

Newsletter

Issue 101 - March 2019

WORD FROM THE CHAIR



Time has flown by and we have almost reached the end of the legislative term. During the last five years, our committee has completed a great deal of work and achieved a lot. Many efforts

have been made to improve the functioning of the internal market, and to create a framework for innovation and competitiveness for the benefit of European consumers and businesses.

It was an honour to contribute to this goal together with the members of the Committee. I would therefore like to thank all of the IMCO Members for the constructive cooperation. A special word of thanks goes to the secretariat of the Committee on the Internal Market and Consumer Protection. They have an indispensable role, steering all the important work of the committee in the right direction on a daily basis.

I very much hope that in the coming years we can continue to work in the same positive spirit because the internal market is the cornerstone of European cooperation. I wish my successor all the best.

Anneleen Van Bossuyt
IMCO Chair

BETTER ENFORCEMENT AND MODERNISATION OF EU CONSUMER PROTECTION RULES

On 2 April, the IMCO Rapporteur, Daniel Dalton, will report back on the on-going negotiations on the "Better enforcement and modernisation of EU consumer protection rules" file, which is part of the "New Deal for Consumers" package. The proposed new rules aim at strengthening EU consumer rights and enforcement of existing consumer protection rules. IMCO adopted its final report on 22 January, while Council adopted its negotiating mandate on 1 March. Inter-institutional negotiations started at the beginning of March and a first trilogue meeting was held on 21 March. All outstanding political issues were discussed at the trilogue, and a tentative political agreement was reached. The tentative deal includes transparency rules for online rankings, under which online

marketplaces and comparison services will have to disclose the main parameters determining how results from a search query are ranked. It also includes the possibility for Member States to restrict aggressive or misleading marketing or selling practices in the context of unsolicited visits by a trader to a consumer's home. In addition, the deal includes the introduction of penalties of at least 4% of the trader's annual turnover or a lump sum of EUR 2 million where data is not available. The outcome of the negotiations first needs to be endorsed by Member States' ambassadors (Coreper), before IMCO Members can also vote on whether to endorse outcome, potentially on 2 April.

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

[Procedure file](#)

NEXT COMMITTEE MEETINGS

(1-2 APRIL 2019)

[Watch the committee meeting live](#)

Budget 2020



On 2 April, there will be two votes on matters relating to the EU's budget for the year 2020.

First, Members will vote on whether to endorse a letter prepared by rapporteur Jasenko Selimovic setting out IMCO's priorities for the 2020 budget. This letter, which will be sent by the IMCO Chair to the BUDG committee Chair, will feed into Parliament's mandate for the budgetary trilogue due to take place in July 2019.

Second, IMCO will vote on whether to endorse various proposals for Pilot Projects and Preparatory Actions (PP-PAs) tabled by Members. Pilot projects are experimental initiatives designed to test the feasibility of future EU actions or projects, whereas preparatory actions normally follow on from successful pilot projects and are designed to prepare more fully future EU actions or projects. As such, they are important tools for formulating political priorities and introducing new initiatives. Proposals endorsed by IMCO will be submitted to BUDG, and then submitted further to the Commission for pre-assessment. The Commission's assessment of proposed PP-PAs can be expected by the end of June.

LINK: [Budgetary procedure 2020](#)

'Customs' programme for cooperation in the field of customs

On 2 April, IMCO will vote on amendments to Parliament's negotiating mandate on the proposed Regulation on Establishing the 'Customs' programme for cooperation in the field of customs. The proposal is part of the MFF package and is the successor to the Customs 2020 programme. The amendments in question would align the provisions on delegated acts with Parliament's general line on MFF files. The IMCO Report, which was adopted on 6 December 2018, focussed on ensuring that the Customs programme assists IT capacity building, making sure that the programme helps facilitate trade, and that the programme is not used to finance costs relating to Brexit. Plenary endorsed the IMCO Report and referred the matter back to committee on 15 January. IMCO then decided that the first reading should be closed rather than entering interinstitutional negotiations. Therefore, following the vote on 2 April, the resulting text will be put back to plenary and first reading is expected to be closed on that basis. The plenary vote is scheduled for the April II part-session.

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

[Procedure file](#)

Type-approval requirements for motor vehicles safety

On 2 April, IMCO will vote on the provisional political agreement on the General Vehicle Safety Regulation (2018/0145(COD)), reached at trilogue on 25 March. The compromise lays down specifications for the Intelligent Speed Assistance system, including the possibility to switch off the system. Parliament's negotiating team, led by rapporteur Ms Thun, and the Romanian presidency negotiated intensely on the distribution of delegated and implementing acts in the regulation, settling on delegated acts for the advanced safety features set out in Article 6. An agreement was also reached allowing for a time-limited exemption for small series vehicles. The agreement will be presented to Member States' ambassadors (Coreper) for endorsement on 29 March, before being voted on in IMCO on 2 April.

DRAFTSPERSON: [Róza Thun \(EPP\)](#)

[Procedure file](#)

LAST COMMITTEE MEETINGS

(20-21 FEBRUARY, 4 MARCH 2019)

Contracts for the supply of digital content

On 20 February, the co-rapporteurs, Evelyne Gebhardt and Axel Voss, reported back to the IMCO-JURI joint committee on the final trilogue meeting concerning the Digital Content file. The joint committee also voted on the provisional agreement reached at that trilogue. The new law aims to strengthen consumer rights by harmonising a set of key rules concerning contracts for the supply of both digital content, which includes music, movies, apps, games and computer software and digital services such as video and audio sharing and other file hosting and social media. Among other rules, if a defective digital content or service cannot be fixed within a reasonable time, the consumer is entitled to a price reduction or a full reimbursement. Also, if a defect becomes apparent within one year of the date of supply, it is presumed to have existed at the time of supply, and the burden to prove otherwise is on the trader. The plenary vote on this file is scheduled for the March II part-session, together with the Sales of Goods file.

LINK: [Subject file](#)

Contracts for the online and other distance sales of goods

On 20 February, the rapporteur, Pascal Arimont, reported back to the committee on the final trilogue meeting concerning the Sales of Goods file. They also voted on the provisional agreement reached at that trilogue. Under the deal, EU-wide rules protecting consumers who are sold faulty products will apply regardless of whether the product is bought in a local store or online; faulty goods will have to be repaired or replaced otherwise consumers get their money back. This new law also contains the first ever EU rules on goods with a digital element (e.g. smart fridges or connected watches). The plenary vote on this file is scheduled for the March II part-session, together with the Digital Content file.

LINK: [Subject file](#)

LAST COMMITTEE MEETINGS

(20-21 FEBRUARY, 4 MARCH 2019)

Discontinuing seasonal changes of time



On 21 February 2019, IMCO voted on the adoption of the opinion by Mr Šoltés on the Commission's proposal to discontinue seasonal changes of time (23 votes in favour, 9 against and 1 abstention). IMCO's opinion stresses the need to maintain a harmonised approach for time-arrangements through a coordination mechanism in order to safeguard the proper functioning of the internal market. Furthermore, IMCO's opinion emphasises the need to carry out a proper assessment of the effects of discontinuing seasonal changes of time on the internal market and to consult stakeholders and Member States concerned in order to ensure a harmonised implementation of the proposal. Finally, the IMCO opinion proposes postponing the date of application of the Directive to enable Member States to coordinate their approaches.

DRAFTSPERSON: [Igor Šoltés \(Greens/EFA\)](#) [Procedure file](#)

Promoting fairness and transparency for business users of online intermediation services

IMCO Members endorsed the provisional agreement reached on the Platform-to-Business ('P2B') file in the final trilogue of 13 February. Led by IMCO rapporteur, Ms Schaldemose, the Regulation aims at increasing fairness and transparency for business users of online intermediation services. This piece of legislation is among the most important for the completion of the Digital Single Market. Among the main improvements introduced by this new law are ensuring market access and ultimately consumer choice and consumer welfare in the platform economy, avoiding abuses and ensuring a level playing field for all actors, as well as making the best use of mediation mechanisms to guarantee the effectiveness and transparency of these processes. The provisional agreement was endorsed by COREPER and the IMCO committee. The final adoption in Plenary is scheduled for the April II part-session.

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

Rules and procedures for compliance with and enforcement of Union harmonisation legislation on products

IMCO voted on 21 February on the proposed Regulation on compliance with and enforcement of Union harmonisation legislation on products, endorsing the provisional political agreement reached during interinstitutional negotiations between Parliament and Council. The text was adopted with 29 votes in favour, 4 against and 1 abstention. The final text is scheduled to be voted in plenary in April 2019. The Regulation will enhance the market surveillance of goods, ensuring that only safe products are allowed to circulate in the EU.

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

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

IMCO voted on 22 February to endorse the outcome of the interinstitutional negotiations that were launched under the Austrian presidency of the Council and concluded under the Romanian presidency (31 votes in favour, 2 against, no abstentions). The agreement sets up a new reporting system in which the Member States and the Commission will inform the Council and the Parliament of any possible deviation from the scheduled dates of deployment of new elements of the IT architecture from now to the new latest deadline for their implementation, 31 December 2025. The plenary vote took place in the March I part-session, thus closing first reading.

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

Exchange of views with Commissioners Pierre Moscovici, Elżbieta Bieńkowska and Mariya Gabriel

On 20-21 February, the IMCO Committee held a series of exchanges of views with the Commissioners working in IMCO's policy areas aimed at taking stock of progress made thus far and discuss the challenges ahead to unlock the full benefits of the internal market.

Commissioner Elżbieta Bieńkowska, responsible for Internal Market, Industry, Entrepreneurship and SMEs, highlighted the key objectives of the Commission during her mandate and recalled a number of initiatives that have contributed to the creation of more opportunities for consumers, start-ups, innovative companies and retailers.

Commissioner Moscovici, Commissioner responsible for Economic and Financial Affairs, Taxation and Customs highlighted the importance of the entry into force of the Union Customs Code in 2016, the need to fight fraud, to digitalise customs systems and to protect European citizens.

Commissioner Mariya Gabriel, Commissioner responsible for Digital Economy welcomed the progress made on a number of files highlighting the positive contribution made by the IMCO Committee on a number of proposals. The exchanges of views were followed by lively debates with the Members of the IMCO Committee who concluded by thanking the different Commissioners for the good cooperation with the IMCO Committee throughout their respective mandates.

Preventing the dissemination of terrorist content online

On 4 March, IMCO adopted their Opinion on the Commission's proposal for a Directive to prevent the dissemination of terrorist content online (28 votes in favour, 0 against, 2 abstentions). The Opinion highlights areas that need more clarity, such as the importance of fundamental rights. The Opinion also highlights the importance of ensuring consistency with the provisions of the e-Commerce Directive (liability regime, ban on general monitoring) as well as the need for clear definitions and alignment with the Directive on combatting terrorism. Moreover, the Opinion seeks to ensure that the hosting service providers concerned comply expeditiously with official requests to remove terrorist content online. The Opinion, prepared under Rule 53+, has been transmitted to the lead committee, LIBE. LIBE is due to vote on its Report on 2 April.

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

LOOKING AHEAD – PARLIAMENT’S 9TH LEGISLATIVE TERM, 2019-2024

This final edition of the IMCO newsletter before the European Parliament elections provides a good opportunity to consider what awaits the committee at the start of the next legislative term.

The newly elected Parliament will sit for the first time on 2 July in Strasbourg and the constitutive committee meetings are scheduled to take place the following week. IMCO’s constitutive meeting, at which a new chair and vice-chairs will be elected, is expected to be on 11 July. The first substantive committee meeting is scheduled for 24 July. These dates will, however, need to be confirmed by the new Parliament.

New Members will receive a Welcome Pack from the IMCO secretariat, which will offer an introduction to the committee’s responsibilities and its day-to-day work. It will also explain some of the first tasks facing the newly constituted committee. One of these tasks is to deal with ‘unfinished business’. This refers to any legislative proposal on which parliamentary work is still ongoing at the end of this term. In IMCO this concerns only a few files: the Notification Procedure Directive (Rapporteur: Gutiérrez Prieto); the Motor Insurance Directive (Rapporteur: Charanzová); and potentially the General Vehicle Safety Regulation (Rapporteur:

Thun), and the Better enforcement of consumer protection file (Rapporteur: Dalton). In order to resume work on unfinished business, IMCO needs to make a request to the Conference of Presidents, which takes a final decision on whether work on each given file may resume or should lapse.

Work on files that were concluded at first reading in the current term will in any event be resumed in the new Parliament. This concerns the three files relating to the Multiannual Financial Framework: those on Customs equipment (Rapporteur: Pospilil); on the Customs programme (Rapporteur: Grapini); and on the Single Market programme (Rapporteur: Danti).

The other major task facing the new committee will be to prepare the hearings of Commissioners-designate, in order to assess whether their skills and qualifications are suitable for the posts for which they have been put forward. IMCO will conduct the hearings of Commissioners-designate in charge of the internal market, digital single market, consumers protection and customs policy, as well as being involved in others.

The IMCO newsletter will resume after the election break.



European elections

23-26 MAY 2019

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