

Transposition of law

In 2016, the Member States had to transpose 66 new directives, which represents a large increase in their workload compared with 2015 (47 directives) and 2017 (39 directives). This unusual workload caused great difficulties in transposing directives on time, as a result the transposition deficit of most Member States increased dramatically. The current Scoreboard shows that the situation is returning to normal, even if those difficulties are still reflected in the results of several Member States.

Transposition deficit: 1.4 % (last report: 1.5 %) – Slight decrease but still one of the 13 Member States whose score is above the 1.0 % threshold (fourth Member State with the highest deficit). Poland has a transposition deficit of 36 % for the 14 directives with a transposition date within the 6 months before the cut-off date for calculation (1.6.2017–30.11.2017). This shows that this Member State has some difficulties in monitoring the timely transposition of the directives. In addition, the average delay of its 14 outstanding directives is more than 12 months (see average delay below).

EU average = 0.9 %; Proposed target (in Single Market Act) = 0.5 %

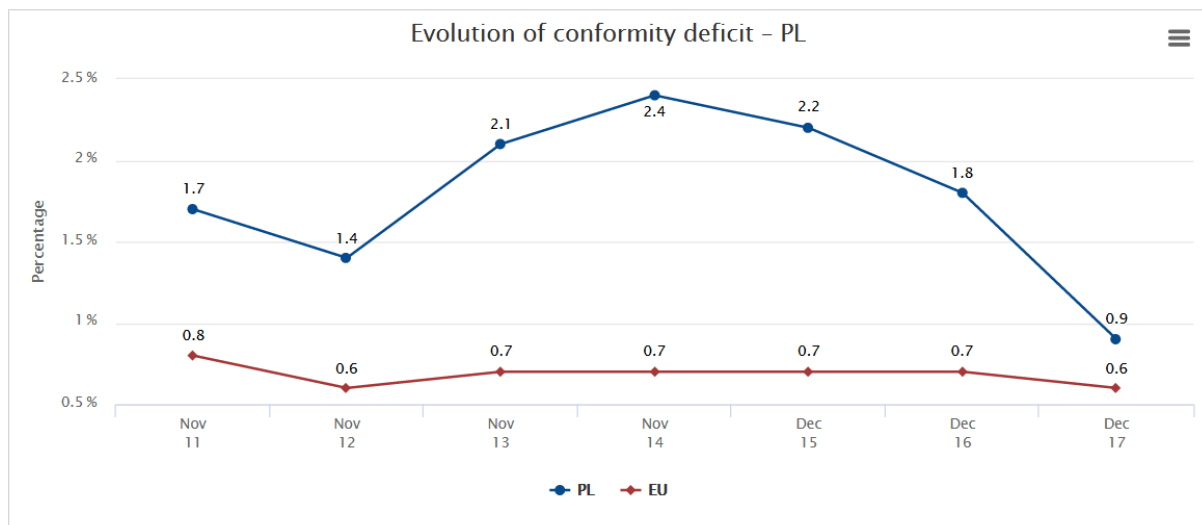
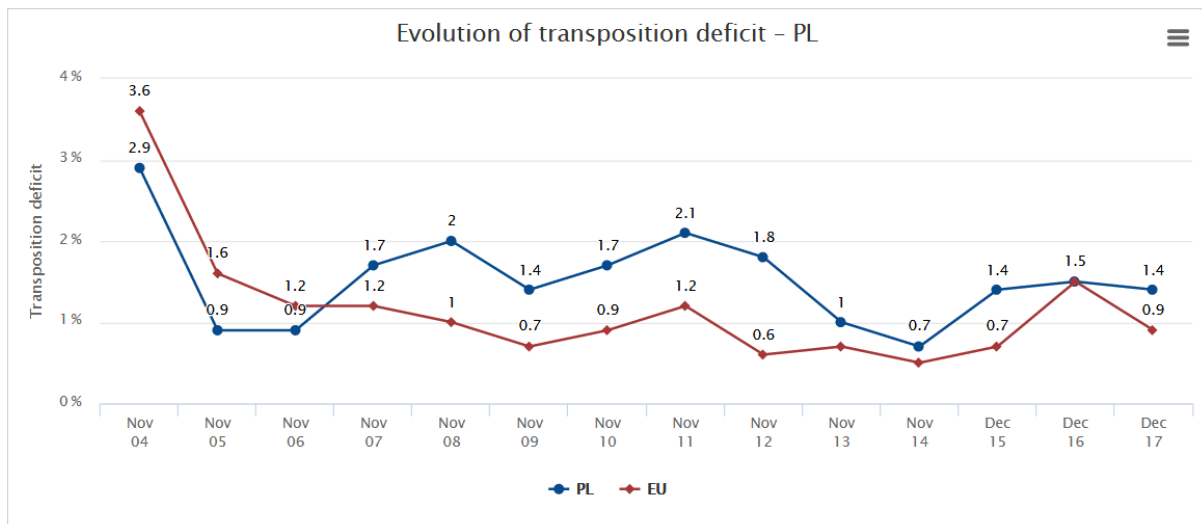
Overdue directives: 14 (last report: 15) including 5 on financial services (= 36 % of the backlog) and **two** more than 2 years overdue: one on taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) and a second that amends Directives 2003/71/EC and 2009/138/EC and Regulations (EC) No 1060/2009, (EU) No 1094/2010 and (EU) No 1095/2010 in respect of the powers of the European Supervisory Authority (European Insurance and Occupational Pensions Authority) and the European Supervisory Authority (European Securities and Markets Authority).

Average delay: 12.2 months (last report: 6.1 months) – Sharp increase by 6.1 months. Poland doubled its transposition delay and is in the top 4 of the Member States with the longest delay, well above the EU average. Poland added 2 long overdue directives (due for 2 years or more) to its backlog and half of its outstanding directives (7/14) have been due for more than 6 months.

EU average = 8.7 months

Conformity deficit: 0.9 % (last report: 1.8 %) – Further significant decrease by 0.9 percentage point and no longer the Member State with the highest deficit. Poland halved its conformity deficit. It is the best performing Member State on this issue and one of the 7 Member States that achieved or equalled their best ever result. Nevertheless, Poland is still well beyond both the EU average and the 0.5 % proposed target.

EU average = 0.6 %; Proposed target (in Single Market Act) = 0.5 %



Infringements

Pending cases: 29 (4 new cases and 8 cases closed; last report: 33 pending cases) – Further decrease (-42 % since November 2014) and growing closer to the EU average.

(EU average = 24 cases)

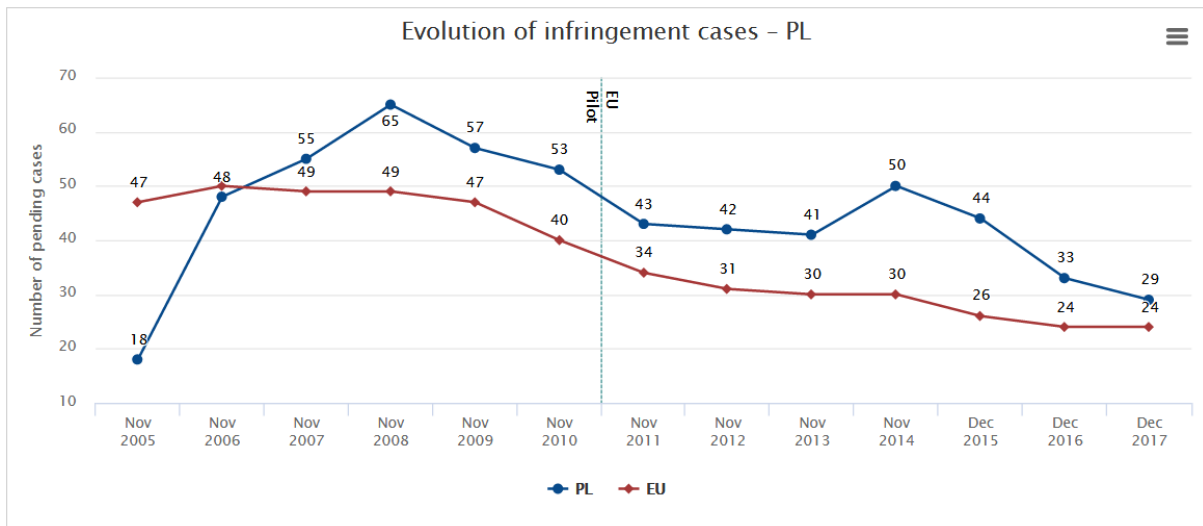
Problematic sectors: transport with road & rail transport (4 cases) and air transport (3); environment (9), of which water protection & management (3) and atmospheric pollution (3).

Average case duration: 45.9 months for the 20 cases not yet sent to the Court (last report: 38.9 months) – Further increase by 7 months. Poland was able to solve 5 such cases with an average duration of 27.3 months) but the older remaining cases weigh more heavily in the calculation of the average duration (namely 2 cases running for more than 11 years – 1 concerning air transport and 1 on indirect taxation) and 8 cases open for 3 to 7 years).

(EU average = 39.8 months)

Compliance with court rulings: 21.3 months for the 15 cases at this stage of the procedure and closed in the 5 last years (last report: 20 months) – Slight increase because Poland has complied with 3 new rulings, almost 2 years on average after the Court judgment.

(EU average = 23.6 months)



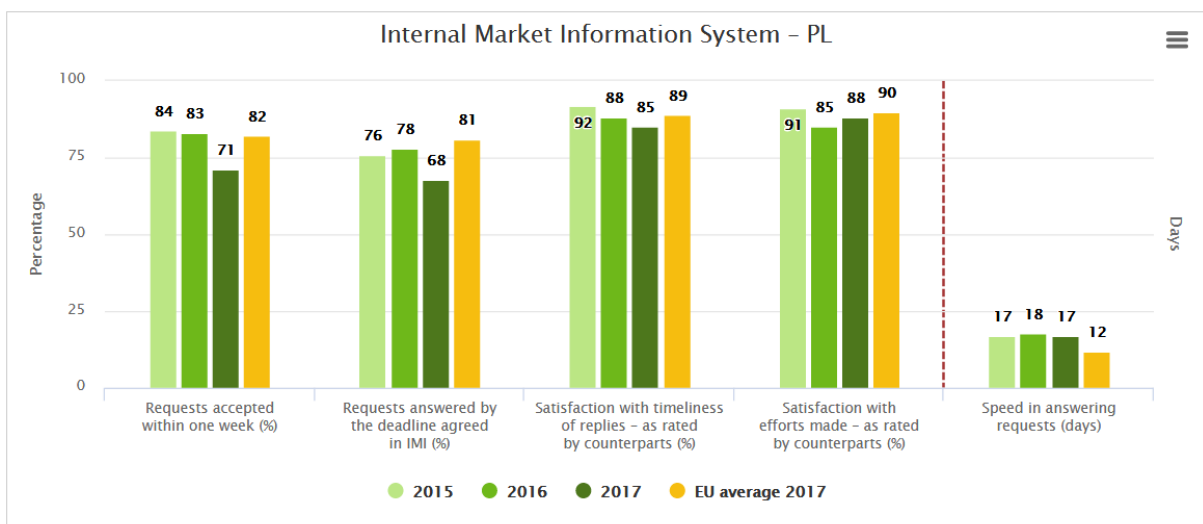
EU Pilot

Poland’s average response time currently exceeds the 70-day benchmark in EU Pilot by one week.

Internal Market Information System

Performance – Poland performs moderately well.

- Overall, Poland's performance fell compared to 2016.
- With a deterioration in 4 of the 5 indicators, all 5 indicators are now below the EU average.
- Efforts should be made to accept requests within one week and to respond to them within the deadline agreed in IMI.
- *In 2017, Poland received 409 requests in the area of Posting of workers (13 % of the total requests in this area) while it sent just 21.*



EURES

National provider: [PSZ](#) (Polish Public Employment Service)

EURES advisers (nationally): 55

Performance: could be improved by a higher number of EURES advisers.

Your Europe

National equivalent?

National portal for citizens in PL: www.obywatel.gov.pl (under development)

Portal for businesses in PL and EN: www.eu-go.gov.pl

Record for this period

- active participation in Editorial Board work
- responsive to all requests for information for the website
- promotional activities; no back-linking from national websites to Your Europe

Recommended action

Continue to:

- ensure stable representation on the Editorial Board
- attend the Board meetings twice a year
- provide information, when requested, on how the country applies Single Market rules
- raise awareness of Your Europe within national administration and among potential end users

Make an effort to:

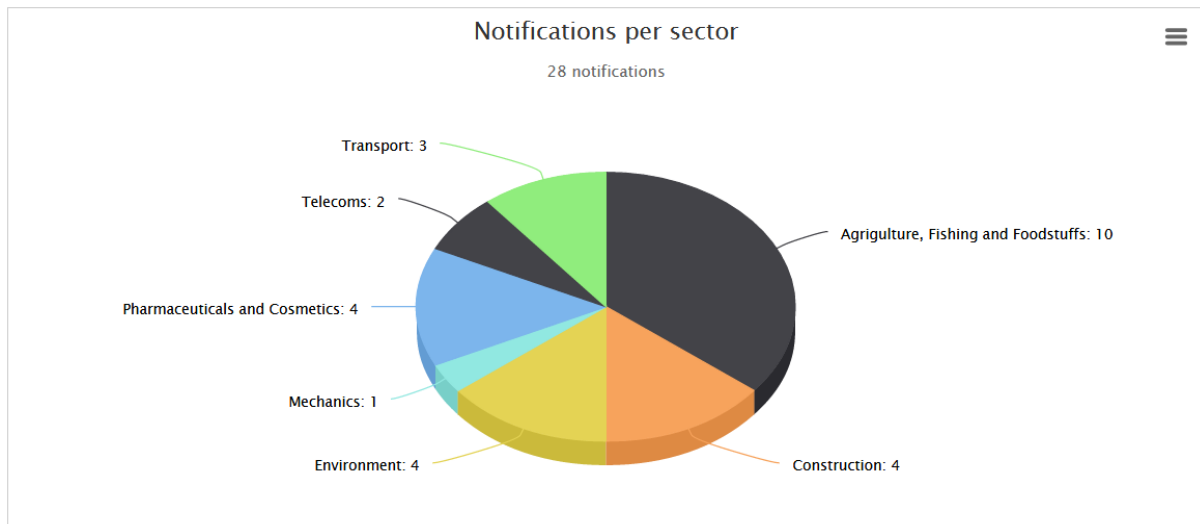
- link national websites to Your Europe
- complete work on a citizens' portal

SOLVIT

- **Caseload – large**
Submitted cases: 136 (241 in 2016)
Received cases: 17 (13 in 2016)
- **Resolution rate:** 82 % (100 % in 2015)
- **Handling time** (*Home centre*)
Reply in 7 days: 84 % (86 % in 2016) – **good**
Cases prepared in 30 days: 76 % (64 % in 2016) – **good**

- **Handling time** (*Lead centre*)
Cases closed in 10 weeks: 71 % (54 % in 2016) – needs improving
- **Staffing**
Continuity – experienced staff
Sufficient for current caseload? no

Technical Regulations Information System



Points of Single Contact

- 15 out of 20 analysed procedures (4 do not exist) are available online, including 3 partially online.
- Online procedures are accessible for cross-border service providers with very few exceptions such as submission of evidence or payment of fees during registration with trade or craft register.
- Broad range of information is available in another language.
- User feedback is collected systematically and used to improve the quality of the service provided.
- No points have been identified for improvement in the areas analysed.

Public procurement

Overall, Poland's performance in 2017 was **satisfactory**. For further information and the methodology applied, please see the section on [Public procurement performance](#).


Postal Services

For easier analysis, EU countries are divided into 3 groups on the basis of absolute GDP per capita and EU accession date (method used in [EU postal sector study \(2010–13\)](#)):

- **Western** – Austria, Belgium, Denmark, Finland, France, Germany, Ireland, Luxembourg, Netherlands, Sweden and UK
- **Southern** – Cyprus, Greece, Italy, Malta, Portugal and Spain
- **Eastern** – Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

Transit time performance D+1: Performance in terms of transit time decreased gradually from 59.2 % in 2016.

The Polish performance target is 82 %.

 *For some countries, the reference figures for the previous period may differ slightly from the last Scoreboard, due to subsequent updates that they provided.*

Trade in goods and services

Poland's trade integration in the Single Market for goods is above the EU average, whereas its trade integration for services is just below the EU average. In 2016, both indicators increased, the increase in trade integration in services was the third highest in the EU.

		Goods	Services
Intra-EU trade integration	% GDP 2016	23.0	
	Change 2015–16	0.6	3.7
Intra-EU imports	% GDP 2016	25.7	4.8
	Change 2015–16	0.1	1.2

Foreign Direct Investment (FDI)

In 2016, Poland's share of EU FDI inflows decreased while outflows increased markedly. The share of EU FDI inward stock increased slightly whereas the share of FDI outward stock remained unchanged.

	Share of EU FDI Flows		Share of EU FDI Stocks	
	inward	outward	inward	outward
% FDI 2016	2.0	1.4	2.4	0.3
Change 2013 – 2014 (in pp)	-0.8	0.8	0.1	0.0