An EU approach to online platforms

Consumer choice, competition and growth in the Single Market
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Outline

- The general approach to platforms
- Platform Communication May 2016
- Online platforms and B2B relations
- What next?
Benefits of online platforms

- Major innovation opportunities for start-ups, new business models, ability to create and shape new markets
- Access to broader offer for consumers
- Potential for market integration
- Access to new markets and opportunities for businesses
The Commission's approach

- Embrace the platform revolution...
  - Attract, retain and grow online platforms

- Including by effectively tackling emerging issues
  - Competition law
  - Problem-driven approach to regulation
Commission's approach reflected in:

Commission Communication "Online Platforms and the Digital Single Market Opportunities and Challenges for Europe" (May 2016)

Commission Communication "A European agenda for the collaborative economy" (June 2016)

Commission Communication "Digitising European Industry" (April 2016)
Platform Communication

Platforms come in various shapes and sizes - no simple definition of 'a platform'.

Online platforms are subject to a number of regulations already.

Any new regulation should be targeted & problem-driven.
Platform Communication: Principles for platform development

- Comparable rules for comparable digital services
- Obligation to behave responsibly (liability regime in e-Commerce Directive maintained)
- Transparency and fairness (Consumers & Businesses)
- Open markets for data-driven economy (free flow of data initiative later in 2016)
Online Platforms and B2B Relations

The platform consultation

- A vast majority of respondents to B2B questions consider there is **room for improvement** in the relations

- Views diverge on the ways to improve the relations
Online Platforms and B2B Relations

Examples of potentially problematic practices (public consultation)

1. unfair terms and conditions (e.g. access to data);
2. refusing market access or unilaterally modifying the conditions for market access;
3. dual role of platforms as intermediary and competitor;
4. unfair ‘parity’ clauses;
5. lack of transparency — notably on platform tariffs, use of data and search results.
What next: key policy challenges

Diversity of platforms
- E-commerce
- App stores
- Social media
- Audio / Visual
- Price comparison

Fragmentation of national regulation

Market dynamics
What next: Targeted fact-finding

Will examine issues raised in the public consultation as well as the potential means of redress beyond the application of competition law, e.g. (voluntary) dispute resolution mechanisms, transparency and better information measures or guidance.

By spring 2017, the Commission will determine whether additional EU action is needed
Thank you for your attention!

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