

Newsletter

Issue 120 - June 2021

SELECTED NEWS

Contestable and fair markets in the digital sector (Digital Markets Act)



On 21 June, IMCO will hear a presentation of the draft report by Mr Andreas Schwab (EPP) on the Digital Markets Act (DMA). In his draft report, the Rapporteur supports the Commission proposal and suggests strengthening some of its main

elements. He proposes tightening the definition of gatekeeper so as to ensure that the DMA is targeted to those platforms that play an unquestionable role as gatekeepers due to their size and their impact on the internal market. Furthermore, the Rapporteur proposes changes in order to clarify the self-executing nature of the obligations and prohibitions foreseen in the Regulation and to strengthen the anti-circumvention prohibition. The Rapporteur also submits that the Commission should be allowed to request national authorities to support market investigations for the designation of gatekeepers. Finally, in respect of governance and enforcement, the Rapporteur proposes the creation of a High Level Group of Digital Regulators, which should facilitate cooperation and coordination between the Commission and Member States in their enforcement decisions, in the interest of a consistent regulatory approach.

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

Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC



On 21 May, IMCO Members will consider the draft report by Ms Christel Schaldemose (S&D) on the Digital Services Act (DSA). The DSA's approach is to enhance consumers' online protection including new procedures to enable a

prompt removal of illegal content. For this purpose, the Rapporteur considers pivotal to set clearer rules for liability of online marketplaces and a stricter timeframe for online platforms to assess notifications of illegal content, issued by users and to remove illegal content that has a very high impact and may pose a greater threat to society. The draft report contains general obligations for all online intermediary services and seeks to discipline online advertising by introducing enhanced transparency requirements. It proposes to turn off targeted advertising and allow consumers an easier opt-out. Special attention is also given to the strengthening of trader traceability as a tool for consumers to have a transparent online environment. The deadline for amendments is 1 July.

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

Data Governance Act



On 21 June, IMCO will vote on the draft opinion by the IMCO Rapporteur, Mr Sandro Gozi (Renew) on the proposal for a Data Governance Act, for which the ITRE Committee is lead. The proposal aims to foster the availability of data for use and re-use, by increasing trust in data intermediaries and by strengthening data-sharing mechanisms across the EU. The IMCO Rapporteur welcomes this proposal as a crucial milestone to strengthen data exchange to the benefit of businesses and consumers. However, through compromise amendments, the rapporteur suggests improvements to the proposal regarding the re-use of data and data altruism, requirements applicable to data intermediation services, strengthening the European Data

Innovation board and enhancing cross-sector interoperability and portability as well as improvements on supervision and compliance.

DRAFTSPERSON: [Sandro Gozi \(Renew\)](#)

NEXT COMMITTEE MEETING

(21 - 22 JUNE 2021)

[Watch the committee meeting live](#)

Measures for a high common level of cybersecurity across the Union, repealing Directive (EU) 2016/1148 (NIS 2.0)



On 22 June, IMCO will consider amendments and compromise amendments of Mr Morten Løkkegaard's (Renew) draft opinion on the ITRE's legislative report on the proposal for a

Directive on Measures for a high common level of cybersecurity across the Union, repealing Directive (EU) 2016/1148. Members tabled in total 300 amendments to the draft opinion. The Rapporteur has proposed compromise amendments mainly regarding the following issues: cybersecurity risk measures - depending on the level of criticality of the sector, extending the delay for initial notification of an incident, and notifications of cyber threats on a voluntary basis. The IMCO will vote on the opinion during its meeting of 12/13 July 2021.

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

Implementation of Directive 2009/48/EC on the safety of toys (Toy Safety Directive)



On 22 June, Mr Brando Benifei (S&D) will present his draft implementation report on the Toy Safety Directive. The Rapporteur considers that a revision of the Directive is necessary in order to improve

different aspects examined in the draft report, such as provisions on chemicals, market surveillance with a specific focus on new technologies and e-commerce, and sustainability. The Rapporteur believes that children should enjoy the highest possible level of protection during their playtime, and therefore calls for better market surveillance, especially on online marketplaces, streamlined compliance requirements, stricter limit values for some chemical substances and more effective data monitoring. The Rapporteur calls for an effective legislation that allows for quick adaptation to keep pace with new scientific developments.

DRAFTSPERSON: [Brando Benifei \(S&D\)](#)

Regulation of online platforms and digital service providers in the digital single market: ensuring effective protection of European consumers in the digital economy (DSA/DMA)



On 21 June 2021, IMCO will hold a public hearing on "Regulation of online platforms and digital service providers in the digital single market: ensuring effective protection of European consumers in the digital economy (DSA/DMA)". The hearing will be structured in

two panel discussions with invited experts. The first panel will examine the Commission's proposal for a "Digital Markets Act" and in particular the role of online platforms and gatekeepers in the Digital Single Market and its contribution for fair markets for consumers in Europe. The second panel will discuss the Commission's proposal for a "Digital Services Act", and its role in contributing for a genuine single market for intermediary services.

Roaming on public mobile communications networks within the Union (recast)



In its meeting of 22 June, IMCO will consider amendments and compromise amendments on the draft opinion of Ms Róża Thun und Hohenstein (EPP) to ITRE on the

proposal for a regulation on roaming on public mobile communications networks within the Union (recast). Members tabled 132 amendments to the draft opinion. The Rapporteur has proposed compromise amendments mainly on the quality of service while roaming, adequate information for customers on the means of access to emergency services and introducing the possibility of the European Commission to amend this regulation by a legislative proposal instead of a delegated act. The vote on the draft opinion in IMCO is expected on 12/13 July 2021.

DRAFTSPERSON: [Róża Thun und Hohenstein \(EPP\)](#)

General budget of the European Union for the financial year 2022 - all sections



IMCO Members will consider the draft opinion to BUDG by Mr Eugen Jurzyca (ECR) on the budgetary procedure for 2022. The draft opinion calls for initiatives to restore, further deepen and complete the single market while supporting the transition towards a digital and sustainable economy, and for initiatives and actions to boost cross-border trade in services as well as to reduce unjustified administrative burdens for companies. It also stresses the need for all budgetary programmes to be subject to ongoing cost-benefit analyses and asks the Commission to support the pilot projects and preparatory actions proposals within the IMCO's remit.

DRAFTSPERSON: [Eugen Jurzyca \(ECR\)](#)

An intellectual property action plan to support the EU's recovery and resilience



On 21 June, the Committee will vote on Mr Vlad Botoș's (Renew) opinion to the JURI report on an intellectual property action plan to support the EU's recovery and resilience. The opinion calls on

the Commission to formulate a strategy to tackle and minimise the infringements, hold-backs, counterfeiting and piracy that are still thriving and proved to be even more dangerous during the Covid-19 pandemic. 57 amendments were table to the report adding additional aspects, like the role of startups and EU innovators. The Rapporteur proposed 5 compromise amendments encompassing most of the submitted ideas. JURI will vote on its report in September.

DRAFTSPERSON: [Vlad-Marius Botos \(Renew\)](#)

Directive on the resilience of critical entities (RCE)



On 22 June, IMCO will consider amendments and compromise amendments of Mr Alex Agius Saliba's (S&D) draft opinion on the LIBE's legislative report on the proposal for a Directive on the resilience of critical entities (RCE). In total,

Members tabled 200 amendments to the draft opinion. The Rapporteur has proposed compromise amendments mainly on the identification of critical entities and coherence with the NIS 2 proposal, significant disruptive effect of critical entities on the functioning of the internal market and incident notification through the single point of contact of a Member State. IMCO will vote on the RCE opinion during its meeting on 12/13 July 2021.

DRAFTSPERSON: [Alex Agius Saliba \(S&D\)](#)

Protecting workers from asbestos



At the IMCO meeting of 22 June, Members will consider the amendments and compromise amendments to the draft opinion to EMPL by Ms Anne-Sophie Pelletier (The Left) on the

Parliament's legislative initiative concerning protecting workers from asbestos. 72 amendments have been submitted addressing i.a. the length of the validity of the asbestos certificate, proposals of establishing national asbestos registries in the Member States who do not have them yet and possible EU financing of house refurbishment works aiming at reducing asbestos in the EU. The opinion will be voted in IMCO on 2 September and in EMPL end of September.

DRAFTSPERSON: [Anne-Sophie Pelletier \(The Left\)](#)

LAST COMMITTEE MEETINGS

(10 MAY AND 26- 27 MAY/ 2 JUNE AND 7 JUNE 2021)

Artificial Intelligence Act: New rules for safe and future-proof AI



On 2 June, IMCO held a joint meeting with the AIDA Committee to discuss the proposal for an Artificial Intelligence Act with Executive Vice President Ms Vestager. The Vice President stressed the aim to create trust and a true single market for safe, lawful and trustworthy AI. The Commission aims to achieve this with a single set of harmonised rules across the EU, to guarantee respect for European values and fundamental rights when AI is used and to ensure that products powered by AI meet high safety standards. IMCO Members stressed the importance of consumer rights, such as the right to redress and to information. They raised concerns as regards data governance and data protection, asking for a proper alignment with the GDPR and its transparency obligations. They also inquired how non-discriminatory representativeness of data could be safeguarded and how to avoid that the new transparency obligations might be harmful to businesses.

Presentation of the Regulation on Machinery products



On 27 May, IMCO heard a presentation by Mr Gwenole Cozigou, Director at DG GROW, of the new Regulation on machinery products. Put forward by the

Commission on 21 April 2021 in a package with the Artificial Intelligence (AI) Act, this Regulation will replace the current Machinery Directive (2006/42/EC), a core internal market instrument, and align the rules on machinery products to the New Legislative Framework. An important aspect of the proposal is its aim to address new risks stemming from digitalised machinery and high-risk machinery products. Members generally appreciated the proposal as an important step to ensure safety of machinery products. Issues raised in the discussion included the need to address new risks originating from emerging technologies and the interplay between this and the AI proposal.

Workshop: The DSA and DMA - a forward-looking and consumer-centered perspective



On 26 May, the IMCO Committee held a workshop on the Digital Services Act and the Digital Markets Act: A forward-looking and consumer-centred perspective. The aim of the workshop was to explore

possible conclusions and recommendations on the DSA and DMA proposals and gather evidence on the expected effects of the regulation of online intermediaries. The invited experts touched upon the responsibilities of intermediaries and problems faced by consumers when accessing illegal services or products, market investigations and interoperability and the ways to achieve both contestability and fairness. Members in both panels raised issues such as the importance to ensure a high level of consumer protection and the need to maintain a clear set of blacklisted behaviours.

Establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment



In the extraordinary meeting of 7 June 2021, IMCO adopted, with 44 votes in favour, 0 against and 1 abstention, the recommendation for closing the second reading on the basis of the Council first reading position, with a view to the adoption of the Regulation of the European Parliament and of the Council establishing, as part of the Integrated Border Management Fund, the instrument for financial support for customs control equipment. The Council first reading position mirrors the agreement reached in the second and final informal political trilogue held on 16 March 2021, and reflects the position of the EP, which aimed at securing transparency in the use of equipment financed under the Instrument, as well as to ensuring transparency of the actions and results of the Instrument. Through a fast-track procedure applied for most MFF files, the text was adopted in Plenary on Tuesday 8 June.

DRAFTSPERSON: [Jiří Pospíšil \(EPP\)](#)

Implementation of the EU-UK Trade and Cooperation Agreement: challenges for the integrity of the Single Market and the Customs Union



On 26 May, in the framework of its scrutiny activities in the areas of Internal Market and Customs Union, IMCO held a public hearing on the implementation of the EU-UK Trade and Cooperation Agreement (TCA). A broad variety of stakeholders presented their views on the best policy options that open up to manage the relationship with this former Member of the Union in a manner that may be as positive as possible for both the UK and the Union.

The IMCO WG on the Digital Single Market



The first meeting in the IX Parliamentary Term of the IMCO Working Group on the Digital Single Market took place on 31 May 2021. The Co-Chair of the WG, Ms Svenja Hahn (Renew), chaired and conducted the meeting. The IMCO Chair, Ms Cavazzini made the closing remarks. Under the title “How can the Digital Single Market help us to advance in the ecological transition?”, the discussion between experts and Members focused on analysing the several advantages and opportunities brought by the digital revolution to move towards a much greener economy. The discussion was divided in two panels: the first panel focused on the introduction of a common

charger for small and medium-sized electronic devices and the second panel focused on the contribution of data centres to the development of a more sustainable European Union.

(For info contact IMCO Secretariat/ Pablo Sanz (pablo.sanz@europarl.europa.eu)

UPDATE ON IMCO TRILOGUE

Insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to ensure against such liability (Motor Insurance Directive)



The fifth round of interinstitutional negotiations on the proposal for a Motor Insurance Directive took place on 31 May. The negotiating team of the Parliament was chaired by IMCO first Vice-Chair Mr Ansip and led by the Rapporteur Ms Charanzová (Renew). The trilogue allowed for understanding at political level all the main contentious areas, and a delegation was given to the technical level to conduct further talks aimed at finding appropriate formulations to express the pre-agreed scope of the directive, the exemptions to its application or the way in which the claims history statements will be issued and used. A new trilogue is expected to take place still under the Portuguese presidency of the Council.

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

OTHER NEWS

Next IMCO Committee meetings:

Monday, 12 July, 13.45 – 15.45

Monday, 12, July, 16.45 - 18.45

Tuesday, 13 July, 09:30 - 11.30

Tuesday, 13 July, 11:30 - 12.30 (Coordinators)

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Internal Market and Consumer Protection Committee
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Closure date of the current issue: 17 June 2021

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