

## EUROPEAN UNION LAWS

- **What is European Law – Community Law?**

The main objective of the EU is the progressive integration of Member States' economic and political systems and the establishment of a Single Market based on the free movement of goods, people, money and services.

By signing the Treaty of adhesion to the European Union (Treaty of Lisbon), the Member States have ceded by their own free will, part of their Sovereignty, thus giving the Union's Institutions the power to adopt laws.

These laws (Directives, Regulations and Decisions) take precedence over national laws (including Constitutions) and are binding for national authorities. The EU also issues non-binding instruments, such as Recommendations and Opinions, as well as rules governing how EU institutions and programs work, etc.

- **Directives**

EU Directives lay down results that must be achieved in every Member State.

National authorities have to adapt their laws to meet these Goals but are free to decide in which way they will do it (by adopting new laws or by adapting already existing national legislation).

Directives may concern only a part of EU's Member States, or all of them.

For each Directive there is a specific date of coming into force.

From the moment of the adoption of the Directive till that date, national authorities work towards the inclusion of all in provisions into binding national documents (Laws decrees).

Directives are used to bring different national laws into line with each other, and are particularly common in matters affecting the operation of the single market (e.g. Recognition of Professional Qualifications 2005/36/CE). In other words, Directives organise harmonisation.

When a Member State fails to adapt its laws to the provisions of a Directive, the European Commission is obliged by the Treaty to remind it its obligations (“reasoned opinion”). If despite that the State persists in its negligence, the Commission is obliged to bring it before the European Courts of Justice.

The latter is normally going to oblige the State in question to pay an onerous fine and to transpose the Directive into national legislation as well.