



### HEADLINES

#### **EU/Data Protection: 'Shock and awe' approach leads to massive collateral damage for SMEs.**

On 21 October 2013, the European Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE) is scheduled to vote on the draft report on the General Data Protection Regulation. Rapporteur Jan Philip Albrecht (Greens/EFA, DE) is leading the negotiations and is currently trying to reach a compromise on the specific articles. The General Data Protection Regulation seeks to harmonise Data Protection rules across the EU, in order to provide one single regulatory framework for business and consumers. This should enhance consumers' trust in the digital market, ensuring that their data is treated safely and responsibly. For businesses, the new Regulation should establish legal certainty and establish common rules across the market. The debate on the GDPR intensified recently after the revelations concerning the substantial surveillance of private data of citizens by government institutions such as the NSA in the United States and the British intelligence body GCHQ.

#### **ESBA Opinion:**

**ESBA recognises the importance of the new Data Protection Regulation and welcomes the effort to establish a common regulatory framework to the benefit of both businesses and consumers. When calibrated properly, the new legislation can provide a powerful boost to the digital economy and enhance consumer privacy the security of their personal data. ESBA however calls for a sensible approach that takes into account the risk entailed with the kind of data that is processed and the kind of processing involved. This Regulation was first and foremost intended to protect consumers from the use of their data by large multinational data-driven enterprises. Yet, non-digital micro- and small enterprises are now at risk of being caught in the middle. Several amendments tabled in the European Parliament have no regard for distinctions between businesses. In order to comply with the new rules, small shop owners would be required to hire outside expertise, just to be allowed to inform their customers on the products they purchased, or to inform them about new promotions. EU policy makers should understand that filing data protection impact assessments and designating data protection officers are heavy regulatory measures. They should be used where the risk is real and justifiable. Furthermore, ESBA is concerned about the effect of the NSA/PRISM/GCSQ scandal on the General Data Protection Regulation. SMEs should bear the burden of a disregard of the law by government agencies. It is a debate to be had; however, the two issues both need to be dealt with on their individual particularities.**

To access the joint position paper of ESBA, the FSB, ACT and CEA-PME, please click [here](#).

#### **EU/Contract law: JURI takes major step in making cross-border trade easy.**

On 17 September 2013, the European Parliament Committee on Legal Affairs (JURI) adopted with a large majority the draft report on an optional Common European Sales Law (CESL). The proposal on CESL is intended to facilitate cross-border trade by making a second contract regime available for business and consumers. When engaging in cross-border sales in various Member States, businesses will have the option to use the same contracts across Europe. This reduces the burden on business while, at the same

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time, it ensures a high level of protection for consumers. The proposal is guided through the European Parliament by co-rapporteurs Klaus-Heiner Lehne (EPP, DE) and Mr Luigi Berlinguer (S&D, IT). The next step in the legislative process will be the trilogue negotiations between the European Parliament, Council of Ministers and the European Commission.

### ESBA Opinion:

**There are compelling economic arguments for a pan-European contract law system, which consumers and business can opt in to. Compared to other global economic markets, the European Single Market is hindered by regulatory fragmentation. ESBA therefore welcomes this initiative as it will harmonise consumer rights, without reducing them, and offers businesses the option to use one contract to trade throughout the EU. This will make it easier for local businesses to target and access the single market.**

To access the European Commission's webpages on the European Common Sales Law, please click [here](#).

### IN BRIEF

#### **EU/Smart Regulation: Commission President Barroso promises next steps in Burden Reduction Programme by end of October.**

On 19 September 2013, on the occasion of the meeting of the High Level Group on the Reduction of Administrative Burdens, President of the European Commission José Manuel Barroso stated that the follow-up on the Commission's Regulatory Fitness Programme (REFIT) will be published early in October. The REFIT Programme aims to assess whether EU legislation is still fit for purpose. Based on the programme, burdensome and inefficient pieces of legislation will be simplified or repealed.

To access the European Commission's webpages on the Smart Regulation, please click [here](#).

For more information about the High Level Group on the Reduction of Administrative Burdens, please click [here](#).

#### **EU/EIB: 2.6 billion euros to help SMEs.**

On 19 September 2013, the Board of the European Investment bank (EIB) agreed on a 2.6 billion euro capital investment for EU SMEs and mid-caps. With this latest influx, the total investment for the year 2013 by the EIB in terms of loans will amount to 12 billion, whereas in the same period last year, it only amounted to 7.3 billion. Supporting SMEs is one of the top priorities of the EIB, which also strives to boost innovation and competitiveness by supporting large scale infrastructure and long term investment projects. The EIB offers a large range of tools to support SMEs, such as loans, innovative financing options and capital injections.

To learn more about the EIB's actions for SMEs, please click [here](#).

#### **EU/Transport: Highly debated proposal on length-restrictions for mega-trucks across the EU.**

On 17 September 2013, the European Parliament Committee on Transport and Tourism held a debate on the proposal by the European Commission to end cross-border restrictions and length-restrictions for mega-trucks. 'Mega-trucks' are vehicles that can be up 25-metres long, and weigh 60 tonnes. They are cost efficient for the industry as they can carry large volumes or cargo at once. Currently, maximum dimensions of trucks across the EU are strictly limited to 18.75 metres and cannot weigh more than 40 tonnes. If the European Parliament backs the proposal, heavy negotiations with the Member States are expected to follow as it is likely to imply many changes to existing road infrastructure.

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For more information about the EU's legislation on road transport, please click [here](#).

To access the proposal by the European Commission on the weight and dimension of heavy commercial vehicles, please click [here](#).

### **EU/Taxation: Concerns raised about the legal basis of the Financial Transaction Tax.**

On 14 September 2013, on the occasion of the informal ECOFIN Council in Vilnius, the EU Ministers of Financial Affairs discussed legal concerns regarding enhanced cooperation on the Financial Transaction Tax. The legal services of the Council of the EU revealed that the implementation of the tax in 11 EU Member States would be incompatible with EU law because it would affect the tax sovereignty of the non-participating Member States. Algirdas Šemeta, the Commissioner responsible for Taxation and Customs Union, Audit and Anti-fraud assured the Ministers that the proposal is in accordance with the provisions of the EU Treaties.

For more information about the EU's efforts on taxation of the financial sector, please click [here](#).

### **EU/Telecoms: Single Telecoms Market faces opposition in the European Commission.**

On 11 September 2013, the Vice-President of the European Commission responsible for the Digital Agenda, Neelie Kroes, unveiled her plan for a Single Telecoms Market. Nine of her fellow-Commissioners have raised concerns regarding the proposal that should promote innovation and investment in the market for electronic communications. The proposal would establish common EU rules on the authorisation for telecommunications companies to operate across the EU, would limit roaming charges, would embed net-neutrality in EU law and establish common EU rules on spectrum policy. The main criticism mentioned is that the proposed Regulation potentially gives bigger operators unfair advantages over small players.

To read more about the Single Telecoms Market, please click [here](#).

To access the Regulation on the Telecommunications Single Market, please click [here](#).

### **EU/Customs: The European Parliament adopts a modernised Union Customs Code.**

On 11 September 2013, the European Parliament in plenary session adopted the report of Constance Le Grip MEP (EPP, FR) on the proposal for a Regulation on the modernisation of Union Customs Code. The new Union Customs Code introduces measures intended to achieve a fully electronic environment, as well as provisions to reinforce a quicker customs procedures for reliable traders. Furthermore, the new rules should guarantee a general harmonized approach in dealing with customs infringements. The Council of the EU is expected to adopt the new Union Customs Code within the coming weeks after which the Regulation can enter into force by November 2013.

To access the European Commission's webpages on the modernized Customs Code, please click [here](#).

### **EU/Budget: Council presents proposal for 2014 budget, Parliament subsequently postpones vote on Multiannual Financial Framework 2014-2020.**

On 10 September 2013, during the European Parliament plenary session, the Council of the European Union presented its position on the draft Budget for 2014. In its proposal, the Council suggested further cuts on projected budget commitments and payments. In response to this position, the European Parliament Committee on Budgets (BUDG) decided to postpone its vote on the Multiannual Financial Framework for 2014-2020, originally scheduled to take place on 18 September 2013. A preliminary

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agreement on the EU's Multiannual Financial Framework was reached on 27 June 2013 but this was only the first step toward a final vote in plenary. The main political groups in the European Parliament urged the Lithuanian Presidency and the European Commission respect the agreements and to complete the legislative procedure quickly.

To access the Council position on Draft budget of the European Union for the financial year 2014, please click [here](#).

For more information about the procedure concerning the EU budget, please click [here](#).

### **EU/Data Protection: Visit of the Lithuanian minister of Justice Mr Juozas Bernatonis to Brussels.**

On 5 September 2013, a tripartite meeting took place between the Lithuanian Presidency, the European Commission and the European Parliament to discuss the General Data Protection Regulation. On this occasion, Mr Bernatonis reiterated the importance of the data protection dossier for the Lithuanian Presidency but stressed as well that the quality of the data protection package should not be compromised. Tension is rising on this dossier in order to complete the full negotiations ahead of the European elections in May 2014. The Lithuanian Presidency envisages a total of 17 days of expert meetings to have taken place before the end of its term.

To find more information about the reform of the Data Protection Package, please click [here](#).

To access the joint position paper of ESBA, the FSB, ACT and CEA-PME, please click [here](#).

### **EU/Public Procurement: Ensuring SME access to public tenders.**

On 5 September 2013, on the occasion of the meeting of the European Parliament Committee on Internal Market and Consumer Protection (IMCO), MEPs approved with a large majority the outcome of the trilogue negotiations on the Public Procurement Directive. One of the specific objectives of the new Public Procurement Directive is to achieve greater involvement of SMEs in public tenders. Furthermore, the new Directive includes the possibility to split contracts into lots, seeks to create a European Single Procurement Document, and envisages greater use of E-procurement. The European Commission and the Council of EU are committed to introduce further improvements in this field with a legislative proposal on Electronic Invoicing in Public Procurement, as published on 26 June 2013.

To access the consolidated text of the Public Procurement Classic Directive, please click [here](#).

To access the European Commission's proposal on electronic invoicing in public procurement, please click [here](#).

### **EU/Employment: € 815 million to promote employment and social innovation.**

On 5 September 2013, the European Parliament Committee on Employment and Social Affairs (EMPL) backed a proposal for an EU Employment and Social Innovation (EaSI) programme for the period 2014-2020. This is the first employment and social inclusion programme envisaged under the new Multiannual Financial Framework for the period 2014-2020. With a projected budget of € 815 million, the EaSI programme focuses on supporting youth employment, promoting gender equality and fighting social exclusion. It includes three already existing programmes: the Progress Programme (61% of the overall budget), the Microfinance Facility, (21%), and European Employment Services EURES (18%).

To access the European Commission's proposal for the Employment and Social Innovation Programme, please click [here](#).

To find more information about the Progress Programme, please click [here](#).

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To learn more about the Microfinance Facility, please click [here](#).

To find more information about EURES, please click [here](#).

### **EU/Access to Finance: Differences in national legislation on crowd funding push Commission to act.**

On 4 September 2013, Pierre Moscovici, French minister of Economy and Finance, announced a new French proposal containing measures to develop and facilitate the access of entrepreneurs to crowd funding. Several EU Member states are also working on crowdfunding, among which the UK and Italy. The European Commission reacted to this by announcing that a proposal aimed at regulating crowdfunding will be drafted next year.

To learn more about the European Commission's work on crowd funding, please click [here](#).

## **PUBLICATIONS**

### **EU/EIB: Supporting SMEs for Growth, Innovation and Jobs.**

On 20 September 2013, the European Investment Bank published a report on how it uses its funds to stimulate SME growth and innovation and the creation of new jobs.

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

### **EU/Eurostat: Production in construction data for July 2013.**

On 18 September 2013; Eurostat published its data on Euro area production of July 2013 compared with June 2013 and July 2012. The data shows that in July 2013 the production in the construction sector rose by 0.7% and 0.3% in the euro area.

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

### **EU/Eurostat: Decrease of employment by 0.1 % in Euro area during second quarter 2013**

On 13 September 2013, Eurostat issued figures showing that unemployment grew by 0.1 % in the Euro area. For the EU 27, the unemployment percentage remained unchanged. The figures compare the second quarter of 2013 with the first quarter of 2013.

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

### **EU/OECD: 2013 OECD Scoreboard on Financing SMEs and Entrepreneurs.**

On 4 September 2013, the Organisation for Economic Co-operation and Development (OECD) published its annual scoreboard on financing SMEs and entrepreneurs. The scoreboard provides figures on inter alia growth patterns and trends on SME loans and SME nominal interest rates and interest rate spreads.

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

### **EU/Eurostat: Volume of retail trade for July 2013.**

On 4 September 2013, Eurostat released data about the volume of retail trade in July 2013 compared with June 2013. The data show that the seasonally adjusted of retail trade rose in the euro zone (0.1%) and in the EU 28 (0.2%).

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

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### **EU/Eurostat: Prices of industrial production in euro zone for July 2013.**

On 3 September 2013, Eurostat published its data on the industrial producer prices for July 2013. The data estimates that the prices are rose by 0.3% in the euro zone and by 0.4 in the EU28, compared with June 2013.

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

### **EU/Commission: Business Climate Indicators rising.**

On 30 August 2013, the European Commission announced that the Business Climate Indicators grew for the fourth successive month, with an increase of 0.31 points.

To access the press release, please click [here](#).

### **EU/Eurostat: Estimated decrease in annual inflation.**

On 30 August, Eurostat issued data related to the estimated annual inflation of the Euro area, projecting a decrease in both the Euro area and the EU28. According to the data on the main components of Euro area inflation, the highest annual inflation rates in August 2013 concern food, alcohol, and tobacco.

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

## CONSULTATIONS

### **NEW:**

#### **Consultation on Sustainable Buildings.**

*Closes: 1 October 2013*

This consultation aims at collecting data and opinions from all stakeholders on potential measures to improve the environmental sustainability of buildings. The European Commission particularly welcomes suggested policy solutions in order to achieve better use of resources and a lighter environmental impact of buildings throughout their lifecycles.

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

#### **Consultation on the revision of the De Minimis Notice (antitrust).**

*Closes: 3 October 2013*

The goal of the initiative on the revision of the De Minimis Notice is to adapt the policy framework following the rulings by the European Court of Justice. A notable evolution to be added to the De Minimis Notice is the establishment by the European Court of Justice of the inapplicability of the *de minimis* concept whenever an agreement includes a “by object restriction” (a significantly anti-competitive restriction). Finally, the revision of the Notice should also ensure that further changes in completion regulation do not necessarily call for an update of the whole Notice in the future.

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

#### **Consultation on a new European approach to business failure and insolvency.**

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*Closes: 11 October 2013*

This consultation aims at collecting their views on insolvency law in order to evaluate if there is a particular need for harmonisation, and to what extent such a harmonisation affects national legislation. This consultation is linked to the European Commission Communication on "A new European approach to business failure and insolvency", published in 2012.

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

### **Consultation on the "Experience Economy" as an emerging industry.**

*Closes: 11 October 2013*

Through this Consultation, the European Commission seeks to gauge the opinion of stakeholders on the "Experience Economy", and whether EU action in this field is necessary to support new business models. The Experience Economy includes among others cultural and creative industries, leisure and sport, tourism, entertainment and eco-industries.

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

## COMING UP

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

24 September 2013 – European Parliament committee meetings  
25 September 2013 – European Parliament committee meetings  
25 September 2013 – Coreper I  
26 September 2013 – Competitiveness Council  
26 September 2013 – European Parliament committee meetings  
27 September 2013 – Competitiveness Council  
30 September 2013 – European Parliament committee meetings  
02 October 2013 – Coreper I  
02 October 2013 – Governing Council meeting of the ECB  
03 October 2013 – European Parliament committee meetings  
04 October 2013 – Coreper I  
07 October 2013 – Justice and Home Affairs Council  
08 October 2013 – Justice and Home Affairs Council  
09 October 2013 – Coreper I and II  
10 October 2013 – Transport, Telecommunications & Energy Council  
11 October 2013 – Coreper I  
14 October 2013 – European Parliament committee meetings  
14 October 2013 – Eurogroup  
14 October 2013 – Environmental Council  
15 October 2013 – Economic and Financial Affairs Council  
15 October 2013 – Employment, Social Policy, Health and Consumer Affairs Council  
16 October 2013 – Coreper I  
16 October 2013 – European Economic and Social Committee plenary session  
17 October 2013 – European Economic and Social Committee plenary session  
17 October 2013 – Agriculture and Fisheries Council

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17 October 2013 – European Parliament committee meetings

17 October 2013 – Governing Council meeting of the ECB

18 October 2013 – Agriculture and Fisheries Council

### Other SME-related events

#### **The role and future of the liberal professions in European civil society 2020.**

**24 September 2013**

**Brussels, Belgium**

On 24 September 2013, the European Economic and Social Committee will host a conference on the role and future of the liberal professions in European civil society 2020. The topics of the debate include the legal basis and organisation of liberal professions, the impact of liberal professions on society, the quality control and consumer protection, economic development and potential and the case of care provision.

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

#### **Supporting Inclusive Entrepreneurship in Europe: Creating Sustainable Employment and Growth.**

**24 September 2013**

**Brussels, Belgium**

Public Policy Exchange organises a debate on how to support entrepreneurship in Europe. Among the keynote speakers, will be Mr Marko Curavic, Head of Unit for Entrepreneurship 2020 at Directorate General Enterprise and Industry of the European Commission.

To learn more about the debate, please click [here](#).

#### **Collaborative or participative consumption: a sustainable model for the 21st century.**

**25 September 2013**

**Brussels, Belgium**

On 25 September 2013, the European Economic and Social Committee will host a public hearing on participative consumption.

To learn more about the public hearing, please click [here](#).

#### **To Quota or not to Quota: Women on Boards.**

**26 September 2013**

**Brussels, Belgium**

On 26 September 2013, SME Europe of the EPP organises, in cooperation with the SME Circle, the event “To Quota or not to Quota: Women on Boards”.

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

#### **Workshop on Plastic Waste.**

**26 September 2013**

**Brussels, Belgium**

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The European Parliament Committee on Environment, Public Health and Food Safety (ENVI) hosts a workshop on the European Strategy on Public Waste and Recycling. The welcome speech will be given by Mr Vittorio Prodi MEP (S&D, IT).

To learn more about the workshop, please click [here](#).

### **European placements: a learning environment for entrepreneurial skills.**

**30 September 2013**

**Brussels, Belgium**

On 30 September 2013, the Belgian-Italian Chamber of Commerce will host the final event of the project "Uni-key - Unleash your business potential".

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

### **5th European Innovation Summit.**

**30 September - 3 October 2013**

**Brussels, Belgium**

Knowledge4Innovation (K4I) organises a European summit on innovation, focusing Horizon 2020 and structural funds. Several MEPs and Commissioners will attend the event as keynote speakers.

To learn more about the summit, please click [here](#).

### **A Renaissance of Industry for a Sustainable Europe (RISE).**

**16 October 2013**

**Brussels, Belgium**

The Greens | European Free Alliance in the European Parliament will host an event on reindustrialisation and on promoting competitiveness and sustainability.

To learn more about the public conference, please click [here](#).

### **Retail Forum 2013.**

**17 October 2013**

**Brussels, Belgium**

The European Commission, together with the Retail Forum for Sustainability, organises the Retail Forum 2013, this year focusing on green transitions for retailers.

To learn more about the forum, please click [here](#).

### **SMEs in Horizon 2020.**

**18 October 2013**

**Brussels, Belgium**

The European Commission organises an Info Day on SME participation to Horizon 2020, with particular regard towards SME support organisations.

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

### **The Path to Growth: Achieving Excellence in Business Friendly Public Administration.**

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**29 October 2013**

**Brussels, Belgium**

Directorate General Enterprise and Industry of the European Commission organises a conference on modernising public administrations and how to strengthen relations with businesses.

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

**The Brussels Tax Forum 2013.**

**18 November 2013**

**Brussels, Belgium**

On 18 November 2013, Directorate General Taxation and Custom Union of the European Commission will host a forum on tax issues, aimed at policymakers, taxation experts and other stakeholders.

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

**Encouraging a Europe of Enterprise, SME Assembly in Lithuania.**

**25-26 November 2013**

**Vilnius, Lithuania**

Under the auspices of the Lithuanian Presidency, this year's SME Assembly will take place in Vilnius. Policy makers, business and consumer organisations and a large amount of entrepreneurs will discuss the most pressing issues pertaining to SMEs.

For more information about the SME Assembly, please click [here](#).