EN
P-006993/2014
Answer given by Mr Nelli Feroci
on behalf of the Commission
(d.m.yyyyy)

1. Article 8(1) of Directive 98/34/EC requires Member States to notify a draft again "if they make changes to the draft that have the effect of significantly altering its scope, shortening the timetable originally envisaged for implementation, adding specifications or requirements, or making the latter more restrictive." Where significant amendments in the sense of Article 8(1) have been made, Member States can notify the draft again at any time before adoption thereof, allowing for the standstill period required by Directive 98/34/EC.

From the information currently available to the Commission, the draft act notified under 2013/244/E has not yet been adopted.

2 [DG Markt/COMP]

Member States have a margin of discretion in designing the legislative framework for the appropriate remuneration of IP right holders. Such a framework must, however, comply with EU law, including competition rules. [The Commission notes that] the report of the Spanish competition authority, referred to by the Honourable Member, provides a succinct analysis of the relevant markets but does not identify any actual or potential violation of EU competition law resulting from the draft law.