Monitoring the application of Community law. 17th annual report 1999

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PURPOSE : Seventeenth Annual Report on Monitoring the Application of Community Law (1999) CONTENT : This is the first volume of this report. Article 211 assigns the task of monitoring to the Commission. The main tools used to accomplish this task are the infringement procedure provided by Article 226 of the Treaty and the second referral to the Court of Justice provided for by Article 228. These two procedures form the subject of this report. The Commission's activities are highlighted in the following sections: - a statistical overview of the various stages involved in monitoring the application of Community law, comparing the 1999 figures with those of the previous year. - the transposal of Community directives by the Member States, - graphs showing by Member State, all the infringement proceedings commenced or handled by the Commission during the year; - an overview of the application of the penalty mechanism provided for in Article 228. Statistics: the number of complaints continued to rise, increasing by 16%. The overall number of letters of formal notice was similar to the figure for 1998. The number of cases referred to the Court of Justice rose to 178 from 123 in 1998. This reflects the faster handling of infringement proceedings. The speed of handling cases also continued to rise. The statistics demonstrate that infringement proceedings are being handled more efficiently than ever. Transposal of directives: Italy has considerably improved its position in the transposal rate rankings, whereas the rate achieved by Greece continues to give cause for concern. All other Member States achieved a slightly lower transposal rate in 1999. - Graphs of infringement proceedings: France heads all infringement tables. It is also the state against which the largest number of complaints were lodged in 1999 (17% of the total). Application by the Commission of Article 228: in 1999 the Commission decided to refer four cases for a second time to the Court of Justice with requests for imposition of a penalty payment. These four cases were against Belgium, Greece, France and Luxembourg. All concern social affairs legislation. Figures show that the penalty system introduced by the Maastricht Treaty has a dissuasive effect: the Court has not so far had to impose any penalties for non-compliance with its judgement, since Member States normally come into line with Community law as soon as the case is referred to Court for a second time or even before the Commission has gone through with its decision to involve the Court. The report goes on to detail the situation sector-by-sector, covering the internal market, competition, enterprise policy, education, social affairs, regional policy, budget, energy and transport, telecommunications, information, environment, agriculture, fisheries, and consumer protection.