



Non-transposition of EU legislation: Commission takes action to ensure complete and timely transposition of EU directives

Brussels, 21 September 2022

The Commission is adopting a package of infringement decisions due to the absence of communication by Member States of measures taken to transpose EU directives into national law (referred to as 'non-communication infringements'). The Commission is sending a letter of formal notice to those Member States who have failed to notify national measures transposing directives. In this case, there are 24 Member States who have not yet notified full transposition measures for 10 EU directives whose transposition deadline expired between 1st July and 31st August 2022. Member States concerned now have two months to reply to the letters of formal notice and complete their transposition, or the Commission may decide to issue a reasoned opinion.

Workers' rights: Directive (EU) 2019/1152 on transparent and predictable working conditions

The [Directive on transparent and predictable working conditions](#) provides more extensive and updated labour rights and protection to the 182 million workers in the EU. With the new rules, workers have, for instance, the right to more predictability regarding assignments and working time. They will also have the right to receive timely and more complete information about the essential aspects of their job, such as place of work and remuneration. The new rules will benefit in particular an estimated 2 to 3 million workers in precarious forms of employment. The Commission is today sending a letter of formal notice to 19 Member States (Belgium, Czechia, Denmark, Ireland, Greece, Spain, France, Croatia, Cyprus, Luxembourg, Hungary, Malta, Austria, Poland, Portugal, Romania, Slovenia, Slovakia and Finland) since they have not communicated full transposition of the Directive into national law by the deadline of 1 August 2022.

Sustainable finance: EU rules ask for integration of sustainability factors and objectives in the product governance process

[Commission Delegated Directive \(EU\) 2021/1269](#) clarifies that sustainability factors and sustainability related objectives have to be taken into account by investment firms in their product oversight and governance process. Those rules anchor environmental, social and governance (sustainability) considerations at the heart of the financial system. As of 22 November 2022, manufacturers and distributors have to duly consider sustainability related objectives of the financial products they conceive or distribute and ensure that financial instruments with sustainability factors remain easily available to all clients. The Commission is today sending letters of formal notice to Belgium, Germany, Hungary, Spain, Slovenia since they have not transposed the Directive by the deadline of 22 August 2022.

Sustainable finance: EU law requires all the fund managers to integrate sustainability risks in their portfolio

The [Delegated Directive \(EU\) 2021/1270 \(the "UCITS sustainability Directive"\)](#) requires all fund managers to integrate sustainability risks in their portfolio. In particular, the UCITS sustainability Directive imposes obligations on UCITS management companies to integrate sustainability risks in the management of UCITS. The Directive also requires to include conflicts of interest procedures that may arise as a result of the integration of sustainability risks. UCITS management companies shall take into account sustainability risks as part of the due diligence in the selection and ongoing monitoring of investment and capture details of procedures to manage sustainability risks in the risk management policy. Belgium and Spain have not transposed the UCITS sustainability Directive into national law by 1 August 2022 and are today receiving a letter of formal notice.

Toy safety: Allergenic fragrance in toys

In 2020, the Commission adopted [Directive \(EU\) 2020/2088](#) to improve labelling of toys that include potentially allergenic fragrances and [Directive \(EU\) 2020/2089](#) to prohibit a number of allergenic fragrances to be used in toys. In order to increase children's protection from possible negative health effects of fragrances that could cause allergies, which may last for a lifetime, the Commission amended the Toy Safety Directive [2009/48/EC](#) by extending the list of 55 banned fragrances with atranol, chloroatranol and methyl heptene carbonate in toys and toy materials.

Additionally, the new rules require that 61 further allergenic fragrances in toys, if present above a certain threshold, have to be labelled on the toy. As of 5 July 2022, when the two directives started to apply, businesses selling toys must ensure that they comply with these new labelling requirements and prohibitions. Cyprus has not transposed the two directives on allergenic fragrances in toys into national law by the deadline of 4 July 2022 and is today receiving a letter of formal notice.

Company law: streamlining company rules on digital tools and processes

[Directive \(EU\) 2019/1151](#) covers provisions on the use of digital tools and processes in company law. It requires Member States to introduce fully online procedures for the formation of certain company types and registration of cross-border branches and fully online submission of documents in business registers. It also made more company data available free of charge from business registers through the Business Registers Interconnection System. The general deadline for Member States to transpose this Directive was 1 August 2021. However, 17 Member have availed of the possibility provided by the Directive to have an extension of the transposition period by one year, i.e. by 1 August 2022. By now, the transposition deadline has expired for all Member States. The Commission is therefore sending letters of formal notice to Belgium, Bulgaria, Denmark, Cyprus, Luxembourg, the Netherlands, Poland, Slovenia, Slovakia, and Sweden.

Second chance for entrepreneurs: helping prevent bankruptcy and granting easier access to financing

[Directive \(EU\) 2019/1023](#) establishes a set of rules with the aim to prevent bankruptcy early on and to establish a healthy environment for insolvent entrepreneurs to get back on their feet. The new rules provide the conditions for viable companies in financial difficulty to restructure early to avoid bankruptcy. Honest insolvent entrepreneurs will have better access to financing and see their debts fully discharged after three years. In addition, new rules will increase the efficiency of insolvency procedures by harmonising certain rules on courts and insolvency practitioners, as well as the use of electronic means of communication. The deadline for the transposition of the Directive was 17 July 2022. The following Member States have failed to notify national measures fully transposing it and will therefore be receiving letters of formal notice: Belgium, Bulgaria, Cyprus, Czechia, Luxembourg, Latvia, Malta, the Netherlands, Poland and Slovenia.

Work-Life Balance for parents and carers: fostering equality in the labour market

The [Work-Life Balance Directive](#) (Directive (EU) 2019/1158) aims to ensure equality in labour market participation by encouraging equal sharing of care responsibilities between parents. It introduced paternity leave, ensuring that fathers/second parents have the right to take at least ten working days of paternity leave around the time of birth of the child. The Directive also establishes a minimum of four months of parental leave, with at least two out of the four months non-transferable from a parent to another. It establishes five working days per year of carers' leave for each worker providing personal care or support to a relative or person living in the same household and gives all working parents of children up to at least eight years old and all carers a right to request flexible working arrangements. The transposition deadline for the Directive was 2 August 2022. The following Member States have failed to notify national measures fully transposing it and will therefore be receiving letters of formal notice: Belgium, Czechia, Denmark, Germany, Ireland, Greece, Spain, France, Croatia, Cyprus, Latvia, Luxembourg, Hungary, Austria, Poland, Portugal, Romania, Slovenia and Slovakia.

EU seeds legislation: Directive (EU) 2021/1927 as regards requirements for seeds of hybrid wheat produced by means of cytoplasmic male sterility

In view of adaptation to technical and international developments, [Directive \(EU\) 2021/1927](#) amended [Directive 66/402/EEC](#) on the marketing of cereal seed to establish specific conditions for the production and marketing of hybrid varieties of wheat. Member States had to transpose this Directive by 31 August 2022. Hungary has failed to do so and is today receiving a letter of formal notice.

EU seeds legislation: Directive (EU) 2021/971 amending various Directives on the marketing of seeds, as regards the use of biochemical and molecular techniques

[Directive \(EU\) 2021/971](#) amended the Annexes of the Directives on marketing seeds to take into account technical and scientific developments as regards the use of bio-chemical and bio-molecular techniques in seed certification. Member States had to transpose this Directive by 31 August 2022. Belgium, Croatia, and Hungary have failed to do so and are today receiving a letter of formal notice.

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