



## HEADLINES

### **EU/Data protection: Parliament publishes draft report on new privacy rules**

On 10 January 2013, rapporteur Jan Philipp Albrecht (Greens/EFA, DE) presented his draft report on the General Data Protection Regulation to the European Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE). Mr Albrecht has focused on citizens' "fundamental right" to data protection, adding a number of safeguards to the Commission's original proposal. The rapporteur hopes to have the report adopted by the LIBE committee by the end of April, starting discussions in trilogue during the Irish Presidency of the Council of the EU. Ireland has marked the data protection dossier as one of its priorities and hopes to reach agreement on its key issues within its presidency. Meanwhile, industry representatives criticised the draft report, pointing to numerous obligations for businesses introduced by the rapporteur. These obligations range from stringent documentation requirements to mandatory appointment of a Data Protection Officer. Business associations signalled that the rules could result in significant administrative burdens.

### **ESBA Opinion**

**ESBA recognises the need to revise the current data protection rules. Unified legislation for all EU Member States could provide clarity to businesses and consumers alike, thereby reducing administrative burdens and increasing trust. As such, the new framework for data protection has the potential to strengthen the Digital Single Market, which would provide growth and create jobs. However, some of the provisions suggested in the draft report are likely to lead to disproportionate administrative burdens for small businesses. In particular, ESBA is concerned with rapporteur Albrecht's removal of various exemptions for SMEs from the European Commission's proposal. ESBA agrees that the number of employees is not an appropriate criterion to exclude businesses from the new rules and suggests taking a company's core activity to determine its obligations. However, the introduction of a threshold of 500 data subjects per year, as suggested by the rapporteur, could introduce significant compliance costs for many small businesses as virtually all businesses maintain a database of contacts or client list of some form. Particularly without a crystal clear definition of what entails a data subject, this threshold is unacceptable. Furthermore, the introduction of additional documenting and reporting obligations implies further administrative burdens for SMEs. These obligations would apply to all businesses, since neither the European Commission nor the rapporteur have included clear provisions considering the specific circumstances of micro- and small businesses. This means they would face more instead of less red tape, even though many of these businesses only process data as an ancillary activity – if at all.**

To access the draft report by Jan Philippe Albrecht MEP, please click [here](#).

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## EU/Entrepreneurship 2020 Action Plan

On 9 January 2013, the European Commission revealed its long-awaited Entrepreneurship 2020 Action Plan. Based on three pillars - entrepreneurial education, framework conditions and entrepreneurs as role models - the Action Plan seeks to give entrepreneurship in Europe a much-needed boost and to produce a true “cultural change”. Structural reforms are needed in order to overcome the economic crisis and to unleash the job creation potential of European entrepreneurship. In its Action Plan, the European Commission identifies key actions to be implemented in order to make the business environment more attractive for start-ups and to enable established businesses to grow. The measures announced include simplification of procedures, swift payments by public authorities, entrepreneurial education and second chances for honest entrepreneurs gone bankrupt. The European Commission notes the existence of unfavourable tax regimes and encourages Member States to revise social security schemes that are overly burdensome to businesses. Businesses should be supported in all stages of their life-cycle, from their start-up phase, to growth and to the eventual transfer of a company to new owner.

## ESBA Opinion

**Having been actively involved in the early stages of the Action Plan, ESBA welcomes the inclusion of issues it has previously signalled. ESBA President David Caro said: “The Entrepreneurship Action Plan reflects many of today's obstacles to business, as signalled by the industry. A return to a prosperous European economy can only be achieved if we succeed in creating a true entrepreneurial culture in Europe. Too often brilliant and viable plans are not materialised due to a lack of knowledge, sub-standard support mechanisms and a harsh insolvency regime, which curbs healthy entrepreneurial risk-taking. To foster innovation and job creation, we need to cherish our entrepreneurs. It is essential that we get the framework conditions right and change general attitudes towards entrepreneurship. Taking the uncertain leap of starting a business should be encouraged, success should be rewarded, and, in case a first try does not succeed, honest entrepreneurs should be given the opportunity to start again. The European Commission rightly addresses the need for better tools, support and role models in the Action Plan. The next step is delivery on its objectives.”**

To read the new Commission Entrepreneurship 2020 Action Plan, please click [here](#).

## IN BRIEF

### **EU & OECD/Entrepreneurship: Making best use of the economic potential of the older generation.**

On 16 January 2013, the European Commission and the Organisation for Economic Cooperation and Development (OECD) published a joint policy brief on senior entrepreneurship. The document sets out potential courses of action to encourage senior citizens to become entrepreneurs. The policy brief warns that Europe’s increasingly aging population is likely to pose economic and social challenges for society. The economic potential of benefiting of this pool of experience however is vast. In order to reap this potential, policy makers need to roll out promotional activities, provide hands-on tools and guidance and remove obstacles in taxation and social contribution schemes.

To read the Policy Brief on Senior Entrepreneurship by the European Commission and the OECD, please click [here](#).

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### **EU/Company law: Consultation on transferring companies' registered offices**

On 14 January 2013, the European Commission launched a public consultation on the cross-border transfers of registered offices of companies. It aims at gathering opinions and experiences by companies encountering legal issues when transferring offices abroad. The move to another country is often excessively costly and burdensome, preventing EU companies from making full use of the Single Market. The consultation follows a recently published Action Plan on Company Law and Corporate Governance.

To read the questionnaire of the consultation, please click [here](#).

To read the 2012 Action Plan on Company Law and Corporate Governance, please click [here](#).

### **EU/Entrepreneurship: Just over a third of Europeans would like to be their own boss**

On 9 January 2013, the new Eurobarometer Survey on Entrepreneurship was published. According to this new survey, 37% of the people surveyed would consider becoming self-employed. The numbers have decreased significantly (45%) compared to 2009 following the aftermath of the economic crisis. The survey sheds light on the barriers that discourage people from becoming self-employed: not only for the risk of going bankrupt (43%) or losing personal goods (37%), but more significantly for the fear of insufficient financial support (79%) or the weight of administrative burdens in the business procedures (72%). 50% of the respondents consider a lack of information to be an important issue as well.

To access Flash Eurobarometer 354 “Entrepreneurship in the EU and Beyond”, please click [here](#).

### **EU/Customs: Commission seeks to boost security of supply chain**

On 8 January 2013, the Directorate General Taxation and Customs Union of the European Commission released a Communication on ‘Customs Risk Management and Security of the Supply Chain’. The Communication identifies problems and inefficiencies under the current framework which require swift action concerning data quality, supply chain modelling, and certain aspects of the methodology applied. The Communication outlines several key actions to address these issues, including a harmonised implementation of risk management criteria at all EU external borders, improved cooperation with businesses to combat trafficking and measures to foster the availability and the transparency of data between businesses and customs authority.

To access the Communication by the European Commission, please click [here](#).

### **EU/CRD IV: Commissioner Barnier welcomes the revision of Basel III's Liquidity Coverage Ratio**

On 6 January 2013, the Basel Committee on Banking Supervision issued the revised version of Basel III's Liquidity Coverage Ratio (LCR). Retaining cash and other liquid assets should protect banks better against short-term liquidity disruptions – such as a bank run. This revision provides an expansion of eligible assets and lowers the initial LCR requirement for banks: the LCR will be introduced as planned on 1 January 2015 and will annually increase from 60% to reach 100% on 1 January 2019. Michel Barnier, Commissioner responsible for Internal Market and Services, remarked: “I welcome the unanimous agreement reached by the Basel Committee [...]. I now call upon the Parliament and the Council to successfully conclude the CRD 4 trilogue negotiations in the coming weeks”.

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To read Commissioner Michel Barnier's statement on the revision of Basel III's LCR, please click [here](#).

## **EU/CAP: Improved quality schemes for agricultural products enter into force with Council Regulation EU 1151/2012**

On 3 January 2013, the Council Regulation EU 1151/2012, setting up a new quality framework for agricultural products, came into effect. This new Regulation aims at providing a simplified legal regime for all products, offering stronger consumer guarantees, whilst ensuring more appropriate prices for farmers. Correspondingly, the protected designation of origin (PDO) and protected geographical indications (PGI) systems will be strengthened and additional quality information will be made available for the consumer. The European Commission now has 12 months to draft a report on local farming and direct sales as well as the possible use of a new term for quality standards.

To read the Council Regulation, please click [here](#).

## **EU/VAT: New EU VAT rules to boost electronic invoicing**

On 1 January 2013, new rules on VAT and electronic invoicing, stemming from the VAT Invoicing Directive of 13 July 2010, fully entered into force. The new Directive outlines a number of simplification measures, including the introduction of parity of treatment between paper and electronic invoicing, in order to reduce the administrative burden on businesses. In addition, the Directive guarantees common criteria for invoicing across the EU. Another new measure outlined in the Directive, specifically aimed at small businesses, allows the supplier to pay VAT to the competent authority after actual payment of an invoice. This should make the obligation to pay VAT less threatening to the cash flow of a company.

To read the full text of the Invoicing Directive, please click [here](#).

## **PUBLICATIONS**

### **EU/Eurostat: Construction sector production declines in the EU**

On 17 January 2013, Eurostat released data on the construction sector production in the EU. In November 2012 compared with the previous month, sectorial production decreased by 0.9%, while in November 2012, compared with November 2011, construction sector production fell by 5.9%.

To access this publication, please click [here](#).

### **EU/Eurostat: Industrial production declines in the EU**

On 14 January 2013, Eurostat released data on the changes in the industrial production across the EU. In November 2012, compared with October 2012, production fell by 0.3%, while in November 2012, compared with November 2011, industrial production dropped by 3.3%.

To access this publication, please click [here](#).

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## **EU/Eurostat: Largest share of innovative companies in Germany, Luxembourg and Belgium**

On 11 January 2013, Eurostat published a survey regarding innovative enterprises in the EU Member States. Over 50% of EU companies reported innovation activity between 2008 and 2010, the largest share being in Germany (79%), Luxembourg (68%) and Belgium (61%).

To access this publication, please click [here](#).

## **EU/Eurostat: Tax revenues rise to 40% of entire EU GDP**

On 8 January 2013, Eurostat released a publication showing that in 2011 the tax revenues generated by EU governments increased to 40.0% of the overall EU GDP, up from 39.6% in 2010, following four years of decline. In 2010, tax revenues in terms of GDP were at their lowest point in the period 1995 to 2011.

To access this publication, please click [here](#).

## **EU/Eurostat: High-tech companies lead EU industrial growth**

On 8 January 2013, Eurostat released a publication highlighting how high-technology manufacturing production increased by 26 % between 2005 and the end of 2012. On the other hand, over the same period of time, the manufacturing sector as a whole maintained the same level of production in 2012 as in 2005.

To access this publication, please click [here](#).

## **CONSULTATIONS**

### **NEW:**

#### **Consultation on the revision of Directive 97/68/EC on emissions from non-road mobile machinery engines**

*Closes: 8 April 2013*

The non-road mobile machinery (NRMM) sector covers a large variety of equipment types which are used in many different economic activities such as construction, agriculture, rail or inland waterway transport. Despite the limits set by Directive 97/68/EC and its subsequent amendments, the NRMM sector has become an increasingly important source of air pollution, in particular of NO<sub>x</sub> and particulate matter. In order to reverse this trend, the European Commission has been exploring different options for revising the Directive. The overall objective of the revision is to further contribute to the improvement of the air quality in Europe while at the same time ensuring the correct functioning of the internal market. In this context, the European Commission is launching a public consultation to gather views from relevant stakeholders.

To access this consultation, please click [here](#).

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## **Consultation on the cross-border transfers of registered offices of companies**

*Closes: 16 April 2013*

The purpose of the consultation is to get more in-depth information on the costs currently faced by companies transferring their registered offices abroad and on the range of benefits that could be brought by the EU action on the cross-border transfer of them. The responses will be taken into account in assessing the need for and impact of a possible new instrument.

To access this consultation, please click [here](#).

## **ONGOING:**

## **Consultation: generation adequacy, capacity mechanisms and the internal market in electricity**

*Closes: 7 February 2013*

The Commission invites all interested parties to submit their contributions in response to the questions raised in the consultation document 'Generation adequacy, capacity mechanisms and the internal market in electricity, with the goal of ensuring a more coordinated approach to assessing generation adequacy and security in the internal electricity market.

To access this consultation, please click [here](#).

## **Consultation on an integrated delivery market to boost e-commerce in the EU**

*Closes: 22 February 2013*

Three priority areas have been identified to address the problems and challenges faced by e-retailers and consumers in the EU: improving convenience of delivery services for consumers and SMEs across the EU; ensuring more cost effective delivery solutions and better prices for consumers and SMEs; promoting improved interoperability of delivery services between operators, and between operators and e-retailers, notably SMEs.

To access this consultation, please click [here](#).

## **Consultation on the protection of business and research know-how**

*Closes: 8 March 2012*

With a view to offering the optimal legal protection for European businesses' confidential information and boosting innovation, the European Commission is gathering and analysing detailed opinions and experience related to the misappropriation of corporate data in cross-border exchanges. Indeed, considering the differences in the laws of Member States and the fact that not all data can be patented, it appears that the legal framework on the protection of intellectual property could be improved.

To access this consultation, please click [here](#).

## **Consultation on the State aid instruments in the agricultural sector**

*Closes: 20 March 2013*

Three state aid instruments in the agricultural sector will expire at the end of the year 2013. As a result, the European Commission is launching a consultation to determine what new rules on state

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aid should be implemented for the development of this sector. These new rules should lead to reduced procedural burdens and allow for faster decisions, while at the same time ensuring that competition within the Internal Market is not hampered.

To access this consultation, please click [here](#).

### **Consultation on civil enforcement of intellectual property rights: the efficiency of proceedings and accessibility of measures**

*Closes: 30 March 2013*

This technical survey aims at gathering specific information on the efficiency of proceedings and accessibility of measures used in the context of civil enforcement of intellectual property rights. These data should enable the European Commission to conduct a comprehensive assessment of the functionality of civil enforcement systems put in place in the Member States in order to improve the situation of all the actors active in the innovative sectors of European economy.

To access this consultation, please click [here](#).

## COMING UP

### **EU Institutions: Important dates**

20-21 January 2013 – Informal meeting of Minister for Foreign Affairs  
21 January 2013 – Eurogroup meeting  
22 January 2013 – Meeting of Economic and Financial Affairs Council  
23 January 2013 – Weekly meeting of College of Commissioners  
23 January 2013 – Meetings COREPER I and II  
24 January 2013 – Meeting COREPER II  
25 January 2013 – Meeting COREPER I  
28 January 2013 – European Parliament committee meetings  
28-29 January 2013 – Meeting of Agriculture and Fisheries Council  
29 January 2013 – Meeting COREPER II  
30 January 2013 – Weekly meeting of College of Commissioners  
30 January 2013 – Meetings COREPER I and II  
31 January 2013 – European Parliament committee meetings  
31 January 2013 – Meeting of Foreign Affairs Council  
31 Jan-1 Feb 2013 – Committee of the Regions plenary session  
1 February 2013 – Meeting COREPER I  
4 February 2013 – Meeting of General Affairs Council  
4-7 February 2013 – European Parliament plenary session  
4-7 February 2013 – European Parliament committee meetings  
5 February 2013 – Weekly meeting of College of Commissioners  
5 February 2013 – Meetings COREPER I and II  
6 February 2013 – Meeting COREPER I  
7-8 February 2013 – European Council  
7-8 February 2013 – Informal meeting of Ministers for Employment and Social Affairs

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## Other SME-related events

### **The Priorities of the Irish Presidency of the EU Council**

**21 January 2013**

**Brussels, Belgium**

H.E. Rory Montgomery, Permanent Representative of Ireland to the EU, will present the priorities of the Irish Presidency for the first semester of 2013 at the Centre for European Policy Studies.

To learn more about this event, please click [here](#).

### **(R)evolution: the EU data protection**

**22 January 2013**

**Brussels, Belgium**

The conference will focus on the legal issues surrounding EU data protection at the Centre for European Policy Studies.

To learn more about this event, please click [here](#).

### **Streamlining Key EU Industries: In search of the optimal balance between innovation and the precautionary principle**

**23 January 2013**

**Brussels, Belgium**

In association with the European Environment Agency, the debate will focus on the EEA report “Late lessons from early warnings: science, precaution, innovation” and the difficult equilibrium between innovation and the precautionary principle.

To learn more about this event, please click [here](#).

### **Economic prospects 2013**

**23 January 2013**

**Brussels, Belgium**

The European Policy Centre will hold a policy dialogue with several key European stakeholders on the economic prospects for 2013.

To learn more about this event, please click [here](#).

### **Stepping up the Fight Against Market Abuse: Challenges in a Complex Financial Marketplace**

**23 January 2013**

**Brussels, Belgium**

The debate will be held on the necessary improvement of the regulation of market finance in order to prevent market abuses.

To learn more about this event, please click [here](#).

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## **Remittances: fostering mobility in the EU Single Market**

**24 January 2013**

**Brussels, Belgium**

The conference will focus on the free movement of people within the European Union and the crucial role of international money remittances as regards this ability.

To learn more about this event, please click [here](#).

## **Higher Education Conference - "Rankings and the Visibility of Quality Outcomes in the European Higher Education Area"**

**30-31 January 2013**

**Brussels, Belgium**

The conference will mainly focus on the EU higher education ranking system and the European Commission's U-Multi-rank project.

To learn more about this event, please click [here](#).

## **Joint conference: 'Action plan on corporate governance and company law: what's in it and why?'**

**4 February 2013**

**Brussels, Belgium**

Several key EU stakeholders will convene and debate on the recent evolutions surrounding Company Law and Corporate Governance.

To learn more about this event, please click [here](#).

## **The Future of European labour markets: fact-checking the vision**

**18 February**

**Brussels, Belgium**

In the light of the NEUJOBS project, several contributors will intervene on the evolution of the European labour market and the current transitions that it is facing.

To learn more about this event, please click [here](#).

## **Unleashing access to finance for long-term growth of European companies**

**21 February**

**Brussels, Belgium**

Michel Barnier along with other key European stakeholders will address the complex issue of financial support for SMEs.

To learn more about this event, please click [here](#).