Basic information

1996/2018(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Merger control, green paper (amend. regul. 4064/89/EEC) **Subject** 2.60.04 Economic concentration, mergers, takeover bids, holding companies	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	ECON Economic and Monetary Affairs, Industrial Policy	RAPKAY Bernhard (PSE)	21/02/1996
	Committee for opinion	**Rapporteur for opinion**	**Appointed**
	JURI Legal Affairs, Citizens' Rights	JANSSEN VAN RAAY James L. (PPE)	19/03/1996
Council of the European Union			

Key events

Date	Event	Reference	Summary
31/01/1996	Non-legislative basic document published	COM(1996)0019	Summary
28/02/1996	Committee referral announced in Parliament		
22/10/1996	Vote in committee		Summary
22/10/1996	Committee report tabled for plenary	A4-0339/1996	
12/11/1996	Debate in Parliament		
13/11/1996	End of procedure in Parliament		
02/12/1996	Final act published in Official Journal		

Technical information

Procedure reference	1996/2018(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper

Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	ECON/4/07579

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0339/1996 OJ C 362 02.12.1996, p. 0005	22/10/1996	
Text adopted by Parliament, single reading		T4-0593/1996 OJ C 362 02.12.1996, p. 0094-0145	13/11/1996	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1996)0019	31/01/1996	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0879/1996 OJ C 295 07.10.1996, p. 0017	10/07/1996	Summary

Merger control, green paper (amend. regul. 4064/89/EEC)

1996/2018(COS) - 13/11/1996 - Text adopted by Parliament, single reading

In adopting the report by Mr Bernhard RAPKAY (PSE, D) on the Commission's Green Paper on the review of the merger regulation, Parliament advocated a significant reduction of the thresholds, and specifically a reduction to ECU 2 billion of worldwide turnover and ECU 100 million of Community turnover. In view of the Council's resistance to too drastic a reduction, Parliament called on it to approve at least the figures now proposed of ECU 3 billion of worldwide turnover and ECU 150 million of Community turnover. It also called on the Commission to review the two-thirds rule critically.

Merger control, green paper (amend. regul. 4064/89/EEC)

1996/2018(COS) - 10/07/1996 - Economic and Social Committee: opinion, report

Merger control measures must ensure and promote fair and effective competition, with particular emphasis on the requirements of SMEs. Account must also be taken, however, of the need to develop economic and productive structures for the purpose of ensuring ever-greater competitiveness for the overall Community economy on world markets. In any case, Community merger control must be considered within the context of the world economy, in order to take account of an ever-increasingly competitive world situation. The Committee recommends that discussions should not be confined to certain participants. They should involve all the interested parties, and should also deal with the social effects of restructuring the economy. The ESC confirms the validity of the "one-stop shop" principle, which guarantees uniform rules, conditions and criteria for assessment and thus ensures certainty in legal relations, and recommends a modern simplification of the formalities and clearer legislation. The Committee favours a lowering of the thresholds. If agreement cannot be reached on lowering the thresholds to ECU 2 billion (world turnover) and ECU 100 million (Community turnover), an intermediate figure could be considered. At all events, a decision needs to be taken without further delay. If no lowering of the thresholds can be agreed upon, then alternative ways of solving the multiple notification problem (which the Commission is examining in detail)

could produce constructive results. The ESC considers it logical that concentrations subject to multiple notifications which are not covered by Article 2 of Regulation 4064/89 be examined at Community level. For this it proposes a range of turnover thresholds to establish the existence of "significant" cross-border effects.

Merger control, green paper (amend. regul. 4064/89/EEC)

1996/2018(COS) - 31/01/1996 - Non-legislative basic document

OBJECTIVE: to launch a far-reaching debate, between now and 31 March 1996, with a view to adapting the rules on the monitoring of company mergers in order to bring them into line with the realities of the single market. SUBSTANCE: the Commission Green Paper provides a detailed description of the existing regulatory framework governing the monitoring of mergers both at Community level and within the Member States. It then proposes a set of options to be discussed, which may be summarized as follows: - a reduction in the thresholds at which the Commission assumes exclusive control, namely a worldwide turnover of ECU 2 billion (instead of 5 billion) and a Community-wide threshold of ECU 100 million (instead of ECU 250 million) for each of at least two companies involved; - failing such a reduction in the thresholds, exclusive control by the Commission in the case of mergers lying between the existing thresholds and the new proposed thresholds and which must be notified to several national competition control bodies (problem of multiple notification); - a series of options making it possible to improve the treatment of joint companies which do not fall within the scope of the merger rules but, rather, under the general competition policy rules (Article 85 of the EC Treaty). One possible solution would be to deal with such cases on the basis of the same timescales as in the case of mergers (i.e. a favourable response within one month of notification in uncontested cases and a second period of four months in problematic cases). A number of procedural improvements are proposed, relating to acceptance of commitments in the first phase of investigation. Lastly, proposals are put forward concerning simplification of the method for calculating the turnover of financial and credit institutions and the method used for the geographic allocation of turnover.