

Newsletter

Issue 105 - November 2019

SELECTED NEWS

Parliament's role in scrutinising the implementation of EU law

One of Parliament's most important tasks, aside from adopting EU legislation, is scrutinising the implementation of it by the European Commission. Ultimately the Commission is, as a body, responsible to the European Parliament (Article 17 of the Treaty on European Union). Parliament has specific powers of scrutiny in relation to delegated acts and implemented acts, and to exercise these powers effectively it is important for Parliament to be involved at an early stage of their preparation. The IMCO committee will be holding two legislative scrutiny sessions at its next meeting on 6 November: one on the Radio Equipment Directive and one on the Free flow of non-personal data Regulation.

Legislative scrutiny: Radio Equipment Directive

A representative of the Commission from DG GROW will update IMCO Members on its preparation of several delegated acts. The Radio Equipment Directive was adopted in Parliament in 2014 and sets down requirements for radio equipment (TVs, mobiles, wi-fi, bluetooth etc) on safety, health protection and electromagnetic compatibility. Certain requirements will only take effect once the Commission specifies, by delegated act, which types of radio equipment are covered. The Commission is currently working on three possible delegated acts.



One delegated act relates to the "common charger", which Parliament has called for over a number of years in order to make radio equipment, especially mobile phones, easier to use for consumers and to reduce unnecessary waste and costs. Another delegated act concerns the safety of consumers using internet of things (IoT) devices such as smart toys and wearables. The third delegated act concerns the requirement that radio equipment should only allow software to be uploaded to it so long as the radio equipment remains compliant with the Directive.

The Commission's presentation will be followed by a debate with Members.

[LINK: Directive](#)

Legislative scrutiny: Free flow of non-personal data Regulation

A representative of the Commission from DG CNECT will update IMCO Members on the implementation of the Free Flow Regulation, which entered into force in November 2018. The Regulation bans data localisation measures, which means that Member State governments or administrations are prohibited from setting any requirements for data to be located in a specific territory in the Union, except on grounds of public security. The [Commission published guidance](#) on 29 May 2019 on the interaction between this Regulation and the GDPR, especially as regards datasets composed of both personal and non-personal data.

The Commission's presentation will be followed by a debate with Members.

[LINK: Regulation](#)

NEXT COMMITTEE MEETINGS

(6 NOVEMBER 2019)

[Watch the committee meeting live](#)

Single Market Programme 2021-2027 (MFF)



On 6 November 2019, the IMCO Rapporteur Mr Brando Benifei will report back on the first trilogue meeting between Parliament's negotiating team and the Finnish presidency on the Single Market Programme, which is part of the Multiannual Financial Framework (MFF) package. The trilogue took place on 23 October 2019. The Parliament attaches great importance to this file and insists on ensuring sufficient resources for policies focusing on consumers, SMEs, statistics, phytosanitary and animal disease and food chain, consumers and end-users in financial services, as well as competition. The second trilogue is due to take place on 28 November 2019.

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

[Procedure file](#)

Preventing the dissemination of terrorist content online

On 6 November 2019, the IMCO Rapporteur Mr Marcel Kolaja will report back on the first trilogue on the Regulation designed to prevent the dissemination of terrorist content online, held on 17 October 2019. The LIBE committee is leading the negotiations on the file, but IMCO, which delivered an opinion under Rule 56+ (formerly 53+) is entitled to contribute to the negotiations. IMCO attaches great importance to this file and insists on ensuring consistency with the provisions of the e-Commerce Directive, especially with regards to liability regime and ban on general monitoring. The second trilogue will take place on 20 November 2019.

DRAFTSPERSON: [Marcel Kolaja \(Greens/EFA\)](#)

[Procedure file](#)

Presentations on dual quality and the food supply chain

On 6 November, the Commission will present the [final report of the High Level Forum](#) (HLF) for a better functioning food supply chain. This covers the work of the HLF undertaken during its current mandate, which runs from 2014 to 2019. In addition to this the Joint Research Centre (JRC) will present its work on dual quality. This includes the [JRC's report of June 2019](#), which contains the results of the testing it has conducted on a range of products to determine the incidence of products with identical packaging, but different composition. The JRC's work on dual quality also covers further evaluation of consumer behaviour, conducted as part of the pilot project adopted by the European Parliament for the 2018 and 2019 budgets, and proposed as a preparatory action for the 2020 budget.

LAST COMMITTEE MEETINGS

(8 OCTOBER 2019)

Customs Programme 2021-2027 and Customs Control Equipment (MFF)

On 8 October, IMCO voted on the decision to enter into interinstitutional negotiations with Council on two customs-related regulations, which are part of the multiannual financial framework (MFF) package. One establishes a Customs Programme (rapporteur Ms Grapini (S&D)); the other establishes an instrument for financial support for customs control equipment (rapporteur Mr Pospíšil (EPP)). IMCO adopted the reports on both files on 6 December 2018, and EP adopted its first reading in plenary on 16 April 2019. The first trilogues on the two files are expected to take place under the current Finnish presidency.

The draft Regulation that establishes the "Customs Programme for cooperation in the field of customs for the years 2021-2027" is the successor to the Customs 2020 Programme. The main objective of the Programme is to fund actions aimed at strengthening the Customs Union. The programme continues to facilitate coordination between Member State authorities as well as capacity building, including training and exchange of best practices, in order

to ensure a uniform application of EU customs legislation. The transfer to an e-customs structure will not be finalised under the current Customs 2020 programme due to delays in some parts of the relevant IT architecture. Therefore, one major focus of the customs programme will be the further development, operation and maintenance of the customs IT infrastructure.

The draft Regulation that establishes the "Instrument for financial support for customs control equipment" is part of the Integrated Border Management Fund. It aims to provide vital and reinforced support to Member States to secure the common external borders. The position of the EP is to ensure the equipment financed under the Instrument is used primarily for customs control, but may be used for additional purposes, to include under the Instrument software directly necessary for the use of customs control equipment, as well as to ensure transparency of the actions and results of the Instrument.

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

[Procedure file](#)

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

[Procedure file](#)

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