

Deal on Digital Markets Act: EU rules to ensure fair competition and more choice for users

On Thursday evening, Parliament and Council negotiators agreed new EU rules to limit the market power of big online platforms.

The [Digital Markets Act](#) (DMA) will blacklist certain practices used by large platforms acting as “gatekeepers” and enable the Commission to carry out market investigations and sanction non-compliant behaviour.

The text provisionally agreed by Parliament and Council negotiators targets large companies providing so-called “core platform services” most prone to unfair business practices, such as social networks or search engines, with a market capitalisation of at least 75 billion euro or an annual turnover of 7.5 billion. To be designated as “gatekeepers”, these companies must also provide certain services such as browsers, messengers or social media, which have at least 45 million monthly end users in the EU and 10 000 annual business users.

During a close to 8-hour long trilogue (three-way talks between Parliament, Council and Commission), EU lawmakers agreed that the largest messaging services (such as Whatsapp, Facebook Messenger or iMessage) will have to open up and interoperate with smaller messaging platforms, if they so request. Users of small or big platforms would then be able to exchange messages, send files or make video calls across messaging apps, thus giving them more choice. As regards interoperability obligation for social networks, co-legislators agreed that such interoperability provisions will be assessed in the future.

Parliament also ensured that combining personal data for targeted advertising will only be allowed with explicit consent to the gatekeeper. They also managed to include a requirement to allow users to freely choose their browser, virtual assistants or search engines.

If a gatekeeper does not comply with the rules, the Commission can impose fines of up to 10% of its total worldwide turnover in the preceding financial year, and 20% in case of repeated infringements. In case of systematic infringements, the Commission may ban them from acquiring other companies for a certain time.

Quote

After the negotiations, the rapporteur from Parliament's Internal Market and Consumer Protection Committee, [Andreas Schwab](#) (EPP, DE), said:

"The agreement ushers in a new era of tech regulation worldwide. The Digital Markets Act puts an end to the ever-increasing dominance of Big Tech companies. From now on, they must show that they also allow for fair competition on the internet. The new rules will help enforce that basic principle. Europe is thus ensuring more competition, more innovation and more choice for users.

With the Digital Markets Act (DMA), Europe is setting standards for how the digital economy of the future will function. It will now be up to the European Commission to implement the new rules quickly.

As the European Parliament, we have made sure that the DMA will deliver tangible results immediately: consumers will get the choice to use the core services of Big Tech companies such as browsers, search engines or messaging, and all that without losing control over their data.

Above all, the law avoids any form of overregulation for small businesses. App developers will get completely new opportunities, small businesses will get more access to business-relevant data and the online advertising market will become fairer."

Next steps

After the legal text is finalised at technical level and checked by lawyer-linguists, it will need to be approved by both Parliament and Council. Once this process is completed, it will come into force 20 days after its publication in the EU Official Journal and the rules will apply six months after.

Press conference in the European Parliament

On Friday, 25 March, from 8.45 CET, Parliament's rapporteur **Andreas Schwab** (EPP, DE), French Secretary of State for the Digital Transition **Cédric O** on behalf of the Council, Commission Executive Vice-President **Margrethe Vestager**, in charge of Competition, and Commissioner for the Internal Market **Thierry Breton** will give a joint press conference in the European Parliament's press conference room.

More details on how to follow are available in this [media advisory](#).

Further information

[Procedure file](#)

[Press release on Digital Markets Act \(DMA\) after plenary vote \(15.12.2021\)](#)

[Multimedia package: Digital Services and Digital Markets Act](#)

[Collection of studies](#)

[Committee on the Internal Market and Consumer Protection](#)

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