



Malta-EU Steering & Action Committee

COMPETITIVENESS AND CONSUMER AFFAIRS

Sectoral Committee
Weekly Update
09.04.10

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COM (2010) 100 - COMMUNICATION FROM THE COMMISSION on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of agreements, decisions and concerted practices in the insurance sector



Regulation No 358/2003, the Insurance Block Exemption Regulation expired on the 31st March 2010. This applied to certain categories of agreements, decisions and concerted practices in the insurance sector. In 2009 the Commission published a Report on the functioning of this Regulation following a lengthy review.

As a result of its findings following the review, the Commission has now adopted a new insurance Block Exemption Regulation which renews the exemptions for two of the four categories of agreements which were exempted in the previous Regulation namely:

- joint compilations, tables and studies;
- common coverage of certain types of risks (pools).

For further information on the communication you are kindly requested to see the following link with the whole communication published by the Commission:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0100:FIN:EN:PDF>



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COM (2010) 57 - Proposal for a COUNCIL DECISION on a EU position within the EC-South Africa Cooperation Council on the amendment of the relevant provisions and Annexes to the Trade, Development and Cooperation Agreement (TDCA) between the European Community and its Member States, on the one part, and the Republic of South Africa, on the other part, to align certain tariffs with those applied to the EU products by Botswana, Lesotho and Swaziland in the Annex 3 of the EU-SADC interim Economic Partnership Agreement



Article 106(1) of the Agreement on Trade, Development and Cooperation (TDCA) between the European Community and the Republic of South Africa, empowers the Cooperation Council established by the same Agreement to decide on amendments put forward by any party to the Agreement. According to Article 97(3), the Cooperation Council has the power to take decisions in respect of all matters covered by the Agreement.

An issue arose because South Africa is a member of the Southern Africa Customs Union together with Botswana, Lesotho, Namibia and Swaziland. The EU and South Africa concluded a bilateral agreement, which entered into force in 2000. During negotiations with the other members of the Customs Union they stated clearly their desire to align themselves to the existing Agreement provisions with South Africa, though they requested that certain sensitivities would be accommodated by the EU. These sensitivities were identified with 53 tariff lines for which, Botswana, Lesotho, Namibia and Swaziland requested a dismantling at a slower pace than that foreseen in the Agreement (retrofitting).

An issue arose because South Africa, although it had participated in the negotiations, did not initiate the interim Economic Partnership Agreement. Therefore tariff discrepancies still remain between the interim Agreement and the TDCA regarding these 53 tariff lines.

The aim of this proposed Council Decision is to align the relevant tariff schedules of 53 tariff lines applied by South Africa for imports from the EU as set out in the Agreement to EC products to those applied to the same EU products by Botswana, Lesotho, and Swaziland in accordance with Annex 3 of the interim Economic Partnership Agreement with a view to preserving the



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uniformity of the Southern African Customs Union external tariff, to which those three countries belong, in respect of their imports from the EU.

The proposal will have no financial implications. The reason is that this tariff alignment is a modification of the South African tariff schedule included in the Trade Development and Cooperation Agreement and not the modification of the EU tariff schedule.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0057:FIN:EN:PDF>

Consultation session on the transposition of the Directive on Consumer Credit Agreements (Directive 2008/48EC)

A consultation session was held this morning, Friday 9th April, on Consumer Credit where Dr. Cynthia Scerri Debono from the Consumer and Competition Division (CCD) gave a briefing on the draft Legal Notice which will implement Directive 2008/48EC.



The session started with a short introduction by Parliamentary Secretary Hon. Chris Said who said that the main aim of this session was to hear the views of different stakeholders and then together decide on how best to transpose the Directive for the benefit of Malta.

Feedback on the draft Legal Notice may be sent to the Consumer and Competition Division (attention Dr. Mireille Vella, Director General, CCD) at the latest by noon on 7th May 2010. A subsequent meeting will be held to discuss all the feedback received and the final document prior to the adoption of the Legal Notice by Cabinet.

The draft Legal Notice can be found on the website of the Consumer and Competition Division:

<http://finance.gov.mt/page.aspx?site=CCD&page=default>