



# Newsletter

Issue 41- April 2013

## AT A GLANCE

This issue addresses the items on the agenda of the **next committee meetings on 24-25 April 2013**. Amongst others, on 24 April IMCO will consider the amendments of the draft report on "Online gambling in the internal market" and hold an exchange of views with Mr. Tonio Borg, Commissioner for Health and Consumer Policy. The day after, the committee will discuss the draft report on "Internal Market for Services: state of play and next steps" and vote on the reports "Key information documents for investment products" and "A new agenda for European Consumer Policy". In addition IMCO will hold a second exchange of views, this time with Mr. Antonio Tajani, Commissioner for Industry and Entrepreneurship. The full Agenda of the next meetings are available on [IMCO's webpage](#).

This edition also reports, from the last committee meetings of **20-21 March and 11 April**. Amongst others, IMCO voted on the draft opinion on "Clinical trials on medicinal products for human and on the non- legislative opinion on "Improving access to justice in cross border disputes". IMCO also considered the draft opinion on the "Common European sales law" and heard a presentation of the main points in the draft report on "Online gambling in the internal market" by rapporteur Ashley Fox. Moreover, the committee held a hearing on the Simplification of the transfer of motor vehicles registered in another Member State within the Single Market. In addition an exchange of views took place with Mr Zourek (Director General of TAXUD) on customs files.

## SELECTED FILES: PRODUCT SAFETY AND MARKET SURVEILLANCE PACKAGE

The Commission proposals for a Regulation on Consumer Product Safety (CPSR) and the proposal for a Regulation on Market Surveillance of Products (MSR) have taken into account many of the points raised by the IMCO Committee in the report on General Product Safety Directive and Market Surveillance of 2011. Ms. Christel Schaldemose (S&D) has been appointed rapporteur on the CPSR while Ms. Sirpa Pietikäinen (EPP) has been appointed rapporteur on the MSR. IMCO will focus on raising the level of product safety while ensuring a level playing field and less administrative burdens for economic operators. The main topics from an IMCO perspective will among others be the efficient cooperation between national market surveillance authorities, ensuring traceability of products, standardisation and products included in a service.



**CO-RAPPORTEURS:** [Christel Schaldemose \(S&D\)](#)  
[Sirpa Pietikäinen \(EPP\)](#)

[Procedure file](#)  
[Procedure file](#)

## ACCESSIBILITY TO PUBLIC SECTOR WEBSITES

On **25 April**, IMCO Committee will hold an exchange of views on the Commission's proposal for a directive on the accessibility of public sector bodies' websites. Despite Member States' political commitment to web accessibility, only one third of Europe's 761,000 public sector websites are fully accessible today. Suppliers of accessibility technology face a wide variety of diverging national specifications, leading to market fragmentation and uncertainty. The proposal, which will complement the European Accessibility Act currently under preparation by the Commission, introduces mandatory EU standardised accessibility features for 12 types of essential public services. It also clarifies what web-accessibility means and encourages Member States to apply these rules across all public services. At the exchange of view on 25 April, representatives of disability organisations will illustrate what web accessibility means in practice, the barriers encountered and the solutions available to overcome these. This will be followed by a discussion of the proposal.

**RAPporteur:** [Jorgo Chatzimarkakis \(ALDE\)](#)

[Procedure file](#)

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# NEXT COMMITTEE MEETINGS

## (24-25 APRIL 2013)

[Watch the committee meeting live](#)

[Agenda and meeting documents](#)

### Exchange of views in the framework of the structured dialogue with Mr Tonio Borg, Commissioner for Health and Consumer Policy

On **24 April**, IMCO will receive Commissioner Borg to discuss progress on the Commission's Work Programme and the upcoming initiatives in his areas of competence. Particular attention is expected to be paid to enforcement across the Union of the recently updated consumer rights acquis, among others, by means of the new legislation on ADR and ODR and the forthcoming proposal on collective redress (with Vice-President Reding); the proposals of the Product Safety package (with Vice President Tajani); and the legislative initiative on bank accounts (with Commissioner Barnier). Finally, Members might raise concern about the budgetary negotiations in the framework of the MFF possibly affecting the budget of the Consumer Programme 2014-2020.

**LINK:** [DG Health and Consumer Policy](#)

### Electronic identification and trust services for electronic transactions

On **24 April**, IMCO will consider the draft opinion on the proposal for a Regulation on electronic identification and trusted services for electronic transactions in the internal market" which was adopted by the Commission on 4th June 2012. The rapporteur in her draft report enforces legal aspects of the proposal thus contributing to mutual recognition of trust services while pointing out, in the same time, the complexity of electronic identification. In particular, the rapporteur follows the stance that the security of national ID systems and citizens' privacy can not be compromised. For trust service providers which comply to the regulation, the rapporteur suggest an introduction of the European trustmark.

**RAPPORTEUR:** [Marielle Gallo \(EPP\)](#) [Procedure file](#)

### The internal market for services: State of Play and next steps

On **25 April**, IMCO Committee will consider the draft report of Mrs Anna Maria Corazza Bildt (EPP) on the Internal Market for Services. The draft report stresses the untapped potential for growth and jobs in the services sector and urges Member States to ensure the single market works effectively for businesses and consumers alike. The report calls on Member States to ease overly onerous requirements and to remove double regulatory burdens in the area of crossborder service provision and calls for an integrated approach to the internal market for services, ensuring consistency between different pieces of legislation that affect services companies. Finally, the report looks at the necessary steps to promote better enforcement and to strengthen transparency and accountability. The deadline for amendments is set for 7 May.

**RAPPORTEUR:** [Anna Maria Corazza Bildt \(EPP\)](#) [Procedure file](#)

## EVENTS

### Workshop on New Developments (Ubiquitous) Digital Single Market

On **13 May 2013**, the Policy Department A organises a workshop on New Developments (Ubiquitous) Digital Single Market from 15h00 till 17h30.

Venue: European Parliament, Room ASP A1E2.  
Interpretation will be provided in EN, ES, DE, FR.

### Exchange of views in the framework of the structured dialogue with Mr Antonio Tajani, Commissioner for Enterprise and Industry

On **24 April**, IMCO will receive Vice-President of the Commission Mr. Tajani to discuss the progress of the Commission Work Programme and the upcoming initiatives in its area of competence. Particular attention is expected to be paid to market surveillance in the EU, including the Products Safety and Market Surveillance Package and harmonised standards for industrial products. Discussions might also touch upon the Action Plan Cars 2020, including the homologation of vehicles, the proposal for a regulation simplifying the transfer of motor vehicles registered in another Member States within the Single Market and the proposal for harmonisation of the laws of the Member States relating to the making available on the market of radio equipment.

**LINK:** [DG Enterprise and Industry](#)

### In vitro diagnostic medical devices

On **25 April**, IMCO will consider the draft opinions of Mrs. Nora Berra (EPP) on medical devices and in vitro medical devices. Recent events such as the scandal about fraudulent silicone breast implants have brought this sector to the attention of the public at large. Besides, the existing EU rules dating back to the 1990s did not adjust to the enormous technological and scientific progress made in the past 20 years. The draft opinions acknowledge the unsatisfactory situation and suggest a number of specific provisions to remedy it.

The debate is most likely to focus on marketing authorisation, scope and classification, stronger supervision of assessment bodies, reprocessing of devices, better traceability and better coordination between national surveillance authorities



**RAPPORTEUR:** [Nora Berra \(EPP\)](#) [Procedure file](#)

### Hearing Product safety and Market Surveillance Package

On **18 June 2013** IMCO organises a hearing on product safety and market surveillance following the Commission's proposal. It will discuss effective market surveillance, a risk based approach, enhanced compliance with environmental standards, fair distribution of responsibility along the supply chain, the proposed scope, origin marking and proper enforcement of the rules by the national authorities.

# LAST COMMITTEE MEETING (20-21 MARCH AND 11 APRIL 2013)

## Online gambling in the internal market

On **20 March**, the rapporteur presented to IMCO committee the main points on which his draft report on online gambling in the internal market is focusing, namely consumer protection, administrative cooperation and follow up of open infringement proceedings to ensure compliance with EU law. On this last point, he stressed that the main challenge for the IMCO report would be to achieve a fair balance between respect of the subsidiarity and the rule of law principles. Mr Fox' presentation was followed by two presentations on the Gibraltar and the Finnish regulatory framework governing the supply of online gambling services respectively by Fabio Picardo, Chief Minister of Gibraltar, and Sakari Airas, adviser at the Finnish Ministry of interior. Deadline for amendments: 4 April 2013. Vote in IMCO: 29/30 May.

**RAPPORTEUR** [Ashley Fox \(ECR Group\)](#) [Procedure File](#)

## Exchange of views in the framework of structural dialogue with Commissioner Semeta

On **20 March**, and on behalf of Commissioner Šemeta (who was ill), Mr Zourek, Director General of TAXUD, showed a short video clip to stress that customs union is the stone foundation of the EU and a reliable guardian of the Internal Market. He then put forward the actions to modernise, strengthen and rationalise the customs union in the years ahead. Firstly, in relation to the UCC file the Commission welcomed the efforts made by the Parliament on the ongoing negotiations. Secondly, Mr Zourek mentioned the recent Commission's Communication on risk management and supply chain security. Amongst others, MEPs raised questions on the progress on the file on Customs 2020 programme, the work still to be addressed and the review of governance and management structure of the customs union.



**LINK:** [DG Taxation, Customs, Statistics, Audit and Anti - Fraud](#)

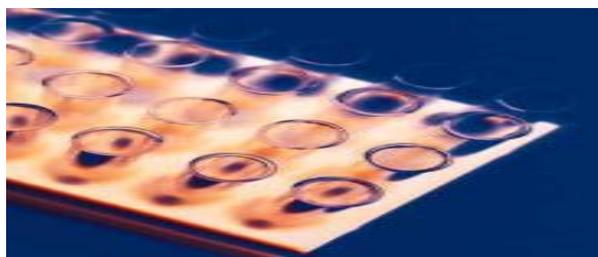
## Common European Sales Law - consideration of the draft opinion

On **21 March**, the two co-Rapporteurs presented a draft opinion on the Common European Sales Law consisting of two parts: 15 co-signed amendments and 323 amendments tabled individually. Mr Mayer (EPP) expressed his belief that an optional instrument can effectively open new possibilities for cross-border trade, and explained specific amendments to ensure a balance between the consumers' and traders' rights, as well as clarity and consistency of legislation. Ms Gebhardt (S&D) proposed to continue the work on minimum harmonisation of contract law provisions at European level, with amendments aiming at transformation of the CESL proposal into a directive complementing the Consumer Rights Directive with certain aspects of the sale of consumer goods and digital content, commercial guarantees and related services. ALDE Shadow supported the approach of Mr Mayer, while another (ECR) - that of Ms Gebhardt.

**CO-RAPPORTEURS:** [Klaus-Heiner Lehne \(EPP\)](#)  
[Luiqi Berlinguer\(S&D\)](#) [Procedure File](#)

## Clinical trials on medicinal products for human use, and repeal of Directive 2001/20/EC - adoption of the draft opinion

On **21 March**, IMCO adopted the opinion on clinical trials on medicinal products for human use (rapporteur, Mr. Buşoi, ALDE). The rapporteur presented seven compromise amendments and five oral amendments prepared on the basis of some of the 202 amendments that were tabled. The compromises concerned notably assessment procedures (e.g. appointment of the reporting Member State); specific provisions for vulnerable persons and determination of the legal representative for minors or incapacitated subjects and the possibility to refer to national law; assessment of ethical aspects. The opinion was adopted with 19 votes in favour, 14 against and no abstention, showing the division between Members as regard amendments related essentially to ethic committees and transparency



**RAPPORTEUR:** [Cristian Silviu Busoi](#) [Procedure File](#)

## Improving access to justice: legal aid in cross-border civil and commercial disputes - adoption of the draft opinion

On **11 April**, IMCO adopted a non-legislative opinion on the state of implementation of Council Directive 2003/8/EC to improve access to justice in cross border disputes by establishing minimum common rules related to legal aid for such disputes, acknowledging the unsatisfactory situation as reported by the Commission and indicating specific remedy actions, such as creating a 'European pool' of qualified lawyers, designating a central office in each Member State for receiving and transmitting legal aid applications, improving the availability of forms necessary for legal-aid and other European proceedings, and better information campaigns. Contrary to the Commission's conclusion that increased awareness efforts will be enough to improve the implementation of this Directive, IMCO Members also called for its adequate revision.

**RAPPORTEUR:** [Hans-Peter Mayer \(EPP\)](#) [Procedure File](#)

## Insurance mediation and KID - consideration of COMP AMs

On **11 April**, IMCO discussed the Compromise Amendments on the proposals for KID Regulation and IMD Recast Directive, where the rapporteurs, respectively Mr Panzeri and Mrs Stihler /SD/ presented 32 compromise amendments on both projects to the Members of the Committee. Both rapporteurs were congratulated for their efforts to reconcile the positions of the different group. IMCO vote on these files is scheduled for 25 April. The lead committee ECON is supposed to vote in May. According to the decision of the EP Conference of Presidents IMCO and ECON shall work in cooperation for the developments of both files and for the future technical meetings and trilogues, applying Rule 49 plus.

**RAPPORTEURS:** [Pier Antonio Anzeri \(S&D\)](#) [Procedure File](#)  
[Catherine Stihler \(S&D\)](#) [Procedure file](#)

# UP-DATE ON IMCO TRILOGUES

## Public Procurement

Three Trilogue meetings on Public Procurement took place in March and April. In the first Trilogue, considerable progress was reached on procedural aspects. Issues such as the European Procurement Passport or e-procurement, remain pending. On the second Trilogue, while the issue of SME access seems on good track ('cluster 5'), the inclusion of social aspects in procurement needs further discussion at technical level ('cluster 2'). The third Trilogue, on 18 April dealt with Cluster 10 which includes issues such as exclusions, scope, definitions, and reciprocity. Negotiations will continue in May with a joint Trilogue with Concessions.

**RAPPORTEUR:** [Marc Tarabella \(S&D\)](#) [Procedure file](#)

## Professional qualification and regulation on administrative cooperation through the IMI

The first Trilogue meeting took place on the 20th of March. Members negotiated with the Presidency and the Commission on the horizontal issues such as the professional card, tacit recognition of qualifications, partial access to a regulated profession and the alert mechanism. A second Trilogue meeting is scheduled for the 24th of April focusing on the common training framework and the sectoral professions: doctors, nurses, dentists, midwives, veterinary surgeons, pharmacists and architects

**RAPPORTEUR:** [Bernadette Vergnaud \(S&D\)](#) [Procedure file](#)

## Union Customs Code

At its 3rd Trilogue of 10 April the three institutions endorsed the agreements reached at the last four technical meetings. Major progresses have been achieved. The three institutions agreed to come back with a package to be presented at the 4th Trilogue of 23 April in order to try to achieve a final agreement on the pending items. Amongst others, the package will include: proposals to incorporate in the Basic Act the setting of time-limits, the setting of thresholds and common data requirements/information; a compromise proposal on the provisions on customs origin in the Basic Act; a compromise proposal for the data of application of the UCC.

**RAPPORTEUR:** [Constance Le Grip \(EPP\)](#) [Procedure file](#)  
**Concessions**

Three Trilogue meetings on the award of concession contracts took place in March and April. The issues discussed so far included a debate on the principle of transparency, exclusive rights, the definition of the risk, thresholds, duration, procedural aspects (procedural guarantees, technical specifications, publication, etc), governance and exclusions. Negotiations will continue in May with a joint Trilogue with Public Procurement to discuss common issues such as public-public cooperation, subcontracting and affiliated undertakings.

**RAPPORTEUR:** [Philippe Juvin \(EPP\)](#) [Procedure file](#)

# IMCO DELEGATION VISITING CROATIA



Croatia, a country of around 4.5 million is set to become the EU's 28th Member State on 1 July 2013. A 5-Member strong delegation led by Chairman Malcolm Harbour visited Zagreb and Split on 2-4 April to discuss IMCO matters and Croatia's progress. In the capital, the delegation met with Chairman, Igor Radenovic, and Members of the Committee of the Economy of the Croatian Parliament, the Deputy Prime Minister Neven Mimica (shown in the photo above) and several senior members of the government. IMCO Members also met with representatives of Croatian consumer organisations, businesses, employers and employees. The delegation then paid a short visit to Split to hear from regional and local authorities and economic actors, receiving thus first-hand information about reforms introduced during the successfully completed pre-accession period but also about their major concerns.

# FROM THE COMMISSION

## A Single European Patent

Europe is finally set to have a unitary patent for the 25 participating Member States. Innovative companies will have at their disposal this new instrument issued by the European Patent Office (EPO). It will be based on a single application for registration, entail minimal translation requirements and cost much less. It is expected that costs for a patent in the Member States will be reduced by over 80%.

**LINK:** [Interview with Commissioner Barnier](#)

# TIP OF THE MONTH

IMCO can be followed on twitter: [@EP\\_Singlemarket](#)

IMCO's workplan and timetable is online: [IMCO Publications](#)

IMCO is the first committee to start using the E-signature for Amendments. A second successful part of the pilot project has just been concluded with the submission of a number of amendments using E-signature to the draft report on "Online Gambling" in AT4AM (rapporteur: Mr Ashley Fox). E-signature prevents delays in transmission and in verifying that amendments submitted correspond with signed amendments sent by fax, it prevents last minute 'traffic jams' in the fax machine and any loss of amendments. IMCO looks forward to extending this practice to all of the IMCO dossiers.

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**Closure date of the current issue: 18 April 2013**

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