



Malta-EU Steering & Action Committee

COMPETITIVENESS AND CONSUMER AFFAIRS



09.04.09

Late Payments

[2009/xxxx \(COD\)](#) - Proposal for a Directive of the European Parliament and of the Council on combating late payment in commercial transactions (Recast) Implementing the Small Business Act

This is a recast of Directive 2000/35/EC on late payments. It aims to make the EU rules on late payments more effective. This proposal aims at improving the cash flow of European business which is particularly important in times of economic downturn. It also aims at facilitating the smooth functioning of the internal market via the elimination of related barriers to cross-border commercial transactions.

The proposal introduces an entitlement to the recovery of administrative costs and compensation for internal costs incurred due to late payment.

In the case of public administrations, the Commission suggests that public authorities should lead by example and should pay their bills within 30 days otherwise they will have to pay interest, a compensation for recovery costs and a flat-rate compensation of 5% of the amount due, which kicks in from day 1 of the delay. However, in duly justified cases the payment periods can be longer.

Furthermore, the proposal also abolishes the possibility to exclude claims for interest of less than €5, and tightens the rules on grossly unfair contracts.



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Energy savings: Member States support proposals to improve the energy performance of televisions, refrigerators, freezers and washing machines

EU Member States supported new rules to improve the energy performance of several products at the Ecodesign and Energy Labelling Regulatory Committee meeting. The package sets mandatory energy performance requirements and creates an upgraded energy labelling system for televisions and 'white goods'.

Under the ecodesign proposals, televisions and white goods, i.e. large electrical home appliances, will not be allowed to consume more than a certain amount of energy. For products meeting the requirements, a new energy label will inform consumers of the actual performance of the appliance and allow for comparison before purchase.

The proposed measures for the new energy label for televisions and white goods build on the well-known "A-G" energy efficiency classes, which are complemented by new dynamic classes "beyond A". The new format allows consumers to judge - and manufacturers to show - at one glance how much "better than A" a product really is. So, for example, "A-20%" meaning that the product consumes 20% less energy than an "A" model product.

For more info [click here](#)

Ecodesign: Commission adopts rules to reduce electricity consumption of external power supplies

The Commission has adopted a new regulation to improve the energy performance of external power supplies, which is expected to cut their electricity losses by nearly a third by 2020. The resulting savings of 9 TWh will reduce annual CO2 emissions by more than three million tonnes.

The regulation sets requirements for the energy efficiency of external power supplies. They convert power input from the mains power source into lower voltage output for household and office products such as mobile and cordless phones, notebook computers, modems etc. The requirements address both the "active" efficiency, i.e. the efficiency when power is supplied to for example a notebook when being actually used, and the "no-load" power consumption, i.e. the power which the supply still uses when for instance the notebook is not



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plugged in.

These requirements come into force in two steps in 2010 and 2011, and correspond to internationally recognised efficiency criteria, which are achieved by models with significantly enhanced efficiency compared to a current average model.

For more info [click here](#)



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EIB Board approves further EUR 866m in loans for cleaner cars

The European Investment Bank has approved loans to European-based car makers worth a total of EUR 866m to help design and build cleaner cars with lower CO2 emissions.

Some 63% of the lending approved for the motor industry will be provided under the EIB's European Clean Transport Facility (ECTF). The Facility, part of the EIB's wider response under the European Economic Recovery Package, targets significant cuts in vehicles' CO₂ emissions through research, development and innovation, as well as the production of cleaner and more fuel-efficient cars and other transport. The balance, which is also aimed at safer, smaller and more fuel-efficient cars, will be provided under the EIB's convergence objective to support Europe's less affluent regions, and its external lending mandate for Asia and Latin America.

Under the broad economic recovery package announced in December, the EIB is raising its total lending by EUR 15 bn per year for both 2009 and 2010 compared to previous years. The increase is directed at three main areas: helping small and medium-sized enterprises (SMEs) and mid-cap firms, supporting Europe's convergence regions and contributing to the fight against climate change (including the ECTF). The EIB is already well on its way to achieving the objectives set by EU member states.

For more info [click here](#)

Antitrust: Commission sends Statement of Objections to Visa

The European Commission has sent a Statement of Objections (SO) to Visa on 3rd April 2009. The Commission's preliminary view is that the multilateral interchange fees (MIFs) set directly by Visa restrict competition between banks for accepting consumer payment cards without benefiting consumers by contributing to technical and economic progress. The MIFs are an important part of the total cost that retailers must pay for accepting Visa's consumer payment cards, and in effect establish a minimum price for retailers. The Commission's preliminary view is that this behaviour infringes European antitrust



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rules (Article 81 EC Treaty and Article 53 EEA Treaty).

For more info [click here](#)

MEPs back efficient road tyres to cut fuel bills and CO2 emissions

With tyres making up a quarter of the fuel consumption of a vehicle good tyres are vital to reducing fuel and CO2 emissions. New rules backed by MEPs call for a tyre-labelling system to allow drivers to see how fuel efficient tyres are.

For more info [click here](#)

Single European Sky: MEPs lead the way to shorter, safer and cheaper flights

European aviation will be governed by more efficient rules, leading to shorter flights, fewer delays and reduced fuel consumption, thanks to the adoption by the European Parliament of the "Single European Sky II" legislation.

SES II is a package of regulations aiming to improve the performance of the European aviation system in key areas such as safety, capacity, flight, cost efficiency and environmental sustainability, through the coordination and supervision of Member States' air traffic and the implementation of common rules and performance targets.

Two regulations revising the existing Single European Sky legislation were approved this week by MEPs in Strasbourg, after an agreement was reached last week between EU transport ministers. The regulations provide for a whole series of improvements to the aviation sector, including binding targets for performance and sustainability of Europe's aviation system and safety of aerodromes, air traffic management and air navigation services.

For more info [click here](#)



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State aid: latest Scoreboard reviews Member States' action to fight economic crisis

A special edition of the State Aid Scoreboard has just been published by the European Commission. It focuses on measures adopted by Member States (which have been reviewed and coordinated by the Commission) in the current financial and economic crisis. In order to safeguard financial stability, Member States have set up guarantee umbrellas, risk shields and recapitalisation measures for the financial sector with an overall volume of up to €3000 billion. Three new Commission Communications provide a clear framework setting out the conditions under which these unprecedented measures can be taken while preserving the integrity of the Single Market and avoiding harmful subsidy races between Member States.

In addition, the December 2008 Temporary Framework for state aid measures provides guidance to Member States how companies and jobs in the real economy can be best supported without excessive distortions of competition.

For more info [click here](#)

Commission sets harder targets for faster payments of EU grants and contracts

An initiative introducing new and tougher targets for the payment of EU funds managed directly by the European Commission was adopted yesterday. It aims to step up ongoing efforts and speed up cash flow to beneficiaries – often small businesses and local managing authorities. They will apply to €15 billion of funds that have specific payment times covering areas like research, education and youth, energy and transport. The initiative complements recent decisions to speed up payments for Structural Funds projects as announced in the European Economic Recovery Plan, as well as proposals to combat late payments in commercial transactions.

The main aim is to reduce the time limits for pre-financing, or initial payments from 30 to 20 days. These payments are the most straightforward as they do not require any complex paperwork or bureaucracy and represent around €9.5bn. For other centrally managed payments (representing roughly €5.5bn), the target is to cut payment times from 45 to 30 days, bringing European Commission payments into line with the directive on combating late payments in commercial transactions. The Commission will also encourage its services to



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increase the use of flat rates and lump sums for centrally managed grants and contracts.

For more info [click here](#)

COMMISSION CONSULTATION

European Publishing SMEs in the Digital Era: Technological and Business Innovation

The European Commission has launched a public consultation on technological and business innovation for SMEs in the field of publishing.

The information gathered may reveal business solutions, so-called best practices, which could serve as examples for the whole sector and contribute to its sustainability during difficult times.

The questionnaire is available at:

<http://ec.europa.eu/yourvoice/ipm/forms/dispatch?form=epsme>

Responses should be submitted online at the latest on 2nd May 2009.



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COMMISSION CONSULTATION

Consultation on the compensation of victims of cross-border accidents in the EU

The European Commission has launched a public consultation on the compensation of victims of cross-border accidents in the EU

The aim of this consultation is to obtain the views of all interested parties on the effects of application of foreign law to claims arising from cross-border road traffic accidents. The main concerns expressed by some in this respect are the risk of unexpectedly low compensation awards as well as the risk of "early" expiry of the limitation period applicable under foreign law.

The questionnaire is available at:

http://ec.europa.eu/internal_market/consultations/2009/cross-border-accidents_en.htm

Responses should be sent at the latest on 29th May 2009 to DG Internal Market and Services, European Commission, B-1049 Brussels, Belgium or to markt-h2@ec.europa.eu