

NOTIFICATION OF AGREEMENTS

(Case COMP/D-1/38.606 — Groupement des Cartes bancaires)

(2003/C 80/04)

(Text with EEA relevance)

1. On 31 January 2003 the Commission received notification pursuant to Articles 2 and 4 of Council Regulation No 17 from the Groupement des Cartes Bancaires, an economic interest grouping under French law (hereinafter the Group), of certain changes to the rules applicable to banks that are members of the Group concerning, in particular, the membership fee to be paid by new members and establishing a 'mechanism for regulating the acquisition function' (MERFA).

2. The Group is an inter-bank body responsible among other things for managing the card payment system known as 'CB' and for defining the relevant rules.

3. The changes which were adopted on 8 November 2002 by the Group's Board of Directors (consisting of the eleven banks which set up the CB system) and notified to members of the Group with a view to their entry into force on 1 January 2003, were approved on 20 December 2002 by the General Meeting. They include:

— a financial device known as the 'mechanism for regulating the acquisition function' (MERFA), which operates as follows: a bank that issues CB cards without engaging in the acquisition of CB transactions with regard to retailers or without operating automated teller machines available to holders of CB cards will be charged EUR 11 a year per active CB payment card and EUR 3 a year per active CB cash withdrawal card. A bank that engages in payment or cash withdrawal business but whose acquisition business is significantly less extensive than its issuing activity (compared to the business concluded by all the banking members of the Group) will be charged an amount varying from EUR 0 to EUR 11 per active CB payment card and between EUR 0 and EUR 3 per active CB cash withdrawal card, depending on the extent of their acquisition business compared to their issuing business. The amounts levied under MERFA will be redistributed to the banks that are not subject to the MERFA, according to their contribution to acquisition business in the CB system;

— a change in the membership fee applicable to new members of the Group. The fee, previously a single lump sum of EUR 38 000 (excluding VAT), now consists of three elements:

— a lump sum of EUR 50 000 (excluding VAT);

— a fee of EUR 12 (excluding VAT) per CB card issued in the three years following membership of the Group;

— only for new members that triple the number of CB cards issued between the end of their third year of membership and the end of their sixth year of membership, a fee of EUR 12 (excluding VAT) per card issued in excess of the number which represents the tripling;

— a new fee applicable to Group members at 31 December 2002 that significantly increase their business in issuing active CB card over a three-year period from 1 January 2003 (known as sleeping members). The amount to be paid is calculated by applying a formula: if an index reflecting the share of a member bank in the total number of CB cards issued, is more than three times another index, established three years earlier, the bank will pay EUR 12 per card issued in excess of the number representing a tripling of the index;

— remodelling of the method for calculating members' voting rights within the Group and their rights to the Group's assets. The rights will in future be calculated on the basis of their volume of business in the CB system over a seven-year period rather than a one-year period, as previously.

4. The Group claims that the notified agreements take better account of the actual contributions of its members to the development of the CB system. To that end, it states, MERFA will encourage Group members to expand their acquisition activities. According to the Group, acquisition activities create more positive externalities than issuing activities do.

5. After preliminary examination, the Commission finds that the notified agreement could fall within the scope of Regulation 17.

6. The Commission invites interested third parties to submit to it any comments they may have on the proposed agreement.

7. Comments should reach the Commission not later than thirty days following the date of publication of this notice. They may be sent, under reference number COMP/D-1/38.606 — Groupement des Cartes Bancaires, by fax ((32-2) 296 98 07), or by post to the following address:

European Commission
Directorate-General for Competition
Directorate D
Unit D-1 (Financial services)
B-1049 Brussels.

Conclusion of a Memorandum of Understanding with Slovenia on its participation in the Community Programmes MEDIA Plus and MEDIA-Training

(2003/C 80/05)

On 25 March 2003 the Memorandum of Understanding between the European Commission, on behalf of the European Community, and the Government of Slovenia on Slovenia's participation in the Community Programmes MEDIA Plus and MEDIA-Training has been signed.

The full text in English of the Memorandum of Understanding can be found on the following web page:

http://europa.eu.int/comm/avpolicy/media/enlarg_en.html
