1. By 1 April 2022, 14 Member States had communicated to the Commission transposition measures concerning Directive (EU) 2020/1057, declaring transposition either complete or partial. Out of those 14 Member States, six Member States (Denmark, Spain, France, Hungary, Romania and Slovakia) indicated that their transposition was complete.

2. On 25 March 2022, the Commission opened 23 infringement procedures for non-communication of transposition measures under Directive (EU) 2020/1057. At that point, only four Member States (Denmark, France, Romania and Slovakia) had notified transposition measures and declared their transposition ‘complete’. Those 23 other Member States had until 25 May 2022 to reply to the letter of formal notice.

3. In the case of non-transposition, the Commission can launch infringement procedures pursuant to Article 258 of the Treaty on the Functioning of the European Union (TFEU). In the case of non-transposition of legislative directives, when the Commission refers a Member State to the Court of Justice of the EU, it can propose to the Court that it imposes financial sanctions (lump sum and penalty payment), pursuant to Article 260(3) TFEU. The 2017 Communication on ‘EU law: Better results through better application’ clearly sets out that the Commission will pursue cases where Member States have failed to communicate transposition measures ‘as a matter of priority’.

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1 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32020L1057