



## REGULATION on DIGITAL MARKETS

### Agreement between the Council and the European Parliament on disputability and fairness of markets in the digital sector

**T**he Digital Markets Act (DMA) proposed by the Commission in December 2020 and approved by the European Parliament and the Council in record time, in March 2022, entered into force on **November 1, 2022**.

It seeks to regulate digital markets, i.e. the trade and exchange of services done through online platforms.

Large online digital platforms act as gatekeepers of digital markets. They are points of connection between commercial users, professional users and end-users, and their position is all the

more dominant as they have a comprehensive database of their users, which can bring dangers for competition if not properly regulated.

DMA seeks to regulate the performance of the functions of gatekeepers who have a fundamental role, since it is through them that it becomes possible to counteract this growing trend.

As these are characterized by low contestability and the exercise of unfair practices, it is in these widespread and commonly used services that the DMA will have a practical effect.

The regulation establishes objective and very strict criteria to define which major online platforms have a gatekeeper function for digital markets, ensuring that none of them abuses their position.

These gatekeepers will retain every opportunity to innovate and offer new services. They will simply not be allowed to use unfair practices towards the business users and customers that depend on them to gain an advantage in markets of this nature.

#### WHAT ARE THE BENEFITS OF DMA?

Business users who rely on gatekeepers to offer their services in the Single Market will have a fairer business environment.

Innovators and technology creators will have new opportunities to compete and innovate in the online digital platform environment without having to comply with unfair terms and conditions that limit their development.

Consumers will also benefit from the DMA. They will have more and better services from which to choose, more opportunities to switch providers if they wish, direct access to services and fairer prices.

#### FINAL NOTE

The aim of the DMA is to create a competitive and fair digital environment at EU level, enabling businesses and consumers to benefit from the opportunities of the digital world.

To this end, it sought to define a framework adapted to the economic and democratic footprint of digital giants and to introduce measures to protect users while supporting innovation in the digital economy.

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