



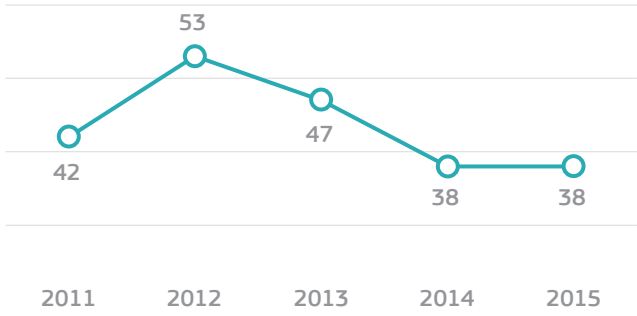
European Commission

# Monitoring the Application of European Union Law

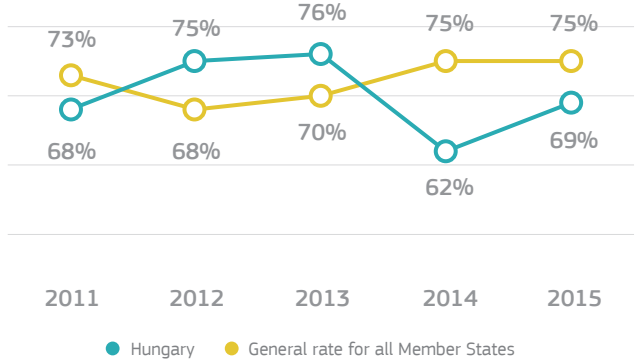
## Annual Report 2015

New complaints against Hungary increased strongly in 2015 while the number of new EU Pilot files held steady. Open infringement cases fell slightly but remained within the relatively narrow range seen since 2012. New infringement cases for late transposition declined to a five-year low.

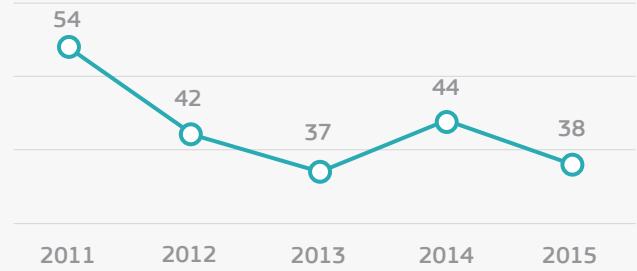
New EU Pilot files opened



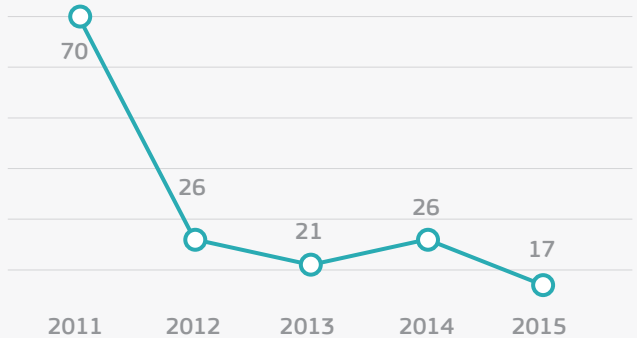
EU Pilot files: evolution of the resolution rate



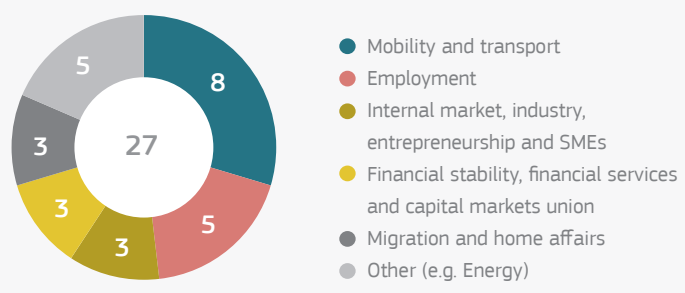
INFRINGEMENT CASES  
Infringement cases open on 31 December



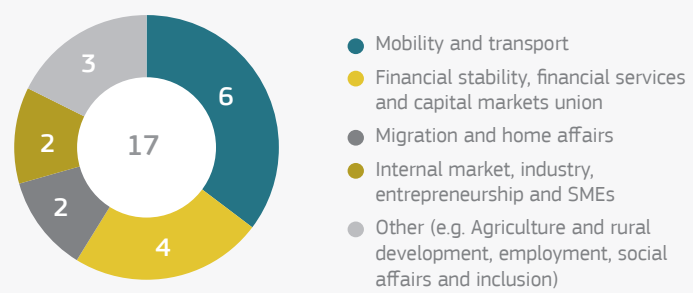
TRANSPOSITION OF DIRECTIVES  
New late transposition infringement cases



27 new infringement cases opened in 2015: main policy areas



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





### In preliminary rulings, the Court ruled that:

- the Second Energy Package, interpreted in the light of Article 47 of the Charter of Fundamental Rights of the EU, requires national authorities to allow certain market operators to challenge decisions by the national regulatory authorities;<sup>1</sup>
- the shipment of waste in the country of transit at a different border crossing point than the one provided for in the notification document and consented to by the competent authorities represents an essential change to the shipment conditions. If not notified to the competent authorities, the change results in the shipment of waste being illegal. A fine imposed for such an illegal shipment, the basic amount of which is the same as the fine imposed for a breach of the requirement to obtain consent and to give prior notification in writing, can be seen as proportionate only if equally serious infringements are involved;<sup>2</sup>
- legislation which prohibits the operation of slot machines outside casinos may be contrary to the principle of freedom to provide services;<sup>3</sup>
- the system of fines laid down in Hungarian law to sanction undeclared cash was disproportionate.<sup>4</sup>

<sup>1</sup> E.ON Földgáz Trade, [C-510/13](#).

<sup>2</sup> Regulation (EC) No [1013/2006](#), Total Waste Recycling, [C 487/14](#).

<sup>3</sup> Berlington Hungary and Others, [C-98/14](#) and Court press release No [69/15](#).

<sup>4</sup> Chmielewski, [C-255/14](#) and Court press release No [90/15](#).

#### More information:

Staff working document of the European Commission - [Annual Report 2015](#) 'Monitoring the application of European Union law' (part II: Member States)