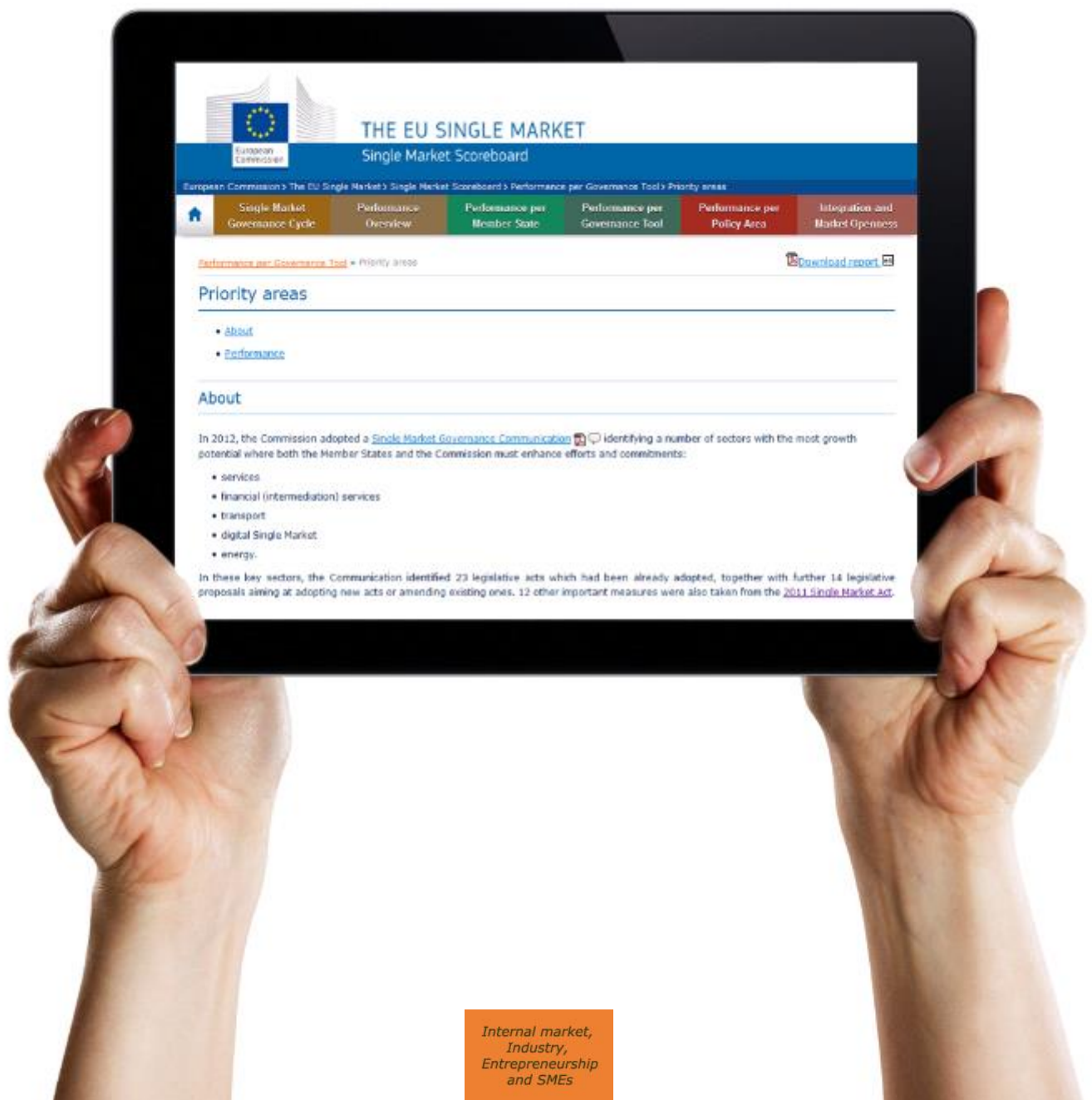


Single Market Scoreboard

Performance per governance tool

Priority areas

(State of play: December 2015)



About

In 2012, the Commission identified the single market sectors with the most growth potential, which require greater focus by Member States and the Commission: identifying a number of sectors with the most growth potential where both the Member States and the Commission must enhance efforts and commitments:

- services
- financial (intermediation) services
- transport
- digital Single Market
- energy.

For more detail see the: Single Market Governance Communication

In these key sectors, the Communication identified 23 legislative acts already adopted, together with further 14 legislative proposals to adopt new acts or amend existing ones. 12 other important measures were also taken from the 2011 Single Market Act.

As of 1 December 2015, 19 of the 26 legislative proposals have been adopted (2 others were withdrawn by the Commission). Among the adopted proposals, in June 2015, 1 Directive (2012/34/EU establishing a single European railway area) repealed 3 legislative acts in the transport sector.

Performance

As regards implementation of the identified legislative acts, the Communication called on Member States to:

1. transpose all directives on time and correctly (**0% transposition and conformity deficit**);
2. informally submit specific issues on **draft transposition measures** to the Commission and provide **on-line explanations** of how this transposition was carried out;
3. meet the following maximum targets:
 - average duration of **infringement** procedures – **18 months**
 - average time for full **compliance** with Court of Justice **judgments** – **12 months**.

Comparison with the situation of six months ago:

- **better overall performance:** Bulgaria, Italy, Hungary and Slovenia
- **worse overall performance:** Belgium, Germany, France, Croatia, Luxembourg, Romania and the UK
- **3 Member States close to a perfect score:** Denmark, Latvia, and Sweden

Member States' progress on meeting the 3 commitments:

1. Timely and correct transposition:

As of 10 December 2015, all Member States have implemented 17 out of the 20 directives for which the **transposition deadline** has passed (the 3 repealed directives are no longer part of the calculation). There was a significant delay with 2 directives:

- the Directive on access to the activity of credit institutions (2013/36/EU)

Transposition deadline: 31 December 2013

3 Member States still to transpose: Belgium, Spain, and Slovenia.

- the Solvency II Directive (2009/138/EC)

Transposition deadline for the last part: 31 March 2015

9 Member States still to transpose: Belgium, Bulgaria, the Czech Republic, Denmark, Greece, Cyprus, Hungary, Malta and Poland.

The transposition date for a further 3 directives passed in the last six months:

- Directive 2012/34/EU establishing a single European railway area
- Directive 2013/11/EU on alternative dispute resolution for consumer disputes
- Directive 2013/34/EU on annual financial statements, consolidated financial statements and related reports of certain types of undertakings.

These directives still need to be transposed by 13, 10 and 11 Member States respectively.

This explains in part why Member States' overall performance has worsened since the last screening. Late notifications (target 1) and the corresponding infringements for non-communication (included in target 3) increased the number of missed targets for 13 Member States: Belgium, Germany, Estonia, Ireland, Greece, France, Croatia, Lithuania, Luxembourg, Austria, Romania, Finland and the UK.

By contrast, Bulgaria, the Czech Republic, Italy (8 missed targets in May 2015 to 3 in December), Hungary, the Netherlands, Portugal and Slovenia(7) reduced their previous number of missed targets. The other Member States (8) equalled theirs.

As regards the number of pending infringements for **incorrect transposition**:

- transport: 8 cases (down from 23 in May 2015)

Decrease due to a number of closures as well and the fact that several cases opened for incorrect transposition of both directives 2001/12/EC and 2012/34/EU or both 2001/14/EC and 2012/34/EU are now only linked to Directive 2012/34/EU (on the Single European railway area).

- energy: 24 cases (up from 21 in May 2015) – stable situation.

2. Draft transposition measures and online explanation:

- **draft transposition measures:** Member States seem to be following the request in the Governance Communication for the Single Market.
- **online explanation:** The Commission has not seen any increase in Member States providing online explanations of how they transposed specific rules. Member States have been reminded that this aspect is vital if businesses and citizens are to make use of their new rights. Member States have been encouraged to do more on this issue and inform the Commission of websites providing such information.

3. Infringement targets:

Compared with the situation of six months ago:

Average duration of pending infringement cases – performance varies by sector:

- services: 29.1 months (up from 27.9 months)
- transport: 12 months (down from 24.2 months) – sharp decrease due to the recent opening of 20 cases for non-communication of Directive 2012/34/EU and the repeal of 3 transport-related directives
- digital: 12.9 (up from 10.1 months)
- energy: 13.5 months (up from 13.3 months).

Compliance with Court of Justice judgments – 4 Member States have still to comply with a condemning ruling in all sectors. Only Greece and Portugal have gone beyond the 18 month threshold.

The Commission will continue to measure progress on these commitments.

Services (4 directives)

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[3]			109.4		45.3		24.3	16.7	5.4		9.1	30.7	5.4				24.3	21.7		41.3	13.8	14.2	16.7	54.4				29.1	
[4]														2.7														2.7	
	BE	BG	CZ	DK	DE	EE	IE	EL	ES	FR	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	EU

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[2]	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
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[4]																													
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[3]	14.3	4.3	10.5		5.4	4.3		11.6	20.3	24.5		17.7		4.3	4.3	4.3	4.9		4.3	4.3	18.8	2.3	4.3	4.3		4.3	14.2	27.7	12.4
[4]								36.8														37.2							37.2
	BE	BG	CZ	DK	DE	EE	IE	EL	ES	FR	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	EU

[1]	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
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[3]						4.5				12.1										22.1								12.9	
[4]																													
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[1]	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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[3]	13.5				9.1			16.7	5.7	7.6	6.1	9.1			6.1	20.0	8.6		38.3	21.9		8.1	36.3						9.4	13.5	
[4]																					2.7									2.7	
	BE	BG	CZ	DK	DE	EE	IE	EL	ES	FR	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	EU		

[1]	1	1	1	0	1	2	1	1	1	0	1	0	1	0	0	2	0	0	1	0	1	0	2	0	1	2	1	0	2
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[4]																													
	BE	BG	CZ	DK	DE	EE	IE	EL	ES	FR	HR	IT	CY	LV	LT	LU	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	EU

	1	2
Transposition deficit	0%	> 0%
Compliance deficit	0%	> 0%
Pending cases duration	≤ 18 months	> 18 months
Duration since Court's judgment	≤ 12 months	> 12 months
Not applicable		

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Member States after notifying some transposition measures (3) directives considered as completely transposed by Member States but in respect of which the Commission has opened a formal infringement procedure for non-communication and the Member State has not notified new transposition measures after the latest procedural step adopted by the Commission.

[2] A directive counts as incorrectly transposed if an infringement procedure for non-conformity has been opened formally by the Commission.

[3] and [4] The duration of pending cases is calculated from the date on which the Commission sends a letter of formal notice to the completion of the pre-litigation phase.