



February infringements package: key decisions

Brussels, 12 February 2025

Overview by policy area

In its regular package of infringement decisions, the European Commission pursues legal action against Member States for failing to comply with their obligations under EU law. These decisions, covering various sectors and EU policy areas, aim to ensure the proper application of EU law for the benefit of citizens and businesses.

The key decisions taken by the Commission are presented below and grouped by policy area. The Commission is also closing 104 cases in which the issues with the Member States concerned have been solved without the Commission needing to pursue the procedure further.

For more information on the EU infringement procedure, see the full [Q&A](#). For more detail on the history of a case, you can consult the [infringement decisions' register](#).

1. Environment

(For more information: Maciej Berestecki – Tel.: +32 2 296 64 83; Maëlys Dreux – Tel.: +32 229 54673)

Letters of formal notice

Commission calls on ROMANIA to correctly transpose the Single-Use Plastics Directive

The European Commission decided to open an infringement procedure by sending a letter of formal notice to **Romania** (INFR(2024)2266) for failing to correctly transpose the Single-Use Plastics Directive ([Directive \(EU\) 2019/904](#)). The Directive is an essential element of the [Plastics Strategy](#) and the [Circular Economy Action Plan](#). Full implementation of sustainable practices enshrined in the Directive is key to effectively protect human health, natural environments and ensure a successful transition towards a more sustainable circular economy. Romania has not correctly and completely transposed several provisions of the Single-Use Plastics Directive into national law, which can result in an incomplete application of the Directive in practice. For instance, Romanian law extends the exemptions from the prohibition of placing single-use plastic products on the market. This concerns, for example, beverage stirrers and single-use plastic sticks used for medical purposes. In addition, Romanian law does not require producers to cover all costs in accordance with the extended producer responsibility provisions of the Directive. Finally, there are no provisions in the national law to encourage the use of sustainable alternatives to single-use plastic for food. The Commission is therefore sending a letter of formal notice to Romania, which now has two months to respond and address the shortcomings raised by the Commission. In the absence of a satisfactory response, the Commission may decide to issue a reasoned opinion.

Commission calls on FRANCE and ITALY to correctly transpose the Landfill Directive

The European Commission decided to open an infringement procedure by sending a letter of formal notice to **France** (INFR(2024)2267) and **Italy** (INFR(2024)2268) for failing to correctly transpose the Landfill Directive ([Directive 1999/31/EC](#) as amended by [Directive \(EU\) 2018/850](#)). The Landfill Directive sets requirements for landfills to prevent adverse effects on human health, water, soil and air. Under this Directive, Member States must take measures to ensure that only waste that has been subject to treatment is landfilled. The Landfill Directive fixes a target to reduce landfilling of municipal waste to 10% by 2035; prohibits as of 2030 the landfilling of waste suitable for recycling or other recovery; and sets rules on calculating the completion of the landfill reduction target. Italy, amongst others, did not correctly define (i) that the waste subjected to incineration must be reported as landfilled; (ii) the type of waste that can be sent to a hazardous waste landfill; and (iii) the

specifications for the temporary storage of metallic mercury. Moreover, Italy did not correctly transpose some of the prescriptions concerning gas monitoring and groundwater sampling in landfills. France has not transposed the rules on the calculation of the attainment of the targets for reducing the landfilled municipal waste. The Commission is therefore sending letters of formal notice to France and Italy, which now have two months to respond and address the shortcomings raised by the Commission. In the absence of a satisfactory response, the Commission may decide to issue a reasoned opinion.

Commission calls on CROATIA to monitor and prevent bycatch of cetaceans, turtles and seabirds by fishing vessels

The European Commission decided to open an infringement procedure by sending a letter of formal notice to **Croatia** (INFR(2024)2223) for failing to implement the measures required under the Habitats Directive ([Directive 92/43/EEC](#)) to monitor and prevent bycatch of cetaceans, turtles and seabirds by fishing vessels. Bycatch is the incidental capture of non-targeted species in fishing activities. The Habitats Directive requires Member States to monitor incidental capture and killing of strictly protected species and to ensure that it does not have a significant negative impact on the species concerned. Moreover, Member States need to take the necessary steps to avoid significant disturbance of species protected in Natura 2000 sites, as well as undertake surveillance of the conservation status of protected species. Croatia has not established a system to monitor the incidental capture and killing of protected species under the Habitats Directive in fishing operations. Croatia has also not taken the necessary measures to protect the loggerhead turtle against significant negative impact of bycatch and to take the appropriate steps to avoid the significant disturbance of certain seabirds in two Natura 2000 areas designated for their protection. Finally, Croatia has not undertaken surveillance of the conservation status of several protected species. The Commission is therefore sending a letter of formal notice to Croatia, which now has two months to respond and address the shortcomings raised by the Commission. In the absence of a satisfactory response, the Commission may decide to issue a reasoned opinion.

Letter of formal notice post-judgment (under Article 260 TFEU)

Commission calls on MALTA to comply with the Court judgment on finch trapping

The European Commission decided to send a letter of formal notice under Article 260 TFEU to **Malta** (INFR(2020)2346) for failing to comply with the judgment of the Court of Justice of the European Union of 19 September 2024 ([C-23/23](#)). In this ruling, the Court of Justice found that Malta had not fulfilled its obligations under the Birds Directive ([Directive 2009/147/EC](#)) by adopting a derogation scheme allowing the live capturing of seven species of wild finches. On 20 October 2024, Malta adopted a new derogation scheme, nearly identical to the derogation rejected by the Court. The Commission considers that the new derogation fails again to provide a precise and adequate statement of reasons to explain its deviation from standard scientific means of research in the ornithological field, needed to justify the proportionality of the derogation. The Commission also considers that Malta has failed to explain the lack of other satisfactory solutions. The Commission is therefore sending a letter of formal notice to Malta, which now has two months to respond and address the shortcomings raised by the Commission. In the absence of a satisfactory response, the Commission may decide to refer Malta back to the Court of Justice of the European Union, with a request to impose financial sanctions.

Referral to the Court of Justice

Commission decides to refer FRANCE to the Court of Justice of the European Union for non-compliance with the Birds Directive

Today, the European Commission decided to refer **France** (INFR(2019)2151) to the Court of Justice of the European Union for failing to comply with provisions on hunting in the Birds Directive ([Directive 2009/147/EC](#)). France authorises the use of horizontal and vertical nets in five departments (Gers, Lot-et-Garonne, Gironde, Pyrénées-Atlantiques and les Landes) for the capture of five species of the bird family Columbidae – by means of five regulatory acts from 2006, 2007 and 2009. The Birds Directive allows the hunting of those species. However, it bans means, devices or methods of large-scale or non-selective capture because of their impact on biodiversity as those practices risk significantly harming or killing non-targeted birds. The use of nets to capture birds is prohibited, unless Member States meet the strict criteria for derogation allowed under the Directive but France has failed to demonstrate that the disputed nets meet those criteria. The Commission sent a letter of formal notice to France in July 2019, followed by a reasoned opinion in July 2020 and an additional

reasoned opinion in January 2023. The Commission considers that efforts by the French authorities have, to date, been insufficient and is therefore referring France to the Court of Justice of the European Union. More information is in the [press release](#).

2. Internal Market, Industry, Entrepreneurship and SMEs

(For more information: Lea Zuber – Tel.: +32 229-56298; Federica Miccoli – Tel.: +32 229-58300)

Letter of formal notice

Commission asks HUNGARY to ensure full compliance with public procurement rules

The European Commission decided to open an infringement procedure by sending a letter of formal notice to **Hungary** (INFR(2024)2270) for the lack of compliance of national rules with EU legislation on public procurement ([Directive 2014/24/EU](#)). The Public Procurement Directive ensures the equal treatment of economic operators interested in participating in procurement procedures while preserving the freedom of contracting authorities in choosing the most appropriate procurement procedure to apply in individual cases. The Hungarian Act on the rules governing state construction investments obliges contracting authorities to apply one specific procurement procedure, the negotiated procedure, in all procurements falling under its scope. According to the Commission, this obligation deprives contracting authorities of their freedom, granted by the EU rules on public procurement, to choose between the different available procurement tools. The Commission is therefore sending a letter of formal notice to Hungary, which now has two months to address these concerns. Otherwise, the Commission may decide to issue a reasoned opinion.

Reasoned opinions

Commission calls on ROMANIA to ensure that businesses are paid on time by public authorities

Today, the European Commission decided to issue a reasoned opinion to **Romania** (INFR(2024)4004) for not applying correctly the rules under the Late Payment Directive, [Directive 2011/7/EU](#). Late payments negatively impact businesses, and especially SMES, by reducing liquidity, hindering growth, and weakening resilience. Under the Late Payment Directive, public authorities are required to pay their suppliers on time, setting a positive example in fighting poor payment practices in the private sector. According to the Commission, the Romanian public health insurance entity significantly delays payments to Romanian independent pharmacies for medicines provided to patients under the national health insurance system. Payment delays by the Romanian authorities negatively affect the entire supply chain and risk driving pharmacies in Romania into bankruptcy. Therefore, the Commission has decided to issue a reasoned opinion to Romania, which now has two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the case to the Court of Justice of the European Union.

Commission calls on SLOVENIA to ensure compliance with the Services Directive

Today, the European Commission decided to send a reasoned opinion to **Slovenia** (INFR(2022)2209) for failing to comply with the Services Directive ([Directive 2006/123/EC](#)), concerning lawyer advertising. The Services Directive aims to unlock the full potential of Europe's services markets by removing legal and administrative barriers, while still permitting national safeguards that are justified and proportionate. Excessive restrictions on advertising prevent operators from making their services known and particularly affect new market entrants. In Slovenia, lawyers are only allowed to communicate factual information, such as their address and working hours. The Commission, considers that Slovenian legislation on lawyers, along with its Code of conduct constitutes a ban on advertising, in breach of the Services Directive. Therefore, the Commission has decided to issue a reasoned opinion to Slovenia, which now has two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the case to the Court of Justice of the European Union.

3. Justice

(For more information: Markus Lammert – Tel.: +32 2 296 75 33; Yuliya Matsyk - Tel.: +32 2 226 27 16)

Letters of formal notice

Commission calls on the NETHERLANDS and PORTUGAL to correctly transpose the EU rules on the presumption of innocence and the right to be present at trial in criminal proceedings

The European Commission decided to open an infringement procedure by sending a letter of formal notice to **the Netherlands** (INFR(2024)2274) and **Portugal** (INFR(2024)2273), for failing to correctly transpose the Directive on the strengthening of the presumption of innocence and the right to be present at the trial in criminal proceedings ([Directive 2016/343/EU](#)). The Directive is one of [six Directives](#) adopted by the EU to create common minimum standards ensuring that the rights of suspects and accused persons to a fair trial in criminal proceedings are sufficiently protected across the EU. The Commission considers that certain national transposition measures notified by the two Member States fall short of the requirements of the Directive. In particular, the Commission found issues in the transposition of the scope of the Directive by both Portugal and the Netherlands. Moreover, both Member States have failed to correctly transpose the provisions on public references to guilt, on the use of measures of physical restraint in court or in public, on the burden of proof, the consequences of the use of the right to silence and not to incriminate oneself, certain provisions on trials in absentia and the right to a new trial, as well as on remedies available in case of breaches of the rights enshrined in the Directive. The Commission is, therefore, sending letters of formal notice to the Netherlands and to Portugal, which now have two months to respond and take the necessary measures. In the absence of a satisfactory response, the Commission may decide to issue a reasoned opinion.

4. Energy and climate

(For more information: Anna-Kaisa Itkonen – Tel.: +32 229 57501; Giulia Bedini – Tel.: +32 2 295 86 61; Ana Crespo Parrondo – Tel.: +32 2 298 13 25)

Reasoned opinions

Commission urges BULGARIA, SPAIN, FRANCE, ITALY, CYPRUS, NETHERLANDS, SLOVAKIA and SWEDEN to transpose EU rules accelerating permitting procedures for renewable energy projects

Today, the European Commission decided to send reasoned opinions to **Bulgaria** (INFR(2024)0211), **Spain** (INFR(2024)0224), **France** (INFR(2024)0227), **Italy** (INFR(2024)0232), **Cyprus** (INFR(2024)0213), **the Netherlands** (INFR(2024)0241), **Slovakia** (INFR(2024)0252) and **Sweden** (INFR(2024)0249) for not having transposed into national law EU rules accelerating permitting procedures for renewable energy projects set out in [Directive \(EU\) 2023/2413](#). This Directive amends the Renewable Energy Directive (Directive (EU) 2018/2001) providing new rules to simplify and shorten permitting procedures both for renewable energy projects and for the infrastructure projects which are necessary to integrate the additional capacity into the electricity system. It includes clear time limits for permit-granting procedures targeted to specific technologies or types of projects. In addition, it introduces the presumption that renewable energy projects, storage and the related grid infrastructure are of overriding public interest. There is also an obligation for the Member States to design “renewable acceleration areas” where projects can benefit from shorter deadlines for permits given the low environmental impacts. The deadline to transpose these provisions into national law was 1 July 2024. In September 2024, the Commission sent letters of formal notice to 26 Member States for failing to fully transpose the Directive into national law. After having examined the replies from the eight Member States, the Commission has decided to issue reasoned opinions to Spain, Italy, Cyprus, Slovakia and Sweden for failing to notify transposition measures and to Bulgaria, France and the Netherlands for failing to provide sufficiently clear and precise information on how their transposition measures transpose each of the Directive's provisions. The eight Member States now have two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the cases to the Court of Justice of the European Union.

Commission urges HUNGARY and POLAND to fully transpose EU rules on the internal electricity market

Today, the European Commission decided to send reasoned opinions to **Hungary** (INFR(2021)0052) and **Poland** (INFR(2022)2037) for not having fully transposed EU rules for the internal electricity market set out in the [Directive \(EU\) 2019/944](#), amending Directive 2012/27/EU. The Directive lays down key rules regarding the organisation and functioning of the EU electricity sector to create

integrated, competitive, consumer-centred electricity markets across the EU. The deadline to transpose the Directive into national law was 31 December 2020. The Commission sent a letter of formal notice to Hungary in February 2021 and to Poland in May 2022, after concluding that not all the provisions of the Directive had been transposed into their national legislation. After having examined their replies as well as the national transposition measures notified, the Commission considers that these Member States have still not fully transposed the Directive. The two Member States concerned now have two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the cases to the Court of Justice of the European Union.

Additional reasoned opinions

Commission urges BELGIUM, ESTONIA, LATVIA and ROMANIA again to fully transpose the 2018 Renewable Energy Directive

Today, the European Commission decided to send additional reasoned opinions to **Belgium** (INFR(2021)0145), **Estonia** (INFR(2021)0200), **Latvia** (INFR(2021)0293) and **Romania** (INFR(2021)0333) for not having fully transposed EU rules on the promotion of the use of energy from renewable sources set out in [Directive \(EU\) 2018/2001](#). This Directive provides the legal framework for the development of renewable energy in electricity, heating and cooling and transport in the EU. It sets an EU-level binding target for 2030 for renewable energy and includes specific rules for guarantees of origin (GOs). GOs are electronic certificates to inform the final customers on the share of energy from renewable sources in a supplier's energy mix. The Directive further includes sustainability and greenhouse gas emissions savings criteria for biofuels, bioliquids and biomass fuels and rules on the verification of compliance of those fuels with these criteria. It also facilitates the participation of citizens in the energy transition by enabling self-consumption and the setup of renewable energy communities. The deadline to transpose the Directive into national law was 30 June 2021. In July 2021, the Commission sent letters of formal notice to these four Member States for failing to fully transpose the Directive. The Commission then followed up with reasoned opinions due to their continuous failure to fully transpose the Directive. After having examined their replies and the subsequently notified measures, the Commission has decided to issue additional reasoned opinions to Belgium, Estonia, Latvia and Romania due to incomplete transposition. The four Member States now have two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the cases to the Court of Justice of the European Union.

5. Taxation

(For more information: Anna-Kaisa Itkonen – Tel.: +32 229-57501; Saul Louis Goulding – Tel.: +32 229-64735)

Reasoned opinion

Commission calls on GREECE to remove the excise duty exemption for tax-free shops at land borders with non-EU countries

Today, the European Commission decided to send a reasoned opinion to **Greece** (INFR(2020)2268) for failing to comply with the [Council Directive \(EU\) 2020/262](#), laying down the EU rules on general arrangements for excise duty. Greece exempts from excise duty goods which are sold to travellers by tax-free shops located at its land borders with Albania, North Macedonia and Türkiye. Until January 2017, EU legislation allowed Member States which held tax-free shops located outside an airport or port on 1 July 2008 to use such exemptions. Although this is no longer permitted under EU legislation, Greece continues to maintain duty-free shops at its land borders with non-EU countries. Having considered Greece's reply to the letter of formal notice unsatisfactory, the Commission decided to issue a reasoned opinion to Greece, which now has two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the case to the Court of Justice of the European Union.

6. Mobility and Transport

(For more information: Anna-Kaisa Itkonen – Tel.: +32 2 295 75 01; Anna Wartberger – Tel.: +32 2 298 20 54)

Letters of formal notice

Commission calls on ITALY to ensure that road safety audits are carried out by properly trained and certified professional auditors

The European Commission decided to open an infringement procedure by sending a letter of formal notice to **Italy** (INFR(2024)4012), for failing to organise training and certification programmes for road safety auditors and for not performing road safety audits with certified auditors. [Directive 2008/96/EC](#) on road infrastructure safety management sets rules for initial and refreshing training for the auditors, as well as for their certification. As from 19 December 2013, only auditors holding a professional certificate are entitled to perform the road safety audits for the infrastructure projects falling within the scope of the Directive, namely motorways and primary roads. These provisions ensure that road infrastructure is designed duly considering the road safety needs of all road users and that it poses no risks. Although Italy transposed these provisions into national legislation, the Commission considers that Italy does not apply them in practice. The Commission is therefore sending a letter of formal notice to Italy, which now has two months to respond and address the shortcomings raised by the Commission. In the absence of a satisfactory response, the Commission may decide to issue a reasoned opinion.

Reasoned opinions

Commission calls on THE NETHERLANDS to comply with EU rules on competitive award of rules for rail public transport contracts

Today, the European Commission decided to send a reasoned opinion to **the Netherlands** (INFR(2023)4011) for failing to correctly apply [Regulation \(EC\) No 1370/2007](#) on public passenger transport by road and rail. Regulated competition in the rail market is essential to provide passengers with more attractive and innovative services at lower cost, while keeping public service tasks. On 14 July 2023, the Commission sent a letter of formal notice on the grounds that the Netherlands had decided to award the concession contract for passenger transport services by rail for the period 2025 to 2033 directly to the incumbent operator Nederlandse Spoorwegen. Based on Regulation 1370/2007, the Netherlands should have used a competitive award procedure. Despite the Commission's concerns, the contract was awarded on 21 December 2023. On 13 March 2024, the Commission sent an additional letter of formal notice concerning the scope of the public service obligations set out in that contract. Under Regulation (EC) No 1370/2007, public service obligations require public authorities to ensure that an operator will assume public passenger transport services in the general interest even though these services are not in its commercial interest. The Commission considered that the Netherlands had not sufficiently analysed which transport services could be provided by market operators under commercial, open access conditions. The Netherlands has not provided satisfactory replies to these two letters of formal notice. Therefore, the Commission has decided to issue a reasoned opinion to the Netherlands, which now has two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the case to the Court of Justice of the European Union.

Commission calls on BELGIUM and FRANCE to transpose all trans-European transport network streamlining measures

Today, the European Commission decided to send a reasoned opinion to **Belgium** (INFR(2023)0186) and **France** (INFR(2023)0218), for failing to notify all measures for the transposition of [Directive \(EU\) 2021/1187](#) (the Streamlining Directive) into national law. The Streamlining Directive aims to accelerate the completion of the trans-European transport network (TEN-T) by simplifying and clarifying permit and procurement procedures. Member States had to transpose its provisions by 10 August 2023. The Directive targets high-priority TEN-T core network projects, cross-border initiatives, and European Transport Corridors with budgets exceeding EUR 300 million. To achieve this, the Directive sets out four key requirements for Member States: assigning a designated authority for each project, simplifying permit-granting procedures to take no more than four years, make procedures transparent, and improve cross-border coordination. In September 2023, the Commission sent letters of formal notice to Belgium and France for failing to fully transpose the Directive into national law. Belgium and France failed to notify the Commission of all measures taken to transpose the Directive into national law. Therefore, the Commission has decided to issue reasoned opinions to Belgium and France, which now have two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the case to the Court of Justice of the European Union.

Commission calls on LITHUANIA to fully transpose EU rules on tolls and vignettes for road infrastructure use

Today, the European Commission decided to send a reasoned opinion to **Lithuania** (INFR(2024)0163) for its failure to transpose the Eurovignette Directive ([Directive 1999/62/EC](#) as amended by [Directive \(EU\) 2022/362](#)). The Eurovignette Directive sets common rules on imposing distance-based charges (tolls) and time-based user charges (vignettes), allowing Member States to recover infrastructure costs (construction, operation, maintenance) through tolls and vignettes. Amending Directive (EU) 2022/362 now includes passenger cars, buses and coaches, and small heavy-duty vehicles. The revised Directive also requires Member States to include the environmental costs of air pollution into their charging systems to set charges based on a vehicle's CO2 emissions, aiming to reduce emissions and encourage cleaner heavy-duty vehicles. The deadline to transpose the Directive into national law was 25 March 2024. In May 2024, the Commission sent a letter of formal notice to Lithuania for failing to fully transpose the Directive into national law. Lithuania has failed to communicate all transposition measures. Therefore, the Commission has decided to issue a reasoned opinion. Lithuania has two months now to respond and take the necessary measures. Otherwise, the Commission may decide to refer the case to the Court of Justice of the European Union.

Commission calls on AUSTRIA to correctly transpose revised EU rules on road infrastructure safety management

Today, the European Commission decided to send a reasoned opinion to **Austria** (INFR(2023)2113) for failing to correctly implement EU rules on road infrastructure safety management ([Directive \(EU\) 2019/1936](#)). The Directive attaches great importance to the protection of vulnerable road users and their needs, which are to be considered in all road safety procedures. In October 2023 the Commission sent a letter of formal notice to Austria for failing to fully transpose the Directive into national law. While some progress has been made, Austria still needs to fully adopt the EU's safety standards to ensure that the needs of vulnerable users are taken into account when assessing road safety risks. Therefore, the Commission has decided to issue a reasoned opinion to Austria, which now has two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the case to the Court of Justice of the European Union.

Commission calls on SLOVAKIA to comply with EU rules on civil aviation safety oversight

Today, the European Commission decided to address a reasoned opinion to **Slovakia** (INFR(2024)2029) for failing to fulfil its obligations under the following Regulations in the area of civil aviation safety oversight: ([EU 965/2012](#), ([EU 376/2014](#), ([EU 2018/1139](#), ([EC No 1321/2014](#), ([EC No 748/2012](#), ([EU No 923/2012](#), ([EU 2017/373](#) and ([EC No 2150/2005](#)). Slovakia does not ensure systemic verification of safety measures for air operators and lacks qualified staff to oversee civil aviation safety. Slovakia also lacks a functional system for investigating and addressing aviation safety incidents and accidents. Furthermore, Slovakia has not properly designated airspace restricted for military use, posing a potential risk to civilian air traffic. Therefore, the Commission has decided to issue a reasoned opinion to Slovakia. This reasoned opinion follows the letter of formal notice sent by the Commission in May 2024. Slovakia now has two months to reply to the reasoned opinion, or the Commission may refer it to the Court of Justice of the European Union.

Additional reasoned opinions

Commission calls on ESTONIA to transpose all trans-European transport network streamlining measures

Today, the European Commission decided to send an additional reasoned opinion to **Estonia** (INFR(2023)0206), for failing to notify all measures for the transposition into national law of [Directive \(EU\) 2021/1187](#) on streamlining measures for advancing the realisation of the trans-European transport network. This Directive aims to ensure a better coordination and an effective realisation of key TEN-T core network projects by making permit granting and public procurement procedures clearer. It targets high-priority TEN-T core network projects, cross-border initiatives, and European Transport Corridors with budgets exceeding EUR 300 million. To achieve this, the Directive sets out four key requirements for Member States: assigning a designated authority for each project, simplifying permit-granting procedures to take no more than four years, make procedures transparent, and improve cross-border coordination. Member States had to transpose it into national law by 10 August 2023. In September 2023 the Commission sent a letter of formal notice to Estonia followed by a first reasoned opinion in April 2024. Estonia has still not taken all measures necessary to ensure the full transposition of the Directive into its national law and, in any event, has failed to notify such measures to the Commission. Therefore, the Commission has decided to issue an additional reasoned opinion to Estonia, which now has two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the case to the Court of Justice of the

European Union.

Commission calls on LITHUANIA to fully implement EU rules on the maximum weights and dimensions of certain road vehicles

Today, the European Commission decided to send an additional reasoned opinion to **Lithuania** (INFR(2020)2284) for failing to correctly transpose EU rules on the maximum weight and dimensions of certain road vehicles ([Directive \(EU\) 2015/719](#)). Among other measures, the Directive introduces derogations for heavy goods vehicles involved in intermodal transport operations to encourage such operations. Following the reasoned opinion issued in September 2023 and after assessing the national legislation notified by Lithuania in February 2024, the Commission is of the view that the Lithuanian legislation, notably its definition of intermodal transport operations, is still not in line with the Directive. Therefore, the Commission has decided to issue an additional reasoned opinion to Lithuania. Lithuania now has two months to reply to the arguments raised by the Commission. Otherwise, the Commission may refer Lithuania to the Court of Justice of the European Union.

7. Financial Stability, Financial Services and Capital Markets Union

(For more information: Olof Gill - Tel.: +32 2 296 59 66; Marta Perez-Cejuela Romero Tel.: +32 2 296 37 70)

Reasoned opinions

Commission calls on FRANCE to correctly transpose the Mortgage Credit Directive

The European Commission decided to send a reasoned opinion to **France** (INFR (2023)2164) for incorrect transposition of the Mortgage Credit Directive ([Directive 2014/17](#)), in particular on the freedom to provide services and the freedom of establishment of credit intermediaries authorised in other Member States. The Directive requires that such credit intermediaries can offer their services on a cross-border basis or by establishing a branch in France within a specific time frame. They should be able to operate based on the authorisation obtained in their home Member State and irrespective of any prior checks or registration by the French authorities. The Directive also requires that their supervision is carried out by the competent authorities of the home Member State and that supervision by French authorities needs to be limited in line with the Directive. Furthermore, the Directive requires that the remuneration of the staff of creditors, credit intermediaries or appointed representatives providing advisory services must not be contingent on sales targets. The Commission sent a letter of formal notice to France in February 2024, to which French authorities replied in April 2024. Nevertheless, the Commission considers that France has failed to correctly transpose these aspects of the Mortgage Credit Directive. Therefore, the Commission has decided to issue a reasoned opinion to France, which now has two months to reply and take the necessary measures. Otherwise, the Commission may decide to refer the case to the Court of Justice of the European Union.

Commission calls on five Member States to complete the transposition of amendments to the Bank Recovery and Resolution Directive

The European Commission decided to send reasoned opinions to **Bulgaria** (INFR(2024)2175), **Spain** (INFR(2024)2178), **Austria** (INFR(2024)2174), **Portugal** (INFR(2024)2185) and **Slovakia** (INFR(2024)2186) for failing to transpose the amendments to the Bank Recovery and Resolution Directive ([Directive 2014/59/EU, 'BRRD'](#)) introduced by [Regulation \(EU\) 2022/2036](#), which concern the prudential treatment of global systemically important institutions and the loss absorbing and recapitalisation capacity of banking groups. The amendments are important for ensuring full alignment in the EU with the Financial Stability Board's standards on Total Loss Absorbing Capacity (TLAC) for global systemically important institutions (G-SIIs). In particular, the changes are necessary for properly reflecting the exposure of EU G-SIIs to their subsidiaries located in third countries and for further improving the ability of the largest EU banking groups to withstand financial shocks. In addition, the changes should achieve full harmonisation of the prudential treatment of internal resources for loss absorption and recapitalisation of intermediate entities in a banking group, which is important for the resolvability of banks. In the absence of transposition of these technical measures, it will not be possible to achieve the necessary level of harmonisation in the EU's framework for the banking sector. Therefore, the Commission has decided to issue a reasoned opinion to the five Member States concerned, which now have two months to respond and take the necessary measures. Otherwise, the Commission may decide to refer the cases to the Court of Justice of the European Union.

Referrals to Court

Commission decides to refer BULGARIA, SPAIN, HUNGARY, NETHERLANDS, AUSTRIA, PORTUGAL and FINLAND to the Court of Justice of the European Union for failing to transpose the Directive on Non-Performing Loans

Today, the European Commission decided to refer **Bulgaria** (INFR(2024)0013), **Spain** (INFR(2024)0047), **Hungary** (INFR(2024)0067), **Netherlands** (INFR(2024)0103), **Austria** (INFR(2024)0000), **Portugal** (INFR(2024)0117) and **Finland** (INFR(2024)0054) to the Court of Justice of the European Union for failing to transpose the Directive on Non-Performing Loans ([Directive\(EU\) 2021/2167](#)). The Directive aims to foster the development of a well-functioning secondary market for non-performing loans by establishing rules for the authorisation and supervision of credit purchasers and servicers. The Directive further provides a set of harmonised criteria allowing credit servicers to market non-performing loans cross-border. Member States were required to transpose this Directive by 29 December 2023. To date, most EU Member States have declared complete transposition of the Directive. However, national implementing measures have still not been notified by Bulgaria, Spain, Hungary, Netherlands, Austria, Portugal and Finland. The Commission sent letters of formal notice to these Member States on 24 January 2024 and subsequently reasoned opinions on 25 July 2024. The Commission considers that efforts by the national authorities of these Member States have, to date, been insufficient and is therefore referring these cases to the Court of Justice of the EU, with a request for financial penalty payments. More information is in the [press release](#).

8. Jobs and social rights

(For more information: Eva Hrnčirova - Tel.: +32 2 298 84 33; Anna Gray – Tel.: +32 2 298 08 73)

Letter of formal notice

Commission urges ITALY to end discrimination of fixed-term teachers in public schools

The European Commission decided to open an infringement procedure by sending a letter of formal notice to **Italy** (INFR(2024)2277) for failing to bring their national legislation fully into line with the Directive on fixed-term work ([Council Directive 1999/70/EC](#)). Under Italian law, fixed-term schoolteachers are not entitled to gradual salary progression based on previous periods of service, contrary to permanent teachers. The Commission considers these discriminatory employment conditions violate the principle of non-discrimination of fixed-term workers and infringe EU law. The Commission is therefore sending a letter of formal notice to Italy, which now has two months to respond and address the shortcomings raised by the Commission. In the absence of a satisfactory response, the Commission may decide to issue a reasoned opinion.

INF/25/242

Press contacts:

[Stefan DE KEERSMAECKER](#) (+32 2 29 84680)

General public inquiries: [Europe Direct](#) by phone [00 800 67 89 10 11](#) or by [email](#)