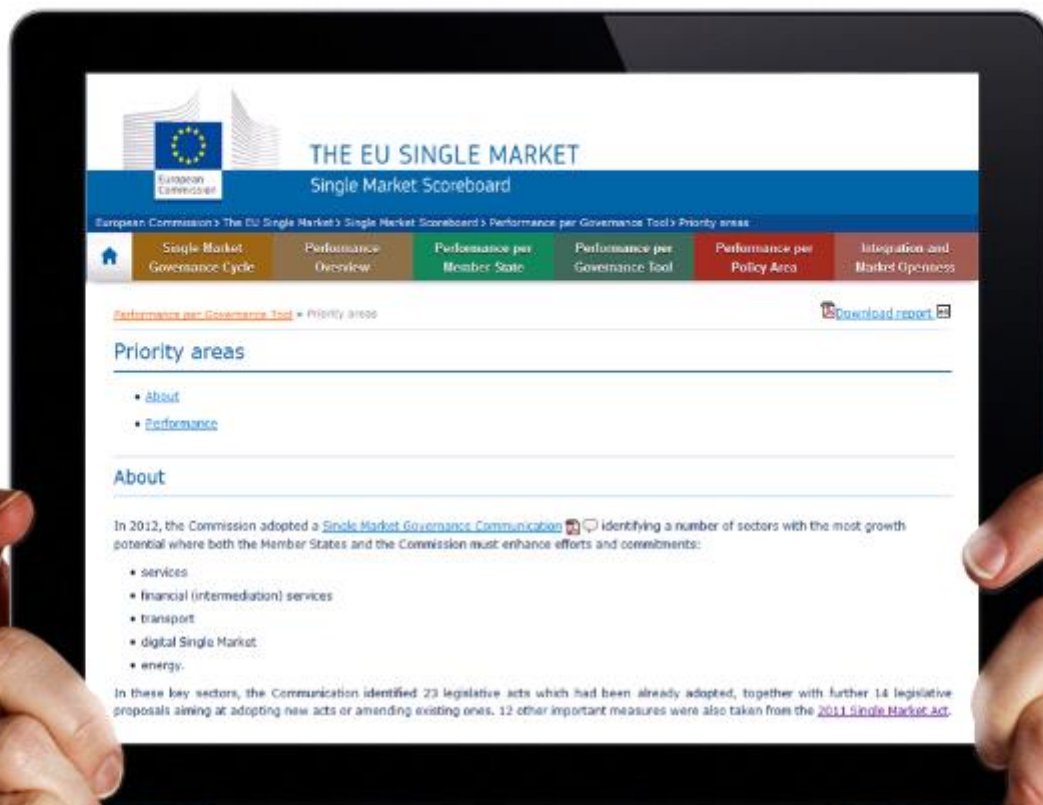


# Single Market Scoreboard



*Performance per governance tool*

## Priority areas

*(State of play: December 2016)*



## About

In 2012, the [Single Market Governance Communication](#)   **single market sectors with the most growth potential**, which require greater focus by Member States and the Commission:

- services
- financial (intermediation) services
- transport
- digital single market
- energy.

In these key sectors, Member States should make a special effort to ensure that EU legislation is transposed on time and rigorously enforced. The Communication identified 23 legislative acts already adopted and a further 14 legislative proposals to adopt new acts or amend existing ones. 17 other important measures were also taken from the [2011 Single Market Act](#) (SMA). For more detail see the Communication, in particular the annex listing all the measures.

As of 1 December 2016 **all the legislative proposals have been adopted**, except 1 proposal for a Regulation on a Common European Sales Law. The Commission withdrew 2 other proposals. Among the proposals adopted, in June 2015 Directive 2012/34/EU establishing a single European railway area repealed 3 older transport directives.

Now that 28 out of the 29 proposals have been adopted and the transposition deadlines for 23 out of the 24 the directives have passed, measurement of the progress made by the Member States in implementing the identified measures will better reflect the situation on the ground. The full and correct implementation of this set of measures will help ensure that the single market's growth potential in the key sectors identified can be fully realised.

## 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 1 year ago:

- **better overall performance:** Luxembourg, Austria and the UK
- **worse overall performance:** Ireland, Italy, Hungary, Slovenia and Sweden
- **3 Member States close to a perfect score:** Denmark, Slovakia and the UK

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 23 directives for which the **transposition deadline** has passed (the 3 repealed directives are no longer part of the calculation). 7 Member States have transposed all 23 directives: **Denmark, Italy, Hungary, the Netherlands, Poland, Slovakia and the UK.**

In the case of most Member States there was a significant delay in transposing the package of 5 directives proposed by the Single Market Act, in particular:

- Directive 2013/55/EU amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation')

Transposition date: 18 January 2016

14 Member States still to transpose

- Directive 2014/24/EU on public procurement and repealing Directive 2004/18/EC

Transposition date: 18 April 2016

11 Member States still to transpose

- Directive 2014/67/EU on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending the IMI Regulation

Transposition date: 18 April 2016

12 Member States still to transpose

As the 'Transposition' tool shows, the 7.1-month average delay in the transposition of directives should be an incentive for the Member States to better anticipate the transposition and notification process of the directives they have to incorporate into national law. The fact that the transposition deadlines for the directives from the Single Market Act package are recent explains in part why Member States' overall performance has worsened since the last screening.

Late notifications (target 1) and corresponding infringements for non-communication (included in target 3) increased the number of missed targets for 12 Member States: Belgium, Germany, Ireland, France, Croatia, Italy, Latvia, Hungary, Portugal, Romania, Slovenia and Sweden.

By contrast, Austria, Poland and the UK reduced their previous number of missed targets by 3; Greece, Lithuania, Luxembourg and Slovakia reduced it by 1. The number of missed targets for the 9 remaining Member States remained stable.

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

- services: 6 cases (up from 4 in December 2015)
- transport: 4 cases (down from 8 in December 2015)
- energy: 30 cases (up from 24 in December 2015) – further increase with 12 cases closed but 16 new cases opened within the last year against Bulgaria, the Czech Republic, Ireland, Latvia, the Netherlands, Slovenia, Poland, Portugal, Finland and Sweden.

### ***2. Draft transposition measures and online explanation:***

- **Draft transposition measures:** Member States seem to be following the request in the 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:

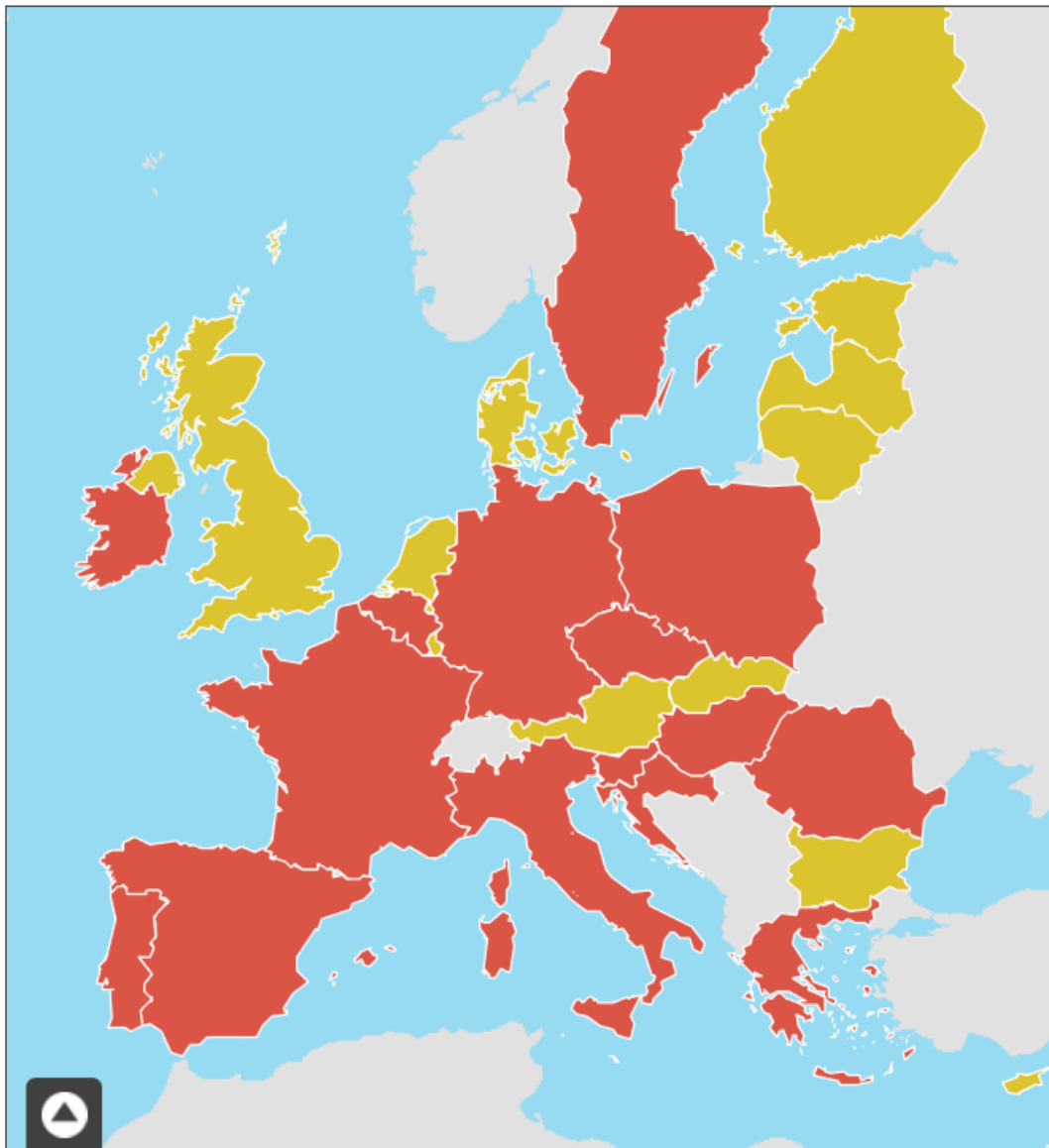
**Average duration of pending infringement cases** – performance varies by sector:

- 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.

**1. overall**  
**(all 5 indicators combined)**



[Leaflet](#) | Credit: [EC-GISCO](#), © EuroGeographics for the administrative boundaries

> 3 targets missed	red
1–3 targets missed	yellow
0 targets missed	green

2. by sector

**INTERNAL MARKET ENFORCEMENT TABLES IN KEY SECTORS - State of play as on 1 December 2016**

**[1] Services (4 directives)**

[1] Number of directives not fully transposed yet  
 [2] Number of directives wrongly transposed  
 [3] Average duration of pending infringement cases, including wrong application cases (in months)  
 [4] Average duration since Court's judgments (in months)

	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	0
[2]	0	0	0	0	0	0	1	1	0	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	6
[3]	11.7			0.4	44.1		36.3	33	17.4	0.4	12.7	44.8	17.4		0.4		36.3	17.4	4.2	17.4	17.4	26.2	28.7	66.4				26.1	
[4]																	9.3												9.3

**[2] Financial services (3 directives)**

	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	0
[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	0
[3]	26.1	18.1	18.1	26.1		18.1	18.1	18.1	26.1		34.1	18.1	18.1	26.1		18.1	18.1	18.1	26.1	11.7	26.1	18.1	18.1	26.1	31.8		18.1	7.1	22.7
[4]																													

**[3] Transport (5 directives)**

	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	1	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	1
[2]	1	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	4
[3]	36.3	9.2	16.3		18.4	16.3			16.3	23.8		29.7		16.3	16.3	14.0			16.3		24.2		16.3	16.3		6.1	26.2	16.3	19.4
[4]																													

### [4] Digital IM (2 directives)

[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
[2]	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2
[3]						16.5				24.1									34.1									24.9	
[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

### [5] Energy (4 directives)

[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
[2]	2	3	1	0	2	0	1	0	3	3	1	0	0	1	0	0	2	0	1	2	2	2	0	1	0	1	1	1	30
[3]	25.5	6.7	0.4		21.1		4.2		16.8	20.1	18.1		4.2			21.1		4.2	11.7	4.2	4.2	46.3	6.1	4.2	7.1	7.1	14.2	13.7	
[4]																					14.7								14.7
	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

### [6] Single Market Act (SMA) I (2 directives)

[1]	3	2	1	0	1	2	2	1	4	1	3	0	2	2	1	2	0	1	0	2	0	3	2	2	0	1	2	0	5
[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	0
[3]	7.8	8.3	7.6		8.3	7.6	9.6	7.8	9.1	11.3	7.6		8.3	9.6	4.2	7.8	2.3	9.6	9.6	7.2	11.6	5.6	7.8	8.3		9.6	7.6	8.3	8.2
[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

**Legend**

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		
	1	2

[1] Are regarded as “not fully transposed yet” (1) directives for which no transposition measures have been communicated (2) directives regarded as partially communicated by Member States after notifying some transposition measures (3) directives considered as completely transposed by Member States but regarding 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 taken by the Commission.

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

[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.