

PRESS RELEASE
Brussels, 11 September 2014

ECJ judgment on MasterCard: a great victory for Europe's consumers and retailers

The European Court of Justice has today upheld the Commission's 2007 decision on MasterCard's multilateral interchange fees, wholly rejecting the card scheme's appeal. Following this ruling, the adoption of proposed regulation for open, transparent and lower card fees for all payment users must be a priority.

EuroCommerce, the original complainant in the MasterCard case and a party throughout the proceedings, wholly welcomes the opinion and trusts that it will provide great impetus to the Council and Parliament to proceed quickly with the proposal for EU Regulation which should bring great benefits for European commerce and all consumers.

The ECJ affirmed all the findings of the General Court, holding in particular that the interchange fees could not be regarded as 'objectively necessary' as 'the system was still capable of functioning without these fees.'

"We are hugely pleased at this decision and call on MasterCard to re-assess its fees, not only cross-border but at national level also," said Christian Verschueren, Director-General of EuroCommerce. *"We also call on the regulators to move swiftly to adopt the proposed EU Regulation by the end of this year. Indeed, we see the ruling as giving support to the European Parliament's extension of the original Commission proposals. We urge the Council to follow the Parliament's excellent lead."*

In particular, EuroCommerce calls on the Council and Parliament to:

- set interchange fee caps at 0.2% for debit and 0.3% for credit as an absolute maximum, with the option for member states to set lower or fixed caps.
- include a fixed cap of maximum 7 cents for debit transactions;
- include commercial cards in the fee caps and
- implement both domestic and cross-border fees within 6 months.

Dennis Kredler, Director General of the European Retail Round Table (ERRT) said, *"The judgment is a vindication of the retail sector's conviction held over many years. With the anti-competitive nature of the fee structure now beyond dispute, we urge the Council to redress this situation urgently, and to accept the European Parliament's consumer-friendly position on the Interchange Fee Regulation."*

See further: EuroCommerce-ERRT position paper on the payments package

<http://www.eurocommerce.be/media/93642/Payments%20Package%20position%20paper%20July%202014.pdf>

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EuroCommerce and the commerce sector

EuroCommerce represents the retail, wholesale and international trade sectors in Europe. Its membership includes commerce federations and companies in 31 European countries.

Commerce plays a unique role in the European economy, acting as the link between manufacturers and the nearly 500 million consumers across Europe over a billion times a day. It is a dynamic and labour-intensive sector, generating 11% of the EU's GDP. One company out of three in Europe is active in the commerce sector. Over 99% of the 6 million companies in commerce are small and medium-sized enterprises. It also includes some of Europe's most successful companies. The sector is a major source of employment creation: 33 million Europeans work in commerce, which is one of the few remaining job-creating activities in Europe. It also supports millions of dependent jobs throughout the supply chain from small local suppliers to international businesses.

European Retail Round Table (ERRT)

ERRT brings together the CEOs of Europe's leading retail companies who share their collective experience and ideas with policy makers in view of giving Europe's consumers better access to the benefits of the Single Market and to promote delivery of a sustainable consumption model.

Collectively, ERRT members employ more than 2.3 million people in over 40,000 stores.

ERRT Members are: Asda Walmart, Auchan Group, C&A, Carrefour Group, Dansk Supermarked, Delhaize Group, El Corte Inglés, H&M, ICA, IKEA, Inditex, Jerónimo Martins, Lidl, Marks & Spencer, Mercadona, Metro Group, Royal Ahold and Tesco.