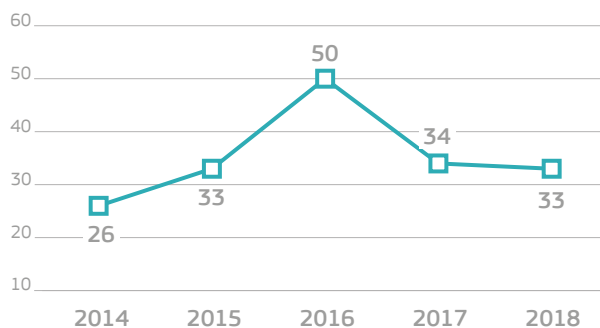
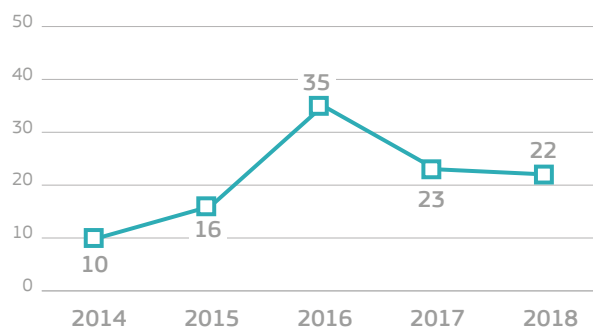
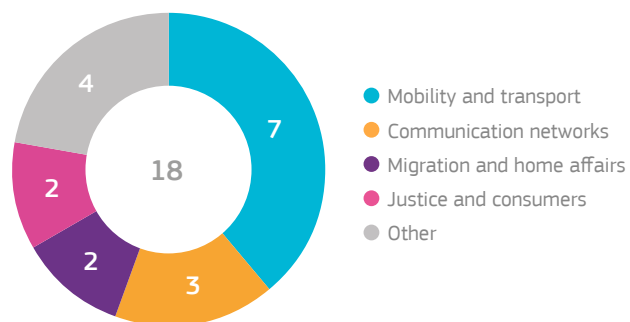
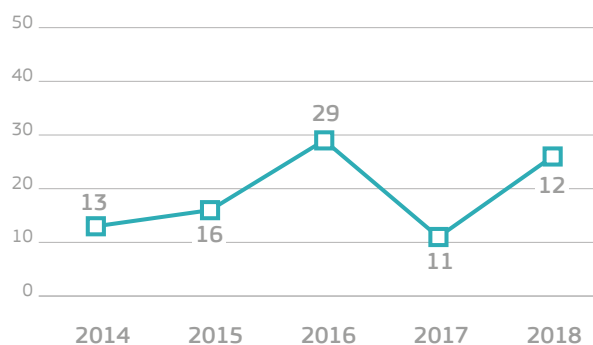


Monitoring the Application
of European Union Law

Annual Report 2018

Infringement cases open as of 31 December 2018

Late transposition¹ infringement cases
open as of 31 December 2018New infringement cases opened in 2018:
main policy areasNew late transposition infringement
cases opened in 2018

1. Number of infringement cases due to failure to implement an EU Directive into national law on time.



Relevant rulings of the European Courts:

In preliminary rulings, the Court held, amongst others, that:

- *Member States can decide to base the allocation of fishing quotas under the Common Fisheries Policy Regulation² in connection with the Charter of Fundamental Rights of the EU, on the criterion of historic catches, but not exclusively on that criterion. Such an allocation method is permitted if it pursues one or more general interests recognised by the EU and respects the principle of proportionality³.*
- *With regard to the handling of potential collusion within a public procurement procedure, contracting authorities observing indications of potential collusion are obliged to verify them sufficiently, but the related tenderers submitting offers in the same procedure are not obliged to spontaneously disclose details of their links⁴.*
- *Technical specifications in public procurement cannot be tailored to an individual provider. It is up to contracting authorities/entities to assure fair competition, either through a detailed technical description or functional specification, or by defining an outcome, or through a combination of them⁵.*

² Regulation (EU) 1380/2013.

³ Spika and Others, C-540/16.

⁴ Specializuotas transportas, C-531/16.

⁵ Roche Lietuva, C-413/17.