



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Deputy Secretary-General - Policy Coordination

Brussels
SG.F.3/RT/VL

Subject: Measures concerning the application of deadlines in infringement and pre-infringement procedures in view of the Covid-19 pandemic

Dear colleagues,

The non-paper received from Member States on 19 March 2020 raises important issues about the deadlines regarding infringement procedures in view of the Covid-19 pandemic.

As emphasised by the Member States in the non-paper, the proper application of EU law is crucial. The fact that President von der Leyen has recently stressed the importance of the free movement of people and goods in the current situation illustrates that this is true even at a time of emergency.

However, it is clear that the outbreak of the coronavirus is having a significant impact on Member States' administrative capacities as they take the measures necessary to protect their citizens.

Against this background, the following steps will apply:

- The deadlines for replies to the letters of formal notice and to reasoned opinions pursuant to Articles 258, 260(2) and 260(3) of the Treaty on the Functioning of the EU (TFEU) notified on 24 January and 13 February 2020 are extended until Monday 15 June 2020;
- The deadlines for replies on measures taken by Member States, in accordance with Article 260(1) TFEU, to comply with a judgment of the Court of Justice having found a violation of EU law, are also extended until Monday 15 June 2020;
- The two months deadline given to Member States to complement the notifications of their national transposition measures in line with the standard set by the Court

of Justice in Case C-543/17, Commission v Belgium¹ is also extended until Monday 15 June 2020;

- The deadlines for EU Pilot files may be extended on a case-by-case basis, by submitting a request directly via the THEMIS EU Pilot application.

The situation on the application of deadlines as regards the infringement and pre-infringement procedures will be reassessed before 15 June 2020 in the light of developments, and any further steps communicated to Member States.

Please note that the above measures do not in any way prejudice the possibility for the Commission to launch or pursue infringement proceedings in cases it deems necessary.

Yours faithfully,

(e-signed)
Céline GAUER

¹ Letter of the Secretary- General of 17 February 2020, Ares(2020)1023611.