Basic information

2002/0106(CNS) CNS - Consultation procedure Decision	Procedure completed
EC/Japan agreement: cooperation on anticompetitive activities **Subject** 2.60 Competition 6.40.11 Relations with industrialised countries **Geographical area** Japan	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ITRE Industry, External Trade, Research, Energy		

Committee for opinion	Rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2518	2003-06-16

European Commission

Commission DG	Commissioner
Competition	

Key events

Date	Event	Reference	Summary
08/05/2002	Legislative proposal published	COM(2002)0230	Summary
01/07/2002	Committee referral announced in Parliament		
02/07/2002	Vote in committee		
03/07/2002	Decision by Parliament	T5-0350/2002	Summary
16/06/2003	Act adopted by Council after consultation of Parliament		

16/06/2003	End of procedure in Parliament		
22/07/2003	Final act published in Official Journal		

Technical information

Procedure reference	2002/0106(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	Rules of Procedure EP 52-p1 EC Treaty (before Amsterdam) E 300-p3-a1 EC Treaty (before Amsterdam) E 083 EC Treaty (before Amsterdam) E 308
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/5/16252

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Text adopted by Parliament, 1st reading/single reading		T5-0350/2002 OJ C 271 12.11.2003, p. 0195-0273 E	03/07/2002	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2002)0230	08/05/2002	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EU	Implementing legislative act	22003A0722(01) OJ L 183 22.07.2003, p. 0012-0017	10/07/2003	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2003/0520
OJ L 183 22.07.2003, p. 0011-0011 Summary

EC/Japan agreement: cooperation on anticompetitive activities

2002/0106(CNS) - 03/07/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament, using its procedure without report, approved the proposal.

EC/Japan agreement: cooperation on anticompetitive activities

2002/0106(CNS) - 08/05/2002 - Legislative proposal

PURPOSE : cooperation between the competition authorities of the EC and Japan in the application of their competition rules. CONTENT : The problems encountered by firms operating at international level often have a global dimension, and the agreements which they conclude may be examined by different competition authorities. Conflicts between the activities of the various competition authorities are therefore highly probable. So as to deal with increasingly international situations, cooperation agreements must be established between competition authorities that permit improved coordination where the same cases are handled by a number of authorities and will allow action to be taken against conduct originating in one country and having repercussions in another. This approach allows an effective solution to the problems encountered and avoids the conflicts that may arise from a unilateral reaction based on extraterritoriality. The EC has concluded cooperation agreements with the US Government with Canada. Japan is one of the EC's main trading partners. It has a well-developed body of competition law and an established antitrust authority. The agreement has the following objectives: -to establish a system of cooperation and coordination between the EC and the Japanese competition authority; -to promote the effectiveness of antitrust enforcement on each side; -to reduce the likelihood of conflicting or overlapping decisions. As far as the EC is concerned, the scope of the agreement covers Articles 81, 82, and 85 of the Treaty, Regulation 4064/89 on the control of concentrations between undertakings, Articles 65 and 66 of the ECSC Treaty and the implementing regulations adopted on the basis of these provisions, and their future amendments. The competition authority of either Party is to be notified if any of its "important interests" are affected. For both merger and non-merger cases, the events which trigger the need for notification are set out, together with the point in time at which the notification should be carried out. The general approach is that notification is to take place at a stage in the proceedings early enough to allow the Party receiving the notification to react to it and the Party handling the case to take account of the other Party's opinion. Other clauses cover: -the coordination of enforcement activities; -the provision of assistance and information; -a "positive comity clause" allowing a Party whose interests are adversely affected by activities within the other Party's jurisdiction to bring the matter to the other Party's attention. The requested Party may, at its own full discretion, take any appropriate measures to enforce its competition rules. -a "negative comity clause", providing that each Party shall give careful consideration to the other Party's important interests throughout all phases of competition enforcement activities. Once a case has been earmarked for negative comity, each Party will try to provide timely notice of significant developments in its enforcement activities. -there are provisions on the exchange, use and protection of confidential information.

EC/Japan agreement: cooperation on anticompetitive activities

2002/0106(CNS) - 16/06/2003 - Final act

PURPOSE : to conclude the Agreement between the EC and Japan concerning cooperation on anti-competitive practices. COMMUNITY MEASURE : Council Decision 2003/520/EC. CONTENT : The Agreement referred to above is approved on behalf of the European Community and the text of the Agreement is attached to the Decision. The Agreement came about because of the increasingly pronounced international dimension to competition problems. International cooperation in this field must be strengthened. The sound and effective enforcement of competition laws is a matter of importance to the efficient operation of the markets and to international trade. (Please see the summary dated 08/05/02). Article 308 of the Treaty is invoked owing to the inclusion in the text of the Agreement of mergers and acquisitions which are covered by Council Regulation 4064/89/EEC, on the control of concentrations between undertakings, which in turn is essentially based on Article 308.