

2. The date of entry into force which Member States lay down for these provisions shall be not later than ...

3. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

4. When Member States adopt the provisions, the latter shall contain a reference to this Directive or shall

be accompanied by such a reference at the time of their official publication. The methods of making such a reference shall be laid down by the Member States.

#### Article 3

This Directive is addressed to the Member States.

### **Amendment to the proposal for a Council Regulation (EEC) on the application of Article 85 (3) of the Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector <sup>(1)</sup>**

*COM(90) 650 final*

*(Submitted by the Commission pursuant to Article 149 (3) of the EEC Treaty on 20 December 1990)*

*(91/C 8/05)*

#### *Amendments*

Third recital

Add:

'Whereas the application of Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings enables the Commission to exercise close supervision on issues arising from concentrations in all sectors, including the insurance sector;'

Seventh recital

Add:

'Whereas, in the exercise of such powers, the Commission will take account not only of the danger of competition being eliminated in a substantial part of the relevant market and of any benefit conferred to policyholders resulting from the agreements but also of the danger which the proliferation of restrictive clauses and the setting up and operating of accommodation companies would entail for policyholders; whereas the keeping of registers and the handling of information on aggravated risks should ensure the proper protection of confidentiality;'

#### *Article 1 (1) (f)*

Add:

'provided that the keeping of these registers and the handling of this information ensure the proper protection of confidentiality.'

#### *Article 8*

New:

'The Commission shall send a report on the implementation of the present Regulation to the Council and to the European Parliament, not later than six years after the entry into force of the Commission Regulation referred to in Article 1, together with any proposals for amendment of the present Regulation which might appear necessary in the light of experience.'

<sup>(1)</sup> OJ No C 16, 23. 1. 1990, p. 13.