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E-003498/2022

Answer given by Executive Vice-President Vestager
on behalf of the European Commission
(8.12.2022)

1. The Commission will continue to ensure the application of Articles 101 and 102 of the Treaty on the Functioning of the EU (TFEU) to digital markets, through vigorous enforcement action. To ensure that its competition law toolbox is up to date and suitable for business and market realities, including those of the digital sector, the Commission is in the process of reviewing its rules, including the horizontal and vertical block exemption regulations and related guidelines and the market definition notice. The Commission has also launched an evaluation of its basic procedural regulation, Regulation 1/2003, to assess whether it is fit for enforcement in an increasingly digital world. The evaluation of Regulation 1/2003 will offer the chance to assess issues such as the Commission's investigative and enforcement powers and the procedural rights of parties to investigations and third parties, to ensure effective enforcement of Articles 101 and 102 TFEU in all sectors.

2. The Digital Markets Act (DMA) complements competition law enforcement, which remains applicable to digital markets. The DMA will become applicable as of 2 May 2023, and the obligations for designated gatekeepers will apply as of March 2024. Ongoing antitrust investigations, such as in case AT.40437 – Apple – App Store Practices (music streaming), remain relevant and necessary to address suspected competition law infringements.