

Procedure file

Basic information		
INI - Own-initiative procedure	2009/2141(INI)	Procedure completed
Internal market scoreboard		
Subject 2 Internal market, single market 8.50.01 Implementation of EU law		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Internal Market and Consumer Protection	PPE THUN UND HOHENSTEIN Róża Shadow rapporteur S&D HOANG NGOC Liem ALDE LØKKEGAARD Morten Verts/ALE RÜHLE Heide ECR BIELAN Adam EFD SALVINI Matteo	28/09/2009
Council of the European Union	Council configuration	Meeting	Date
	Competitiveness (Internal Market, Industry, Research and Space)	2999	01/03/2010
European Commission	Commission DG	Commissioner	
	Financial Stability, Financial Services and Capital Markets Union	BARNIER Michel	

Key events			
17/07/2009	Non-legislative basic document published	SEC(2009)1007	Summary
19/10/2009	Committee referral announced in Parliament		
02/12/2009	Vote in committee		Summary
15/01/2010	Committee report tabled for plenary	A7-0084/2009	
01/03/2010	Debate in Council	2999	Summary
09/03/2010	Results of vote in Parliament		
09/03/2010	Debate in Parliament		

09/03/2010	Decision by Parliament	T7-0051/2010	Summary
09/03/2010	End of procedure in Parliament		

Technical information

Procedure reference	2009/2141(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Annual report
Legal basis	Rules of Procedure EP 142-p2
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/7/01025

Documentation gateway

Document attached to the procedure	C(2009)4728	29/06/2009	EC	Summary
Non-legislative basic document	SEC(2009)1007	17/07/2009	EC	Summary
Committee draft report	PE430.299	27/10/2009	EP	
Amendments tabled in committee	PE430.618	17/11/2009	EP	
Committee report tabled for plenary, single reading	A7-0084/2009	15/01/2010	EP	
Text adopted by Parliament, single reading	T7-0051/2010	09/03/2010	EP	Summary
Commission response to text adopted in plenary	SP(2010)2718	25/06/2010	EC	

Internal market scoreboard

PURPOSE: to encourage Member States to take measures to improve the functioning of the Single Market.

PROPOSED ACT: Commission Recommendation.

BACKGROUND: a well functioning single market is essential for creating employment and growth, and for promoting economic stability. The more effective the single market is, the more it will improve the business environment, thereby encouraging firms to invest and create jobs, and the more it will increase consumer confidence and demand.

Consultation and analysis carried out to prepare the Commission Communication "A single market for 21st century Europe" ("the Single Market Review") have identified a number of shortcomings which show that the single market does not yet function as efficiently as it should (see [COM\(2007\)0724](#)). In many areas and sectors, further work is still necessary.

In the Single Market Review, the Commission therefore suggested a set of concrete measures, to ensure that citizens and businesses continue to benefit from the economic advantages created by the single market.

The measures taken by the Member States and those taken by the Commission should complement each other:

- a coordinated and cooperative approach ? in partnership between the Commission and Member States ? with a common objective of improved transposition, application and enforcement of single market rules, is vital to ensure the proper functioning of the single market;
- the partnership approach requires establishing and maintaining closer cooperation within and between the Member States, and with the Commission, in all areas that are relevant for the single market. It also implies that Member States assume shared responsibility for and therefore a more pro-active role in managing the single market.

CONTENT: this Recommendation draws closely on solutions already introduced in certain Member States, which have proven to work in practice in the Member States concerned. It is for each Member State to choose the practices best designed to ensure the implementation of this Recommendation, having regard to what would be most effective in the context of that Member State, since procedures and practices that are effective in one Member State may not be as effective in another.

The Commission recommends that Member States:

- ensure and strengthen a single market coordination function, to promote efficient coordination within and between authorities responsible for single market issues at national, regional and local level, and to act as a reference point for the single market within the administration;
- facilitate active cooperation between administrative authorities responsible for single market issues in different Member States, and with the Commission, through the allocation of sufficient resources;

- take all necessary measures to improve the transposition of Directives affecting the single market;
- support the Commission's work on market monitoring and related data collection by actively contributing to the exercise at the Community level, and, if relevant, by considering similar exercises at national level;
- ensure that national authorities and officials have sufficient knowledge of Community law in general and of single market rules in particular to efficiently apply single market rules and where relevant, take these rules into account when preparing and introducing new national legislation;
- facilitate and encourage a quick and efficient resolution of problems encountered by citizens and businesses in exercising their single market rights by in general, taking measures to improve the enforcement of single market rules, and in particular, by ensuring that the judiciary has sufficient knowledge of Community law including single market rules, and by providing sufficient support to problem-solving mechanisms;
- carry out regular evaluation and assessment of national legislation to ensure full compliance with single market rules and in so doing keep under review any use of exemptions or derogations provided for in existing single market rules;
- enhance the provision of practical information on single market issues to businesses and citizens;
- examine the measures and practices set out in the Annex and, having regard to their national institutional traditions, adopt those practices that will, or can be expected to, lead to an improvement in the functioning of the single market and are best suited to implement this Recommendation;
- cooperate with the Commission and other Member States in monitoring the implementation of this Recommendation, inform the Commission of actions taken in implementing this Recommendation on a regular basis and provide a final report to the Commission three years after the publication of this Recommendation in the Official Journal.

The Annex to this Recommendation sets out measures that Member States could take in order to implement this Recommendation and provides a list of practices of certain Member States, on which those measures are based. It is considered that, while certain measures may initially incur costs, they should allow for savings to be made, for instance by streamlining national administrative practices, and should, in the long term, lead to a better functioning single market and therefore bring benefits to consumers and businesses.

The progress in implementing this Recommendation should be monitored in close cooperation between the Commission and the Member States, including through discussions in the Internal Market Advisory Committee (IMAC) on the basis of benchmarks and indicators.

In order for the Commission to be able to carry out an assessment of the effects of this Recommendation four years after the publication of the Recommendation in the Official Journal, Member States should submit reports to the Commission three years after the publication of this Recommendation in the Official Journal on actions taken to implement the Recommendation.

Internal market scoreboard

PURPOSE: to present a Commission staff working document on the Internal Market Scoreboard n°19.

BACKGROUND: an effectively working internal market is essential for the creation of a stable and innovative economic environment. Although the internal market has come a long way, there is still a lot of work to be done in order to make sure the internal market reaches its full potential. The internal market cannot work properly without correctly transposed, applied and enforced Community rules affecting the functioning of the internal market.

Published biannually since 1997, the Internal Market Scoreboard examines how quickly and how well each of the Member States transposes Single Market directives into national legislation. It also highlights the number of ongoing infringement proceedings against Member States. Recently there has been some significant improvement on this level.

CONTENT: the main findings of this report are as follows:

Transposition: it is imperative that Member States transpose internal market legislation into national law on time. The Internal Market Scoreboard of July 2009 reveals that for the third consecutive time the EU average transposition deficit was 1%, in line with the target set by the European Council. The consistent good result suggests that Member States have put in place structural improvements to ensure timely transposition.

In total, 18 out of 27 Member States are in line with the 1% target. Once again, Denmark and Malta are the overall best performers both with only 3 directives away from a perfect score. A further 2 Member States (United Kingdom and Belgium) are close to reaching the 1% target. At the other end of the spectrum, Greece, Poland, Portugal, the Czech Republic, Italy, Luxembourg and Estonia are far off the target.

The transposition deficit in 6 out of these 9 Member States has increased even further compared to half a year ago which is a serious source of concern. In addition, the number of long overdue directives remains stubbornly high. In 22% of directives not transposed the transposition deadline expired already more than 2 years ago. Furthermore 6% of directives have not been transposed in all Member States, which translates into 100 Internal Market directives not producing their full effect in the whole EU.

Infringements: once transposed, it appears that Member States pay less attention to applying directives correctly. Even where Member States have managed to reduce the number of infringement procedures, those efforts are marginal and the Member States in question continue to have a significant number of infringement proceedings. Italy accounts for more than double the average amount of infringement proceedings for incorrect transposition or incorrect application of Internal Market legislation.

Public procurement supplement: EC procurement legislation seeks to prevent favouritism or inertia from leading to procurement markets that are closed to competitive suppliers, including those from other Member States. A recent Eurobarometer survey reveals that a large majority of citizens in almost all EU Member States understand that EU procurement rules are designed to curb favouritism and corruption.

There are widespread differences in the use of particular procurement procedures across Member States. The Commission will continue to analyse the factors that may explain these differences. The Commission has recognised that the years 2009 and 2010 constitute a period of urgency justifying the more extensive use of accelerated procurement procedures. In the first 5 months of this year, the number of accelerated restricted procedures has almost doubled compared to the same period in 2008.

Internal market scoreboard

The Committee on the Internal Market and Consumer Protection adopted the own-initiative report drafted by Ró?a, Gräfin von THUN UND HOHENSTEIN (EPP, PL) on the Internal Market Scoreboard.

Members welcome the Commission Recommendation of 29 June 2009 on measures to improve the functioning of the single market on measures to improve the functioning of the single market. They stress that Member States should not cherry-pick the measures that suit them best but undertake to implement them all.

Member States are urged to work closely with the Commission and with each other, and to assume their share of responsibility and ownership to exploit the potential of the internal market fully. The Commission is called upon to use all its powers in ensuring effective application of internal market rules including effective market monitoring, harmonisation, further simplification of legislation and other tools to reduce the administrative burden on citizens and businesses.

The committee takes the view that it is important to act at an earlier stage in order to limit the risk of a transposition deficit and that the Commission should do more to support the Member States throughout the transposition period. It also takes the view that this should involve in particular dialogue and a greater exchange of information aimed at anticipating possible problems and seeking to resolve them before the end of the deadline for transposition.

In this context, it particularly supports the idea of close involvement of national parliaments and enhanced cooperation with other stakeholders, such as the social partners, during negotiations and the transposition process. It underlines the importance of open dialogue and closer cooperation between national parliaments and the European Parliament with a view to further discussion and detailed consideration of the problems encountered by Member States during the transposition process.

The Commission is invited to:

- organize an annual Internal Market Forum bringing together representatives of EU institutions and Member States and other stakeholders in order to establish a clearer commitment to transposition, application and enforcement of internal market legislation;
- regularly include in its Internal Market Scoreboard more detailed information on the application and enforcement of internal market legislation, including objective indicators as to the functioning of the internal market;
- look into new ways to eliminate remaining barriers to completing the internal market, including the creation of a "internal-market test" for all proposed new EU legislation, to ensure that proposed new measures do not undermine the internal market;
- use the Commissions annual review of the application of Community Law in a more strategic way by focusing on vertical policy areas which could improve the qualitative analysis of the Internal Market Scoreboard;
- present a more reader-friendly press release together with the Internal Market Scoreboard in order to raise awareness of its results and to increase pressure on the Member States to ensure the correct and timely transposition of directives.

Transposition: Members welcome the fact that the transposition deficit of 1% has been met for the third consecutive time. They urge the nine Member States which failed to reach this objective to take action to improve their record.

The report recalls that the number of directives that have not been transposed by one or more Member States remains too high and calls on the Commission and the Member States to work together to bring this number down as a matter of urgency, starting with those directives whose transposition has been overdue for two years or more. Member States are urged to provide the Commission with correlation tables containing detailed information on the national measures taken to transpose directives in order for it to be able to provide more detailed information on the quality of transposition.

Application: the report considers that Member States should enhance the efficient cooperation among national, regional and local authorities involved in applying internal market rules by ensuring and strengthening an internal market coordination function within their national administrations. It invites:

- Member States to provide national and local civil servants and judicial authorities with regular training on internal market rules in the framework of existing Community programmes and networks;
- the Commission to view internal market legislation as a circular process in which ex-post evaluations should play an important part and should be used to establish whether the legislation meets or surpasses the original impact assessment and, if not, to identify how it should be amended or recast to ensure that it meets its original objectives.

Enforcement: the committee holds the view that Member States should step up their efforts in providing information to citizens and businesses about their rights in the internal market, enabling them to exercise those rights in practice. It calls on the Commission to:

- finalise as a matter of priority the Single Market Assistance Services project for streamlining information, advice and problem-solving assistance services and making them more accessible;
- establish and strengthen the 'Your Europe - Business' portal as an electronic one-stop-shop for business information relating to the internal market;
- make greater use of the Enterprise Europe Network for the targeted distribution of information and to reduce bureaucracy for the Network's partners;
- take the necessary measures in order to make the SOLVIT centres and their free-of-charge problem-solving services more visible to European businesses and citizens.

Internal market scoreboard

The Council took note of the following three reports:

- the Internal Market Scoreboard No 20: state of play of implementation by Member States of internal market directives into national law;
- report on the SOLVIT system (an online internal market problem-solving network);
- report on the ?Citizens Sign Post Service?, a service that provides personalised advice to individual citizens in relation to the rights

Internal market scoreboard

The European Parliament adopted by 530 votes to 85, with 3 abstentions, a legislative resolution on the Internal Market Scoreboard.

Members welcome the Commission Recommendation of 29 June 2009 on measures to improve the functioning of the single market on measures to improve the functioning of the single market. They stress that Member States should not cherry-pick the measures that suit them best but undertake to implement them all.

Member States are urged to work closely with the Commission and with each other, and to assume their share of responsibility and ownership to exploit the potential of the internal market fully. The Commission is called upon to use all its powers in ensuring effective application of internal market rules including effective market monitoring, harmonisation, further simplification of legislation and other tools to reduce the administrative burden on citizens and businesses.

Take action at an earlier stage: Parliament takes the view that it is important to act at an earlier stage in order to limit the risk of a transposition deficit and that the Commission should do more to support the Member States throughout the transposition period. It also takes the view that this should involve, in particular, dialogue and a greater exchange of information aimed at anticipating possible problems and seeking to resolve them before the end of the deadline for transposition.

In this context, the resolution gives strong support to the idea of close involvement of national parliaments and enhanced cooperation with other stakeholders, such as the social partners, during negotiations and the transposition process. Members stress the importance of open dialogue and closer cooperation between national parliaments and the European Parliament with a view to further discussion and detailed consideration of the problems encountered by Member States during the transposition process.

The Commission is invited to:

- look into new ways to eliminate remaining barriers to completing the internal market, including the creation of a "internal-market test" for all proposed new EU legislation, to ensure that proposed new measures do not undermine the internal market;
- organise an annual Internal Market Forum bringing together representatives of EU institutions and Member States and other stakeholders in order to establish a clearer commitment to transposition, application and enforcement of internal market legislation;
- regularly include in its Internal Market Scoreboard more detailed information on the application and enforcement of internal market legislation, including objective indicators as to the functioning of the internal market;
- present a more reader-friendly press release together with the Internal Market Scoreboard in order to raise awareness of its results and to increase pressure on the Member States to ensure the correct and timely transposition of directives.

Transposition: Members welcome the fact that the transposition deficit of 1% has been met for the third consecutive time. They urge the nine Member States which failed to reach this objective to take action to improve their record.

The resolution recalls that the number of directives that have not been transposed by one or more Member States remains too high and calls on the Commission and the Member States to work together to bring this number down as a matter of urgency, starting with those directives whose transposition has been overdue for two years or more. Member States are urged to provide the Commission with correlation tables containing detailed information on the national measures taken to transpose directives in order for it to be able to provide more detailed information on the quality of transposition.

Application: Parliament considers that Member States should enhance the efficient cooperation among national, regional and local authorities involved in applying internal market rules by ensuring and strengthening an internal market coordination function within their national administrations. It invites:

- Member States to provide national and local civil servants and judicial authorities with regular training on internal market rules in the framework of existing Community programmes and networks;
- the Commission to view internal market legislation as a circular process in which ex-post evaluations should play an important part and should be used to establish whether the legislation meets or surpasses the original impact assessment.

Enforcement: Members hold the view that Member States should step up their efforts in providing information to citizens and businesses about their rights in the internal market, enabling them to exercise those rights in practice. They consider that the information on the internal market made available to them on the internet by the Commission, while considerable, are fragmented. They call on the Commission to:

- finalise, as a matter of priority, the Single Market Assistance Services project for streamlining information, advice and problem-solving assistance services and making them more accessible;
- establish and strengthen the 'Your Europe - Business' portal as an electronic one-stop-shop for business information relating to the internal market;
- make greater use of the Enterprise Europe Network for the targeted distribution of information and to reduce bureaucracy for the Network's partners;
- take, with the Member States, the necessary measures in order to make the SOLVIT centres and their free-of-charge problem-solving services more visible to European businesses and citizens.