

Newsletter

Issue 96 - October 2018

SELECTED NEWS

Better enforcement and modernisation of EU consumer protection rules



On 10 October, the IMCO Committee will consider the amendments tabled on the Commission proposal on Better enforcement and modernisation of EU consumer protection rules. Members tabled 432 amendments on top of the 54 amendments contained in the Rapporteur's draft report. Overall, the amendments are supportive of the draft report and, in particular, confirm the Rapporteur's proposed approach of maintaining the current operation of the right of withdrawal. Amendments also complement the ideas introduced by the Rapporteur concerning, among other things, the marketing of dual quality products, the strengthening of transparency requirements and the introduction of other obligations on traders offering goods or services through online marketplaces or platforms, as well as the rules on penalties for consumer law breaches.

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

[Procedure file](#)

Insurance against civil liability in respect of the use of motor vehicles



On 10 October, IMCO will hold an exchange of views on the proposal amending the Motor Insurance Directive (2009/103/EC). The Directive which, in 2009, consolidated five earlier directives on motor insurance has the dual objectives of protecting victims of motor vehicle accidents (with or without cross-border element), and facilitating the free movement of motor vehicles between Member States. The proposal was submitted by the Commission before summer, following an evaluation of the Directive's efficiency, effectiveness and coherence with other EU policies. As a result, the proposal addresses five targeted areas where amendments were deemed necessary, namely the insolvency of the insurer, claims history, risks due to uninsured driving, minimum amounts of cover, and scope of the Directive. The exchange of views is expected to pave the way for the preparation of a draft report, entrusted to Dita Charanzová (ALDE). The consideration of draft report is scheduled for 21 November.

DRAFTSPERSON: [Dita Charanzová \(ALDE\)](#)

[Procedure file](#)

CONSUMER LAW READY EVENT UNDER THE AUSPICES OF IMCO

A conference on the "Consumer Law Ready" project will take place at the Parliament's premises in Brussels on 27 November 2018. It will be a stock-taking event of this Commission-funded project which aims at developing training modules for SMEs on compliance with consumer rights. The project started in January 2017 and will run until the end of 2018, and it is coordinated by BEUC, in

cooperation with UEAPME and EuroChambres. The project's aim is to stimulate SME compliance with consumer and marketing law, and focuses on SMEs that offer their products or services through digital media (websites or Apps). The November event will be also be an opportunity to discuss follow-up actions.

NEXT COMMITTEE MEETINGS

(10 - 11 OCTOBER 2018)

[Watch the committee meeting live](#)

Re-use of public sector information (recast)

On 11 October IMCO Members will vote on the draft opinion by Julia Reda on the Re-use of Public Sector Information legislative proposal. In total 141 AMs were tabled in IMCO and 37 Compromise Amendments have been proposed by the rapporteur, which were subsequently negotiated by the political groups. The aim of the proposal is to limit the charging for the reuse of data, to promote technical solutions like Application Programming Interfaces (APIs) and to lay down the possibility for creating high-value datasets through a Delegated Act, according to their potential to generate socio-economic benefits. The vote on the file in the lead committee (ITRE) is scheduled for 11 December 2018.

DRAFTSPERSON: [Julia Reda \(Greens/EFA\)](#) [Procedure file](#)

Implementation of the cross-border Healthcare Directive

On 10 October, the IMCO Committee will consider the 41 amendments tabled to Ms Grapini's draft opinion on the INI report entitled "Implementation of the Cross-border Healthcare Directive". The draft opinion and the amendments focus on the need to ensure better implementation of Directive 2011/24/EU, safe and high-quality cross-border healthcare in the Union, as well as increased patient mobility. Other issues addressed in the amendments are the promotion of increased cooperation between Member States, especially in cross-border regions, addressing future challenges in the field of digital healthcare, and electronic invoices or electronic prescriptions, as well as raising awareness about patients' rights and National Contact Points.

DRAFTSPERSON: [Maria Grapini \(S&D\)](#) [Procedure file](#)

Implementation of the Directive 2011/7/EU on combating late payment in commercial transactions

On 10 October, IMCO will hear Lara Comi (EPP) present her draft report on the implementation of the Late Payments Directive (2011/7/EU). The draft report calls for better enforcement of the legislation on late payment, while acknowledging that there is no one-size-fits-all approach to tackling this issue. The draft report also suggests certain preventive and remedial measures that should be taken in Member States to address late payments. The deadline for amendments is set for 17 October noon.

DRAFTSPERSON: [Lara Comi \(EPP\)](#) [Procedure file](#)

EU type-approval legislation with regard to the withdrawal of the United Kingdom from EU

IMCO will hold an exchange of views on the Commission proposal, which seeks to address the consequences of the withdrawal of the UK on the European system of type-approval of motor vehicles. The aim is to ensure regulatory compliance and business continuity. The solution proposed by the Commission is that manufacturers who obtained approvals in the United Kingdom in the past obtain new approvals from EU-27 type approval authorities, in order to ensure continued compliance with EU legislation and retain access to the Union market. The Simplified procedure applies to this dossier, meaning that a set of amendments will be drafted by the rapporteur reflecting the committee's discussion.

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

Establishing the European Defence Fund

On 10 October IMCO will hold an exchange on the Commission's proposal establishing the European Defence Fund for the period 2021-2027. The IMCO Rapporteur, Mr López-Istúriz will present his draft Opinion in which he welcomes the proposal for this Regulation. The Rapporteur places emphasis on cross-border cooperation and on the need to incentivise Member State cooperation in the sector, and takes into account the recent work done on the EDIDP Regulation. IMCO plans to vote on the opinion on 5 November, ahead of the vote in the lead committee, ITRE.

DRAFTSPERSON: [Antonio López-Istúriz White \(EPP\)](#)

LINK: [Procedure file](#)

Establishing the Digital Europe programme for the period 2021-2027

As part of the next long-term EU budget (MFF 2021-2027), the European Commission has proposed a new funding programme entitled Digital Europe Programme, the main objective of which is to boost Europe's digital transformation to the benefit of citizens and businesses. The amendments tabled by IMCO Members to the proposal will be discussed in this week's committee meeting. The draft opinion by Evelyne Gebhardt (EPP, DE) welcomed the new programme and suggested to maintain the total budget of the Programme, but called on the Member States and the private sector to make the financial contribution needed to properly achieve the Programme's objectives.

DRAFTSPERSON: [Evelyne Gebhardt \(S&D\)](#) [Procedure file](#)

General Vehicle Safety Regulation

This is the first exchange of views on the regulation on the new General Vehicle Safety Regulation (GVSR) which intends to bring together two aspects of safety: those relating to vehicle users (drivers and passengers) and those relating to vulnerable road users (mainly pedestrians and cyclists). The aim of the package is to be coherent with the recently updated rules on type approval and market surveillance of motor vehicles. The Commission will make a presentation of the main features of the proposal, followed by an exchange between IMCO Members.

DRAFTSPERSON: [Róza Gräfin von Thun und Hohenstein \(EPP\)](#)

LINK: [Procedure file](#)

Union Customs Code



IMCO will vote this week on its report on the Commission proposal relating to the Union Customs Code. The Commission proposal addresses the request from Italy to include the municipality of Campione d'Italia and the Italian waters of Lake Lugano in the EU customs territory, the alignment of the UCC with the more recent Canada-EU Comprehensive

Economic and Trade Agreement (CETA), and the process of correction of errors and technical anomalies that needs to be done periodically in order to ensure legal certainty and consistency within the UCC. The Simplified procedure applies to this dossier.

DRAFTSPERSON: [Jasenko Selimovic \(ALDE\)](#) [Procedure file](#)

LAST COMMITTEE MEETINGS

(24 SEPTEMBER 2018)

Unfair trading practices in B2B relationships in the food supply chain

On 24 September, the Committee voted on Mr Tarabella's opinion on the proposal for a directive on unfair trading practices in business-to-business relationships in the food supply chain. The opinion was adopted with 21 votes in favour, six against, and three abstentions. All eight compromise amendments were adopted. The most contentious of the compromise amendments dealt with the scope of the directive (Article 1), the definition of certain key terms, such as buyer and supplier (Article 2, together with a new recital 7a), and the UTPs covered (Article 3). The lead committee, AGRI, adopted its report on 1 October.

DRAFTSPERSON: [Marc Tarabella \(S&D\)](#)

[Procedure file](#)

Prolongation of the transitional use of means other than the electronic data-processing techniques provided for in the UCC

The Union Customs Code aims at the creation of a fully electronic customs environment. In order to achieve the goal, fourteen trans-European IT systems (some of them with national components) and three national IT systems to be set up at the level of the Member States need to be operational. The UCC allows for the use of paper-based documents until the moment when these systems will allow for an electronic processing. The paper-based exception ends on 31 December 2020. This amendment is limited in scope, it prolongs the final date by 5 years. The report proposed by the rapporteur accepts the 5-year extension but introduces further requirements for information on the progress of the works. IMCO will vote on this proposal on 11 October.

DRAFTSPERSON: [Jasenko Selimovic \(ALDE\)](#)

[Procedure file](#)

Representative actions for the protection of the collective interests of consumers

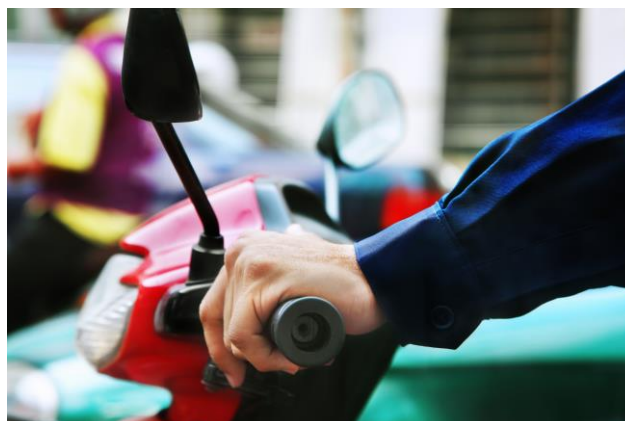


On 24 September, IMCO debated the draft Opinion of the Rapporteur Dennis de Jong (GUE/NGL) on this proposal. The Rapporteur agrees with the underlying principles of the proposal and believes that a balance of facilitating representative actions, without opening the doors to abusive practices, was achieved. The first reactions from the Shadows were diverse. Some Members supported the Rapporteur's amendment on minimum harmonisation and the need to ensure that the length of the procedures would not undermine the purpose of the tool which is actual consumer redress. Members expressed particular concerns about Articles 4 and 5 and the possibility for 3rd-party funding (Article 7). An exchange of views on the amendments will take place on 10 October.

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

[Procedure file](#)

Application of the Euro 5 step to the type-approval of two- or three- wheel vehicles and quadricycles



On 24 September the IMCO Committee held the first discussion on this proposed Regulation, at which the political groups presented their positions. The Rapporteur will draft a report reflecting the discussion, in keeping with the so-called Simplified Procedure which applies to this dossier. During the debate the Groups agreed that the amendments were mainly of a technical nature and that they were also necessary in order to provide for a renewal of the empowerment to adopt delegated acts. Moreover, it was highlighted that although these categories of vehicles have a limited impact on the total figures for sales of motor vehicles, their relevance for the sector should not be underestimated.

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

[Procedure file](#)

Autonomous driving in European Transport

On 24 September, IMCO debated the amendments to the draft opinion, which will feed into the TRAN committee's own-initiative report on Autonomous Driving in European Transport. IMCO is an associated committee under rule 54 with exclusive competence for all aspects relating to type approval procedures, technical standardisation, markets surveillance, product safety and protection of consumers. A total of 42 amendments were tabled on different aspects of the draft opinion. Rapporteur, Arndt Kohn, presented 9 compromise amendments that were discussed in written form by political groups. IMCO will vote on 11 October on its opinion.

DRAFTSPERSON: [Arndt Kohn \(S&D\)](#)

[Procedure file](#)

Promoting fairness and transparency for business users of online intermediation services

IMCO Members held an exchange of views on Ms Schaldemose's draft report on the new proposal for a regulation on Fairness and transparency for business users of online intermediation services. It is one of the most important ongoing pieces of legislation for the completion of the Digital Single Market. The focus of the draft report is broadly to promote more transparency and fairness in platform-to-business relationships, bearing in mind the increasingly important role of online platforms as vehicles for market access. The report also aims at ensuring consumer choice and consumer welfare in the platform economy, providing opportunities and a level playing field for all actors, and tackling fragmentation in the internal market, as well as avoiding abuses in the use of mediation mechanisms.

DRAFTSPERSON: [Christel Schaldemose \(S&D\)](#)

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IMCO DELEGATION TO JAPAN



From 18-20 September, a delegation of six IMCO Members, led by Andreas Schwab (EPP) and Nicola Danti (S&D) visited Tokyo and Kyoto, Japan. Among the main topics of the mission was the stronger partnership and cooperation between EU and Japan in the area of customs following the removal of customs duties, as well as consumer protection, e-commerce, standardisation, accessibility, cybersecurity and data protection.

The IMCO delegation held meetings with Members of the House of Representatives (National Diet of Japan), high-level representatives

of Tokyo customs authorities, local authorities in charge of consumer protection, the Commissioner in charge of personal data protection, the Japan Chamber of Commerce and Industry, representatives of the Road transport bureau and the Automotive standardisation organisation. In Kyoto the delegation visited the "OMRON Kyoto Taiyo" factory that currently employs more than 140 people with disabilities (79% of the workforce). The mission was concluded by a meeting with representatives of Kyoto Industrial Support Organization and a tour of the "Conexx Systems" laboratory.



UPDATE ON IMCO TRILOGUES

Accessibility Act

During the sixth trilogue, the Austrian Presidency negotiated under a revised mandate received from COREPER, which enabled Parliament and Council to reach provisional agreement on the topic of self-service terminals. For the Parliament, strong emphasis was placed on moving in the area of public procurement, the provisions on built environment and with respect to the emergency answering services. Commissioner Thyssen who was present in the trilogue supported the direction of the Parliament in these areas. However, the Presidency could not move given the restricted mandate from the Member States. The next trilogue is scheduled to take place on 8 November.

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

[Procedure file](#)

Mutual recognition of goods lawfully marketed in another Member State

The first trilogue, held on 24 September, was of an exploratory nature, giving Parliament and the Austrian Presidency a chance to have a first exchange of views, to set the political priorities and pave the ground for the upcoming negotiations. The aim of the Parliament, Council and the European Commission is to fully engage in the negotiations to reach a swift agreement on the proposal. Three more political trilogues have therefore been provisionally scheduled under the Austrian Presidency of the Council. A provisional outline of issues to be tackled at the political level was also agreed, thus allowing work on the remaining parts of the text to begin at technical level.

DRAFTSPERSON: [Ivan Štefanec \(EPP\)](#)

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