



Malta-EU Steering & Action Committee

COMPETITIVENESS AND CONSUMER AFFAIRS



27.03.09

Single European Electronic Communications Market COM (2009) 140 – Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Progress Report on the Single European Electronic Communications Market 2008 (14th Report)

This is a report on the developments in the electronic communications sector in 2008.

This report shows that Europe leads the world in mobile phone services with the number of subscriptions in 2008 at 119% of the EU population (up 7 percentage points from 2007), well ahead of the US (87%) and Japan (84%). Despite the economic crisis, the EU's telecoms sector (worth about 3% of EU GDP) continued to grow in 2008 with revenues estimated at above €300 billion, up 1.3% compared to 2007 and outperforming the rest of the economy (up by 1% only). Consumers gain the most from the sector's competitiveness: they pay less while getting better value for money. Average mobile phone bills have fallen from €21.48 to €19.49 in 2008 and 75% of European consumers now have internet connections of 2 megabits per second and above (speeds allowing, for example, TV over internet), thanks to EU action.

The Commission concludes that in 2008, the telecom sector continued to grow and is showing good resilience in the present difficult economic situation. Even though the state of competition is improving and new technologies are being taken up, there is evidence of a lack of consistency in regulatory approaches to the removal of persistent bottlenecks and to the roll-out of fibre. The Commission's report warns that without better European coordination, the benefits of a single telecoms market could be jeopardised by inconsistent national regulation.

Agreements, decisions and concerted practices in the insurance sector



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COM (2009) 138 - Report from the Commission to the European Parliament and the Council on the functioning of Commission Regulation (EC) No 358/2003 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector

Commission Regulation (EC) No 358/2003, the Insurance Block Exemption Regulation (the BER) applies Article 81(3) of the EC Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector. The European Commission is required, not later than six years after the entry into force of the BER to submit this Report to the European Parliament and Council on the functioning of the BER which will expire on 31 March 2010.

The Commission's analysis as to whether or not to renew the BER addresses 3 key questions in relation to each of the four categories of agreement exempted by the BER namely:

- (a) whether the business risks or other issues in the insurance sector make it "special" and different to other sectors such that this leads to an enhanced need for cooperation amongst insurers;
- (b) if so, whether this enhanced need for cooperation requires a legal instrument such as the BER to protect or facilitate it; and
- (c) if so, what is the most appropriate legal instrument (i.e. whether it is the current BER or whether partial renewal, amended renewal, or guidance would be more appropriate).

A public event will be held on 2nd June 2009 to allow the Commission to hear final representations from industry and stakeholders prior to taking a decision on whether to renew any parts of the BER.

Agreement between the European Community and the Swiss Confederation

COM (2009) 131 - Proposal for a Council Decision on the signing on behalf of the European Community, provisional application and conclusion of the Agreement between the European Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods and on customs security measures

The objective of this proposal is to amend the Agreement between the European Economic Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods in order to extend its scope to include customs-security measures. Accordingly, a new chapter on such measures will be added to the 1990 Agreement. In the interests of clarity and greater legal security, the 1990 Agreement will be incorporated in a new consolidated agreement.

Pending completion of the internal procedures of the Contracting Parties, the amended Agreement will be implemented provisionally so that the new provisions can be taken into account from 1 July 2009 when the security measures introduced by amendments to the Customs Code and Implementing Provisions will come into force.



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The new Agreement has no financial impact on the budget of the European Community.

Anti-dumping duties

COM (2009) 130 - Proposal for a Council Regulation clarifying the scope of the definitive anti-dumping duties imposed by Council Regulation (EC) No 85/2006 on imports of farmed salmon originating in Norway

By Council Regulation (EC) No 85/2006 the Council imposed a definitive anti-dumping duty on imports of farmed salmon originating in Norway.

The Tallinn Administrative Court has applied to the European Court of Justice for a preliminary ruling clarifying certain issues which arise from the application of the Regulation. Subsequently, the Commission, on its own initiative, opened an interim review of the measures on which clarification was being sought in order to clarify the scope of the product. The investigation revealed that salmon backbones whether frozen, fresh or chilled do not share the same basic physical characteristics, and do not have the same basic end uses as 'other farmed salmon (including gutted, head off), fresh, chilled or frozen'. They are not interchangeable and do not compete with each other on the Community market.

Thus, the Commission, through this proposal is suggesting that the Council adopt the proposed Regulation in order to clarify the definition of the product in the Regulation imposing definitive anti-dumping measures by specifying that salmon backbones whether frozen, fresh or chilled are not subject to measures.

Collection of accountancy data of agricultural holdings

COM (2009) 125 - Proposal for a Council Regulation setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community (codified version)

The purpose of this proposal is to codify Regulation No 79/65/EEC on the setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Economic Community. The new Regulation will supersede the various acts incorporated in it. This proposal fully preserves the content of the acts being codified and hence does no more than bringing them together with only such formal amendments as are required by the codification exercise itself.

	<p style="text-align: center;">Consumer Summit</p> <p><i>The first ever EU Consumer Summit will take place in Brussels on 1 and 2 April 2009.</i></p> <p>This event will bring together over 250 stakeholders from all over Europe, to look at the challenges and opportunities</p>
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facing today's consumer, with a special focus on the digital world. There will be a wide variety of high-level participants from industry, consumer organisations, national administrations, EU institutions and NGOs – as well as many "ordinary" consumers from across Europe – which promises lively and interesting discussions.

For the latest information on the Consumer Summit go to:
<http://www.european-consumer-summit.eu>

Roaming Charges – the EP calls for cheaper rates

The Industry Committee on 9 March amended the 2007 mobile roaming regulation to set new roaming call price caps for 2010 to mid-2012. MEP's decided that from July 2010 travellers in other EU member states should pay a maximum of €0.40 per minute (excl. VAT) for making a phone call abroad and a maximum of €0.16 per minute(excl. VAT) for receiving calls. From July 2010 at the latest, travellers will no longer have to pay for receiving a roaming voicemail message while in the European Union. For text messages people send when abroad they should pay no more than a maximum of €0.11 (excluding. VAT) per message.

In the coming weeks informal negotiations with the Council's Presidency will start. The goal is to reach a compromise on the proposal before Parliament's first reading at the April plenary session in Strasbourg.

For more info [click here](#)



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Faster and cheaper broadband: Commission study shows significant fall in prices in 2008

According to a study released by the European Commission, European consumers paid less for their fixed broadband internet access (DSL, cable modem, fibre) in 2008 than a year ago. However, there are significant differences between Member States in broadband retail prices and cost structure for similar products. EU rules should be consistently applied in a telecoms single market for all businesses and consumers equally.

For more info [click here](#)

A special web portal to make cross border business easier in the EU

The European Commission has re-launched the 'Your Europe - Business' portal at the European Business Summit this week. The new portal gives entrepreneurs easy access to information on doing business in other EU Member States. It has been established in close cooperation with Member States and is part of the implementation of the Small Business Act. The site helps SMEs to take advantage of opportunities to trade and offer their services in the Single Market. 'Your Europe - Business' answers questions such as:

- *How to register a company in the Netherlands?*
- *What permits are needed to sell products now also in Italy?*
- *Or what does an entrepreneur need to know about taxes in Poland or labour law in Germany?*

For more info [click here](#)

Novel foods, MEPs set new rules

In a legislative report dealing with an update of the EU rules on novel foods, the European Parliament calls on the Commission to interdict the placing on the market of food derived from cloned animals and their descendants. MEPs also want food being produced by nanotechnology processes to undergo a specific risk assessment before being approved for use and be labelled.

For more info [click here](#)



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Member States endorse wine labelling proposal

On 24 March the Commission obtained the backing of the EU Member States (at a meeting of the Management Committee) for a draft Regulation on, among other things, the labelling of wine. The new rules relate in particular to rosé wine and provide for the option of informing European consumers of the method of production used.

For more info [click here](#)

Executive remuneration: European Forum sets out best practices for directors' pay

The European Corporate Governance Forum, which examines best practices in Member States in the field of corporate governance, has issued a public statement concerning the main principles that should govern the remuneration of executive directors. The Forum considers that Member States should ensure that these principles are incorporated in the national corporate governance codes and suggests that the Commission should issue a recommendation to this end. Furthermore, it suggests that a directive would be appropriate to ensure that listed companies disclose their remuneration policy and the pay of individual directors.

For more info [click here](#)

Creativity key to a healthy economy

The importance of creativity and innovation for personal, social and economic development is the focus of the 2009 [European year](#). With the European year of creativity and innovation in full swing, leading figures warn against cutting back on research and development in times of crisis.

For more info [click here](#)

Bumpy future road for Europe's car makers discussed

The future of Europe's troubled car market and 12 million jobs was under scrutiny Tuesday. Sales are falling because of the economic crisis and more restricted access to credit. Around 2 million people are directly employed in car manufacturing across the EU, with a further 10 million jobs among suppliers and dealers. In the EU's biggest economy – Germany - one in seven jobs is related to the automobile sector.

For more info [click here](#)

European Parliament: Strasbourg Session round-up - roaming, cosmetics, Czechs, skies, food



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During an event-filled session in Strasbourg, MEPs agreed new rules improving the safety of cosmetics, more tax on cigarettes, a provisional agreement on cheaper roaming costs for phones and new safety rules for European aviation. MEPs also debated steps to help Europe's ailing car industry and spend EU regional funds more wisely.

For more info [click here](#)

JUDGEMENT OF THE EUROPEAN COURT OF FIRST INSTANCE

CASE T-191/07 - Anheuser-Busch Inc. v OHIM

In this judgement the Court of First Instance upheld the decision of the Office of Harmonization for the Internal Market (**OHIM**) not to register the word 'Budweiser' as a Community trade mark for, *inter alia*, beer, for the American brewer Anheuser-Busch because the right commercially to use the word 'Budweiser' for beer is already held in Germany and Austria by the Czech brewery, Budějovický Budvar. [More info](#)