

Single Market Scoreboard

Performance per governance tool

Priority areas

(State of play: May 2015)



About

In 2012, the Commission adopted a Single Market Governance Communication 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.

In these key sectors, the Communication identified 23 legislative acts which had been already adopted, together with further 14 legislative proposals aiming at adopting new acts or amending existing ones. 12 other important measures were also taken from the 2011 Single Market Act.

As of 1 May 2015, 19 of the 26 legislative proposals have been already adopted (2 others have been withdrawn by the Commission).

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 submitting specific issues relating to **draft transposition measures** to the Commission and provide **on-line explanations** of how this transposition has been carried out;
3. meet these maximum targets:
 - average duration of **infringement** procedures – **18 months**
 - average time for full **compliance** with Court of Justice **judgments** – **12 months**.

Comparing with the situation of one year ago:

- **better performance:** Belgium, Ireland, France, Latvia and Finland (which ist the only Member State that met all targets)
- **worse performance:** Denmark, Greece, Croatia, Italy and Hungary.

As regards these 3 commitments, the following could be observed:

1. Timely and correct transposition:

As of 10 May 2015, 17 out of the 20 directives for which the **transposition deadline** has passed have been implemented by all Member States. There was a significant delay with 3 directives:

- the directive on access to the activity of credit institutions (2013/36/EU) due for 31 December 2013 - 7 Member States still to transpose: Belgium, Bulgaria, Spain, Italy, Luxembourg, Poland and Slovenia.
- the directive on energy performance of buildings (2010/31/EU) due for 9 July 2012 – 4 Member States still to transpose: the Czech Republic, Italy, the Netherlands and Poland.
- the Solvency II directive (2009/138/EC) whose the last part was due recently (31/03/2015) – all Member States still to transpose except Germany, France, Croatia, Lithuania, Austria, Finland and the United Kingdom.

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

- transport sector: 23 cases
- energy sector: 21 cases

The increasing number of cases is due to the fact that many directives are transposed for some time now, which allows the Commission to carry out checks of compliance.

2. Draft transposition measures and online explanation:

- draft transposition measures: Member States seem to follow the Governance Communication's request.
- online explanation: the Commission has not witnessed any increase in these. Member States are reminded that this aspect is vital if businesses and citizens are to make use of their new rights. They are encouraged to step up their efforts in this direction and inform the Commission about the relevant websites.

3. Infringement targets:

Comparing with the situation of one year ago:

For **average duration of pending infringement cases**, performance varies by sector:

- services sector: 27.9 months (up from 23.5 months)
- transport sector: 24.2 months (up from 14.4 months)
- energy sector: 13.3 months (down from 18.4 months).

Finally, as regards **compliance with Court of Justice judgments**, 6 Member States (down from 10) have still to comply with a condemning ruling in the transport sector.

The Commission will continue to measure progress on these commitments.

INTERNAL MARKET ENFORCEMENT TABLES IN KEY SECTORS - State of play as at 10 May 2015

Services (4 directives)

[1] Number of directives not fully transposed yet

[2] Number of pending infringement cases for non-conformity

[3] Average duration of pending infringement cases, including wrong application cases (in months)

[4] Average duration since Court's judgments (in months)

[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	
[2]	0	0	0	0	0	0	1	0	0	0	0	1	1	0	0	0	0	0	0	1	0	1	1	1	0	0	0	0	7
[3]	5.1	14.3	102.4		58.3		17.3	9.7	5.1		2.1	20.2	9.7			59.9	31		70.2	15.1	7.2	9.7	26.3					27.9	
[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

Financial services (3 directives)

[1]	2	2	1	1	0	1	1	1	2	0	0	2	1	1	0	2	1	1	1	0	2	1	1	2	1	0	1	0	2
[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]		15.1	15.1	15.1		15.1		15.1	15.1	15.1	15.1	15.1	15.1	15.1	15.1	15.1	15.1	15.1	15.1	15.1	15.1	15.1	15.1	12.9	19.7	15.1	15.1	15.1	15.1
[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

Transport (7 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	
[2]	1	2	0	0	0	0	0	2	1	3	0	2	0	0	0	0	2	0	0	0	4	2	0	2	0	0	0	2	23
[3]	16.2		9.7					23.0	27.3	32.8		27.1		9.7						22.3	19.3			29.3			7.2	43.0	24.2
[4]		14.6						29.8				18.9				26				23	30.2								23.8
	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

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	
[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	2	
[3]										5.1										15.1								10.1	
[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

Energy (4 directives)

[1]	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	1	
[2]	2	1	2	0	2	0	0	0	2	2	0	2	0	0	1	2	3	0	0	0	1	1	0	0	0	0	0	21	
[3]	6.5	25.3	24.7		2.1			9.7	2.1	2.1		11.9			26.3	13.0	1.8		27.8	31.3	31.3	1.1	29.3				9.7	13.3	
[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 considered as “not fully transposed yet” (1) directives for which no transposition measures have been communicated (2) directives considered as partially communicated by 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 has been 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 pending cases duration is calculated from the date on which the Commission sends a letter of formal notice to the completion of the pre-litigation phase.