Basic information

1998/0287(CNS) CNS - Consultation procedure Regulation	Procedure completed
Competition: categories of agreements and concerted practices, art. 85 (3) of the EC Treaty (amend. regul. 19/65/EEC) **Subject** 2.60 Competition	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	THYSSEN Marianne (PPE)	10/11/1998

Council of the European Union

Council configuration	Meetings	Date
Fisheries	2189	1999-06-10
Industry	2174	1999-04-29

Key events

Date	Event	Reference	Summary
20/10/1998	Legislative proposal published	COM(1998)0546	
16/11/1998	Committee referral announced in Parliament		
18/03/1999	Vote in committee		
18/03/1999	Committee report tabled for plenary, 1st reading/single reading	A4-0137/1999	
14/04/1999	Debate in Parliament		
10/06/1999	Act adopted by Council after consultation of Parliament		
10/06/1999	End of procedure in Parliament		
15/06/1999	Final act published in Official Journal		

Technical information

Procedure reference	1998/0287(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 083
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0137/1999 OJ C 219 30.07.1999, p. 0005	18/03/1999	
Text adopted by Parliament, 1st reading/single reading		T4-0325/1999 OJ C 219 30.07.1999, p. 0369-0423	15/04/1999	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	COM(1998)0544	30/09/1998	Summary
Legislative proposal	COM(1998)0546	20/10/1998	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0195/1999 OJ C 116 28.04.1999, p. 0022	24/02/1999	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1999/1215
OJ L 148 15.06.1999, p. 0001 Summary

Competition: categories of agreements and concerted practices, art. 85(3) of the EC Treaty (amend. regul. 19/65/EEC)

1998/0287(CNS) - 30/09/1998 - Document attached to the procedure

OBJECTIVE: to extend the scope of the block exemption with regard to vertical agreements (extension of the authorisation provided for by Regulation (EEC) No 19/65). SUBSTANCE: the proposal for a Council Regulation proposes extending the scope of the authorisation provided for by Regulation (EEC) No 19/65 to permit the Commission to declare by regulation that certain categories of agreement are exempt from Article 85(1) of the Treaty: this applies to all types of vertical agreement between two or more undertakings, each operating at a different stage of the economic process, in respect of the supply and/or purchase of goods for resale or processing, or in respect of the marketing of services, including exclusive distribution agreements, exclusive purchasing agreements, franchising agreements, selective distribution agreements and combinations thereof. The block exemption would not apply to vertical agreements concluded between actual or potential competitors, unless they are, on the one hand, non-reciprocal agreements none of the parties to which have an annual turnover exceeding ECU 100 million or, on the other hand, the agreement is between an association of retailers and its members, or between such an association and its suppliers, unless the members of the association are small or medium-sized enterprises as defined in the annex to Recommendation 96/280/EC. In due course, it is intended that an exemption regulation should be adopted for all types of vertical agreement which, based on a broader concept, would be aimed at identifying vertical restrictions, or combinations thereof, which, if implemented, would entail loss of the benefit of block exemption ('black' clauses). The proposal also indicates that all exemption regulations concerning vertical agreements which are adopted under the powers granted to the Commission by the Council must specify the criteria, such as the level of the market share thresholds, for identifying the circumstances in which, having regard to the economic effects of the agreements concerned, the block exemption regulation is no longer applicable. Finally, the proposal specifies the circumstances in which the competent authorities of the Member States may withdraw the benefit of the block exemption.

Competition: categories of agreements and concerted practices, art. 85(3) of the EC Treaty (amend. regul. 19/65/EEC)

1998/0287(CNS) - 15/04/1999 - Text adopted by Parliament, 1st reading/single reading

The Parliament approved its opinion drafted by Ms. Marianne Thyssen (EPP, B), subject to a few amendments. The main amendment was the removal of the reference in Article 1(1) to agreements between an association of retailers and its members, or between such an association and its suppliers, unless the members of the association are small or medium sized enterprises as defined in the Commission's recommendation 96/280/EC.

Competition: categories of agreements and concerted practices, art. 85(3) of the EC Treaty (amend. regul. 19/65/EEC)

1998/0287(CNS) - 10/06/1999 - Final act

PURPOSE : to extend the field of application of exemption by category with respect to vertical agreements (extension of the capacitation provided by Regulation 19/65/EEC). COMMUNITY MEASURE : Council Regulation 1215/1999/EC amending Regulation 19/65/EEC on the application of Article 81 (3) of the Treaty to certain categories of agreements and concerned practices. CONTENT : the Council Regulation broadens the scope of capacitation provided for in Regulation 19/65/EEC in order to allow the Commission to cover by way of exemption by category, insofar as they fall within the scope of Article 81(1) of the EC Treaty: - all types of vertical agreements between two or more undertakings, each operating at different levels of the production or distribution chain, and which relate to the conditions under which relate to the conditions under which the parties may purchase, sell or resell certain goods or sevices; - categories of agreements to which only two undertakings are party and which include restrictions imposed in relation to the acquisition or the use of industrial property rights, in particular of patents, utility models, designs or trade marks or the rights arising out of contracts for assignment of, or the right to use, a method of manufacture or knowledge relating to the use or to the application of industrial processes. ENTRY INTO FORCE : 18/06/1999.