

Call for views in response to

Proposal for a Regulation of the European Parliament and of the Council on promoting fairness and transparency for business users of online intermediation services [COM (2018) 238 final]

The Department of Business, Enterprise and Innovation is seeking views from stakeholders and interested parties 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 [COM (2018) 238 final]. The draft Regulation was published by the EU Commission as part of their “Platforms Package” on 26 April 2018.

The proposal aims to establish a fair, trusted and innovation-driven ecosystem in the online platform economy in the EU and contribute to a strengthened, better-functioning Digital Single Market in terms of innovation, competitiveness, growth and jobs. Granting businesses more predictability in their relationships with platforms, as well as giving access to effective means to address problems, will encourage their use of online platforms as a means to grow their business. Clearer rules at EU level should provide platforms with a predictable regulatory environment and enable them to scale-up in a less fragmented Single Market.

The scope of the Regulation covers online platform intermediaries and general online search engines that provide their services to businesses established in the EU and that offer goods or services to consumers located in the EU. Whereas online platform intermediaries are covered to the extent that they have a contractual relationship with both the businesses trading via them and the consumers using them, general online search engines are covered irrespective of whether they have a contractual relationship. The proposal excludes online advertising and payment services that do not intermediate direct transactions between businesses and consumers, as well as intermediaries that operate between businesses only.

The draft Regulation, Impact Assessment and supplementary information can be found at <https://ec.europa.eu/digital-single-market/en/platforms-to-business-trading-practices#useful-links>

Views from interested parties on the **draft Regulation** are requested no later than **close of business on Friday 22 June 2018**. Submissions should be marked “Proposal promoting fairness and transparency for business users of online intermediation services can either be e-mailed to dsmunit@dbei.gov.ie or sent in hard copy to the EU Digital Single Market and Digital Economy Unit, Department of Business, Enterprise and Innovation, 23 Kildare St, Dublin 2, D02 TD30.

Your attention is drawn to the fact that information provided to the Department may be disclosed in response to a request under the Freedom of Information Act 2014. Therefore, should you consider that any information you provide is commercially sensitive, please identify same, and specify the reason for its sensitivity. The Department will consult with you regarding information identified by you as sensitive before making a decision on any Freedom of Information request. Any personal information, which you volunteer to this Department, will be treated with the highest standards of security and confidentiality, strictly in accordance with the Data Protection Acts 1988 and 2003.

The Department may also decide to place any submissions received by it on the Department’s website. A decision on any such placement may occur **without prior consultation** with

respondents to this process. Thus, it is in the interests of respondents to highlight, in their submissions, any commercially sensitive or confidential information at the time of submission.

Queries

Further information may be obtained by contacting the EU Digital Single Market and Digital Economy Unit of the Department at the following contact points:

Eoin Cuddihy at 01- 6312883 (or at eoin.cuddihy@dbei.gov.ie)

John Dooley at 01-631 2271 (or at john.dooley@dbei.gov.ie)

25th May 2018