



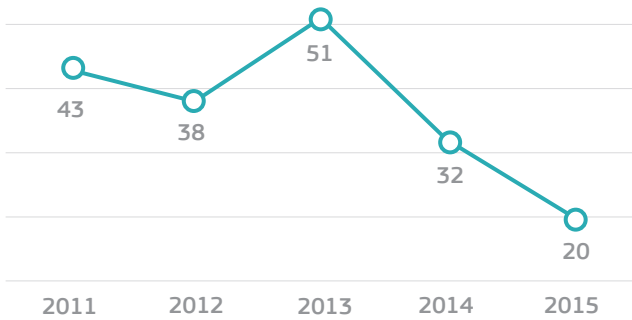
European Commission

Monitoring the Application of European Union Law

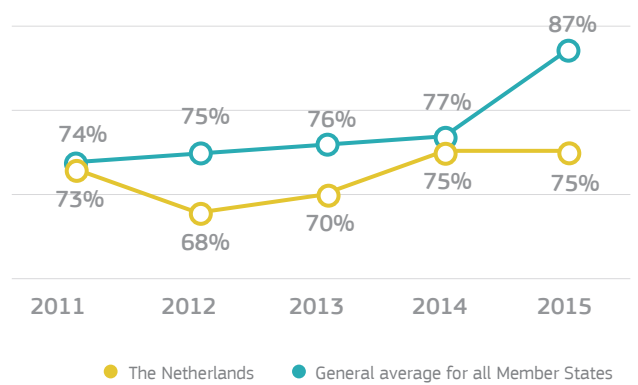
Annual Report 2015

In 2015, new complaints against the Netherlands continued the steady fall seen since their peak in 2012. The number of new EU Pilot files fell for the second consecutive year, to their lowest level since 2011. Open infringement cases have been relatively stable since 2012. New infringement cases for late transposition rose in 2015 but the number was still well below the 2011 level.

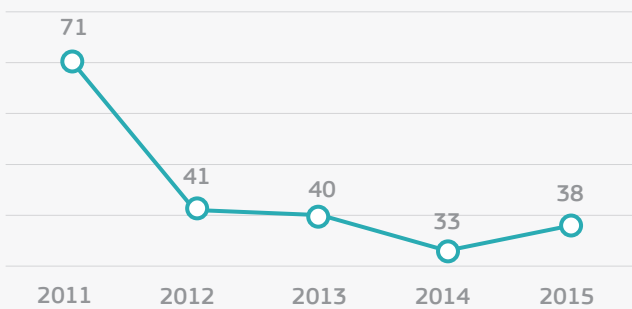
New EU Pilot files opened



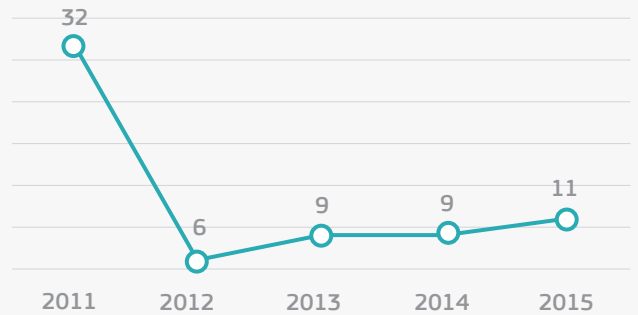
EU Pilot files: evolution of the resolution rate



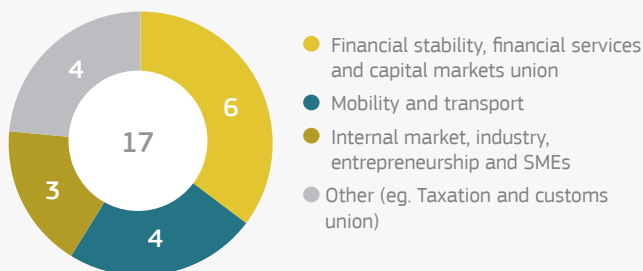
INFRINGEMENT CASES
Infringement cases open on 31 December



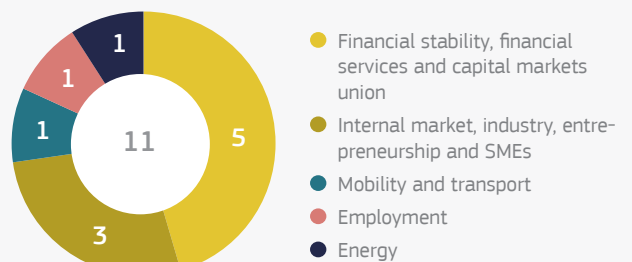
TRANSPPOSITION OF DIRECTIVES
New late transposition infringement cases



17 new infringement cases opened in 2015: main policy areas



11 new late transposition infringement cases opened in 2015: main policy areas





In preliminary rulings, the Court:

- clarified the social security legislation applicable to a national of a Member State who was employed at a consular post of a third State established in the territory of a Member State of which he is not a national, but in whose territory he resides;¹
- ruled that a pension is considered 'payable' from the commencement of the period in respect of which that pension was actually paid to that person. This is the case even if the pension was awarded retroactively and the Member State must enable the recipient of the pension to become affiliated to compulsory healthcare insurance with the same retroactive effect;²
- ruled that a frontier worker who, immediately after the end of a full-time employment relationship with an employer in a Member State, is employed on a part-time basis by another employer in that same Member State, has the status of a partially unemployed frontier worker within the meaning of that provision;³
- clarified the residence requirements for access to special non-contributory benefit for Turkish workers in regular employment in a Member State;⁴
- ruled that Member States may require non-EU nationals to pass a civic integration examination prior to family reunification. However, the exercise of the right to reunification must not be made impossible or excessively difficult;⁵
- ruled that Council Directive⁶ concerning the status of third-country nationals who are long-term residents does not preclude the imposition of an obligation to pass a civic integration examination, provided that the means of implementing that obligation are not liable to jeopardise the achievement of the objectives pursued by the directive;⁷
- ruled that a technical problem which occurs unexpectedly, is not due to defective maintenance and was not detected during regular tests does not exempt a carrier from its obligation to compensate passengers in the event of a flight cancellation.⁸

¹ Evans, [C-179/13](#).

² Fischer-Lintjens, [C-543/13](#).

³ Mertens, [C-655/13](#).

⁴ Demirci [C-171/13](#).

⁵ K&A, [C-153/14](#) and Court press release No [78/15](#).

⁶ Directive [2003/109/EC](#).

⁷ P and S, [C-579/13](#).

⁸ van der Lans, [C-257/14](#) and Court press release No [105/15](#).