the Regulation. Following the vote on the adoption of the proposal, MEPS proceeded to vote on the mandate to start inter-institutional negotiations. The adopted text will be put to the list of files to receive the tacit approval by plenary in March, so as to start immediately after the negotiations with the Council. The first trilogue is scheduled for 22 May.

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

[Procedure file](#)

Import procedures: shortcomings in the legal framework and an ineffective implementation impact the financial interest of the EU

The Member of the Court of Auditors Mr Pietro Russo presented to IMCO on 22 February the main findings of the Special Audit on Import procedures, and explained how deliberate evasion of customs duties through underevaluation, mis-description of origin or misclassification of the goods imported create an important customs gap, a cost covered ultimately by taxpayers. A disincentive for the Member States to carry out controls was evoked. Underfinancing of IT systems and the lack of a common approach are perceived as the main causes of the situation. The MEPs shared their concern on the situation. The European Commission announced that the work towards the implementation of these findings is under way, and underlined that the policy of risk based controls at the customs may help optimise the use of resources and strengthen controls.

Exchange of views with commissioner Elżbieta Bienkowska and commissioner Mariya Gabriel



In the framework of the 2018 Structured Dialogue, the Committee exchanged views with Commissioner Bienkowska on the Commission's work programme and any remaining upcoming initiatives. In her brief introduction, and given the approaching end of the legislature, the Commissioner recalled a number of files on which a political agreement was reached or those progressing and appealed for urgent progress on the services e- card and the SMIT files. The Commissioner underlined the importance of the Goods package, the IP package (Communication on Standard Essential Patents (SEPs), work on Supplementary Protection Certificate (SPC) and announced that the Commission will soon present Third Mobility Package in order to improve vehicle safety in the EU.

As part of the structured dialogue, MEPs held also an exchange of views with Commissioner Gabriel, responsible for Digital Economy and Society. The Commissioner referred to progress achieved in the implementation of the Digital Single Market Strategy and the main outstanding initiatives before the end of the Commission's mandate. MEPs agreed with the Commissioner on the importance of swiftly finalising ongoing negotiations of important legislative files on copyright, audiovisual media services, telecoms, and the recently adopted proposals on free flow of non-personal data and on cybersecurity. The Commissioner informed Members of the Commission's plans to adopt an ambitious package by the end of April, including a legislative proposal on fairness in platform-to-business relations, a follow-up recommendation on tackling illegal content online (focus on terrorism) and a comprehensive policy initiative on "fake news", and on "artificial intelligence". MEPs stressed the importance of finding the right balance as regards "fake news" and online disinformation and welcomed the Commission's intent to address the risks of unfair or anti-competitive behaviour in the platform-to-business environment. MEPs also highlighted Member States' reticence for closer cooperation on cybersecurity and stressed the important role of the Commission in ensuring an ambitious implementation of the Network and Information Security Directive in this regard.

Legislative scrutiny on firearms

On 21 February, the IMCO committee held its first legislative scrutiny on the revised Firearms Directive, which was mainly focused on the implementation of the provisions on deactivation. Several Members complained about the delay with which the Parliament was informed about the draft Implementing Regulation prepared by the Commission, revising the 2015 deactivation standards, and called on the Commission for its swift adoption. The former ALDE Shadow (Ms Charanzová) complained about the approach followed by the Commission to make obligatory the re-deactivation of firearms which have been deactivated in accordance to the 2015 deactivation standards. The Commission representative mentioned that the work on the equivalent national standards had just started and that the Commission received requests from four Member States.

[LINK: Subject file](#)

UPDATE ON IMCO TRILOGUES

Digital content

On 21 March, the IMCO Co-Rapporteur, Mrs Evelyne Gebhardt, is to report back on the fourth informal trilogue on the Directive on certain aspects concerning contracts for the supply of digital content. This trilogue, which took place on 6 March, allowed to continue exchanges on the liability of the trader, the right to terminate long-term contracts and the right to damages. Discussions have also continued on open issues in the definition; data cluster, the inclusion of contracts on the supply of digital content in exchange of personal data and GDPR as a conformity criterion; security and functionality updates; and transposition deadlines. The fifth trilogue meeting is to take place on 26 April.

LINK: [Subject file](#)

Accessibility Act

After the Parliament plenary vote in September 2017 on the European Accessibility Act and the adoption of the General Approach from the side of the Council in December 2017, the interinstitutional negotiations kicked-off on 5 March 2018. The first informal trilogue allowed to hold a first exchange of views on the issues that the co-legislators have diverging positions, including: on the scope and accessibility requirements; on fundamental alterations and disproportionate burden; on standards and common technical specifications; on the CE marking; on accessibility requirements in other Union acts, including for public procurement; on enforcement. The 2nd trilogue is scheduled for 12 April 2018.

LINK: [Subject file](#)

Proportionality test



On 21 March, the Rapporteur, Mr Andreas Schwab, is to report back on the third informal trilogue on the proportionality test, held on 20 March 2018. The third trilogue allowed to continue exchanges on the professional regulation in the healthcare sector, on clarifying the legal regime for professional services, provided on a temporary or occasional basis, in line with the existing rules in Title II of the Professional Qualifications Directive, as well as on the need to ensure transparency and public consultations of all interested parties before adopting new regulation of professions.

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

[Procedure file](#)

DSM WORKING GROUP MEETING

On 19 March will take place the 15th Meeting of the IMCO Working Group on the Digital Single Market (From 16:00 to 18:00hrs at the European Parliament)

Under the title: "How can we fight against the fake-news phenomenon to have a Digital Single Market based on trust?" Reliable sources of information are key to the well-functioning of

the Digital Single Market, and fake-news have direct effects on consumers behaviour and the decisions they make on the market. MEPs, Experts and stakeholders will exchange views on how to fight against these practices.

LINK: [Subject file](#)

ORAL QUESTION ON RADIO EQUIPMENT

The Radio Equipment Directive was adopted in 2014. It lays down requirements for radio equipment (TVs, mobiles, wi-fi, bluetooth etc) on issues such as safety, health protection and interoperability. It also empowers the Commission to adopt delegated acts relating to common chargers. Parliament has repeatedly called for mobile

phones, in particular, to be compatible with a common charger. IMCO will debate a question that will be put in plenary to the European Commissioner responsible, Ms Bienkowska, asking for renewed action by the Commission on this matter.

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