**ORDINARY LEGISLATIVE procedure – First reading**

**Follow up to the European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council on promoting fairness and transparency for business users of online intermediation services**

**1. Rapporteur:** Christel SCHALDEMOSE (S&D / DK)

**2. Reference numbers:** 2018/0112 (COD) / A8-0444/2018 / P8\_TA-PROV(2019)0398

**3. Date of adoption of the resolution:** 17 April 2019

**4. Legal basis:** Article 114 of the Treaty on the Functioning of the European Union

**5. Competent Parliamentary Committee:** Committee on Internal Market and Consumer Protection (IMCO), Committee on Legal Affairs (JURI), (associated committee procedure)

**6. Commission's position:** Accepts all amendments. The Commission tabled the following statements:

“The Commission takes note of the text of Article 1(4) agreed by the European Parliament and the Council.

The Commission wishes in this context to note that the present regulation does not preclude Member States' ability to prohibit or sanction unilateral conduct or unfair commercial practices under their national law, provided that the relevant provisions of national law are applied in conformity with other provisions of Union law and are compatible with the provisions of the present regulation.

The principle that national law should be compatible with this regulation however only applies to the extent that the specific issue in question is specifically regulated therein. The Commission notes in this regard that this regulation does not regulate all aspects of the commercial relationships between providers of online intermediation services and their business users.

In particular, the Commission considers that where the provisions of this regulation set out a specific level of transparency or specific information obligations, in relation to these matters, Member States cannot prescribe different levels of transparency or different information obligations. However, this regulation does not preclude the application of national rules which prohibit or sanction unilateral conduct or unfair commercial practices and which concern other matters, not regulated by the provisions of this regulation.”