Internal market scoreboard

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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.