Control of concentrations between undertakings. EC Merger Regulation

2002/0296(CNS) - 09/10/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Benedetto DELLA VEDOVA (Ind, Italy) making several amendments to the proposed Merger Regulation. (Please see the summary of 08/07/03.) In addition, the following changes were made: - to avoid delays and increase certainty, the time period for the Member State to react should be five working days; - notification to Member States must be accompanied by a statement setting out which national provisions on mergers give grounds for assuming that the concentration would significantly affect competition on a market as well as the measures that the national competition authorities intend to take in the event of a referral; - Parliament changed several time limits related to taking the decision on whether to refer; - the application of national legislation must not lead to decisions which are blatantly in conflict with the provisions of the Regulation; - the rights of the defence are strengthened with regard to legal representation, self- incrimination and privileged communication with properly qualified lawyers; - the Commission's investigative powers are reduced.