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Subject: Proposal for a Regulation of the European Parliament and of the Council on contestable and fair markets in the digital sector (Digital Markets Act)
- General approach
- *Statement by the Austrian delegation*

Delegations will find attached:

– a statement by the Austrian delegation

on the abovementioned subject with a view to the Competitiveness Council meeting on 25 November 2021.

**PROPOSAL FOR A REGULATION ON CONTESTABLE AND FAIR MARKETS IN THE
DIGITAL SECTOR (DIGITAL MARKETS ACT) – GENERAL APPROACH**

Statement by Austria

Austria believes in a strong Digital Markets Act, with its ex ante regulatory approach as set out in Articles 5 and 6, which are the core part of the Regulation and describe its scope. Therefore, when consenting to the general approach, Austria assumes that Member States are free to regulate at national level (in accordance with Union law) when other – legitimate – objectives are pursued, such as protection of consumers, prevention of unfair competition, or media pluralism. National regulations, for example concerning narrow MFN clauses for booking platforms, can continue to be applied – including to gatekeepers – as they pursue a different objective. We also assume that the negotiations will bring further improvements, for example regarding fair conditions of access.
