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The Commission is consulting on the possibility of a new procedure to ensure access to justice in environmental matters (Aarhus Convention) in State aid decisions

The Commission has launched a targeted consultation on the adoption of a procedure for access to justice in environmental matters in State aid procedures. Through this consultation, the Commission is seeking feedback on the possible impact of this procedure on other EU policies, investments and the launch of new projects. In particular, the Commission wishes to ascertain the implications of this new procedure for businesses in terms of costs. The consultation closes on 6 September 2024.

This new procedure is necessary to address the Findings and recommendations of the Aarhus Convention Compliance Committee (ACCC) of 17 March 2021 in case ACCC/C/2015/128. In those Findings, the European Union was found to be in breach of the Aarhus Convention for failing to allow the complainant NGOs to appeal on environmental grounds against the European Commission's decision to approve State aid for the implementation of the Hinkley Point C nuclear power plant project in the United Kingdom.

In particular, the ACCC noted that the European Union had failed *"(a) By failing to provide access to administrative or judicial procedures for members of the public to challenge decisions on State aid measures taken by the European Commission under article 108 (2) TFEU that contravene European Union law relating to the environment, the Party concerned fails to comply with article 9 (3) of the Convention;*

(b) By failing to provide any procedure under article 9 (3) of the Convention through which members of the public are able to challenge decisions on State aid measures taken by the European Commission under article 108 (2) TFEU that contravene European Union law relating to the environment, the Party concerned also fails to provide an adequate and effective remedy regarding such decisions as required by article 9 (4) of the Convention".

Since the publication of these Findings and recommendations, the Commission has published three consultations and adopted one Communication.

The Commission published a first consultation on 13 July 2022 on three possible options to address the problem of compliance with the Aarhus Convention: (i) the amendment of the Aarhus Regulation by including State aid decisions within its scope; (ii) the amendment of the Code of Best Practices for the conduct of State aid control procedures by introducing an internal review mechanism similar to that under the Aarhus Regulation but adapted to the specific nature of State aid control, including a revision of the Implementing Regulation on State aid notifications; and (iii) amending the State aid Procedural Regulation by introducing an internal review mechanism similar to the one applicable under the Aarhus Regulation.

Following this consultation, **the Commission adopted a Communication in 2023** in which, considering the existing problems, and the unique nature of State aid control procedures, it concluded that there is a need to carefully analyse: (i) the instrument to be amended; (ii) the scope of State aid decisions subject to review; (iii) the duration of the procedures, especially in cases where the implementation of the State aid decision is urgent; and (iv) the cost in terms of resource implications for the EU institutions and bodies.

A further, now finalised, consultation was published on 30 May 2024, which this time focused more on a specific procedure to ensure access to justice in environmental matters with regard to State aid decisions relevant in the context of the findings of the Aarhus Compliance Committee. In particular, in the presentation of its consultation, the Commission stated that:

> *"The Commission aims at adjusting the existing legal framework or taking equivalent measures to set up a new procedure allowing access to justice in relation to State aid decisions that are relevant in the context of the ACCC findings. The Commission will reflect, among others, on the scope of the decisions covered by such a new procedure, as well as the applicable deadlines. The new procedure will also assess from a subsidiarity and proportionality*

perspective all problems the initiative aims to address as well as all likely impacts. The Commission will take the opportunity of the envisaged adjustment of the existing legal framework or equivalent measure to make also other adjustments bringing the respective legal instruments into line with the Commission's practice and the EU Courts' case-law wherever necessary, including looking into simplifications of administrative burden".

In that consultation, the Commission identified, *inter alia*, the following as possible issues: (i) impacts on State aid procedures, including speed and legal certainty, and on the beneficiaries of State aid; (ii) the impact on investment decisions in the intermal market, including on strategic EU policy objectives, in particular in relation to the EU´s global competitiveness and achievement of Green Deal objectives; and (iii) the resources of the EU institutions, Member States (including the administrative burden) and other stakeholders.

Following this first phase and the feedback received, the Commission is carrying out this new consultation with the aim of publishing a *Commission Staff Working Document* summarising the information received and the conclusions drawn from this consultation in the second quarter of 2025.

ASSESSMENT The problem raised by the ACCC goes beyond environmental issues, therefore, any solution to comply with the Aarhus Convention should be considered in the context of the European Commission's general State aid control policy.

Indeed, the need to phase out the Temporary Crisis Framework for State aid, in force since the COVID-19 pandemic, as well as the announcement of the new approach to competition policy, which is included in President von der Leyen's Political Guidelines for the next European Commission 2024-2029, is an opportunity to assess whether State aid control procedures continue to fulfil their purpose, and if necessary, to propose the appropriate amendments that continue to guarantee equal supervision and compliance in all Member States, ensuring an adequate "level playing field" between Member States.

In this sense, raising issues such as extending the concept of "interested party" in State aid control procedures, the deadlines for the European Commission to conduct formal investigations, or the need to have better-coordinated mechanisms between the European Commission and the competent authorities of the Member States are some of the issues that should be considered in any amendment that is intended to be addressed.

Moreover, one should not forget that the European Commission only monitors Member States' State aids in order to avoid unnecessary distortions in the internal market, with the control of other provisions of EU law being a related matter (Judgment of the CJEU of 31 January 2023, Case C-284/21 P, Commission v. Braesch and others, paragraphs 96-99, inter alia).

In addition, particular care must be taken not to set longer time limits that would make the control of unlawful State aid less effective. The State aid control system is currently very complex, precisely because of the division of competences between the Member States and the European Commission, which often calls into question principles such as those of equality, legal certainty and good administration.

In conclusion, this consultation is an opportunity to comprehensively analyse whether State aid control procedures require amendments that guarantee effective control, which includes greater agility and transparency, as well as adequate coordination between the authorities of the Member States and the European Commission.

Further information of interest:

- Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25 June 1998.
- Case ACCC/C/2015/128: Findings and recommendations concerning compliance by the European Union with the Aarhus Convention, adopted by the Aarhus Convention Compliance Committee (ACCC) on 17 March 2021.
- European Commission: Targeted Consultation on procedure for access to justice in environmental matters in relation to State aid decisions, 1 July 2024.

The General Court dismisses ByteDance's (TikTok) action against the Commission's Decision designating it as a gatekeeper pursuant to the DMA

On 17 July 2024, the General Court delivered its judgment in Case T-1077/23, *Bytedance* v. Commission, in an action for annulment brought by ByteDance (the owner of the social networking platform TikTok), against Commission Decision C(2023) 6102 final of 5 September 2023 designating ByteDance as a gatekeeper in accordance with the provisions of Regulation 2022/1925 on contestable and fair markets in the digital sector ("Digital Markets Act" or "DMA").

In its action for annulment, ByteDance raised three pleas in law, alleging infringement by the Commission of: (i) the provisions of the DMA which, on the one hand, lay down the requirements to designate an undertaking as a gatekeeper; and on the other hand, provide for the possibility for undertakings to demonstrate that those requirements are not satisfied, notwithstanding the fact that the DMA's thresholds allowing a presumption of compliance with those requirements are met; (ii) the applicant's rights of defence, as the contested decision relied on matters of fact and law in relation to which ByteDance was not able to submit its observations; and (iii) the principle of equal treatment, as the Commission rejected ByteDance's "qualitative" arguments aimed at proving that the conditions for its designation as a gatekeeper were not met, whereas in other similar decisions concerning other undertakings, the Commissions accepted such an argument.

The General Court rejected all of ByteDance's arguments. Its assessment is consistent with that of the Commission in the contested decision: none of the arguments relied on was sufficiently substantiated by conclusive evidence to establish that the Commission had erred in finding that the presumptions and conditions necessary to designate ByteDance as a gatekeeper were fulfilled. The General Court's findings include the following:

i. Undertakings may rebut the DMA presumptions that allow the requirements for gatekeeper designation to be considered satisfied on the basis of arguments and evidence that may or may not be expressed in figures, as long as they relate to the DMA presumptions.

ii. The standard of proof required to call into question such presumptions is high, and in this case, ByteDance has not demonstrated that there was any "doubt" or prima facie evidence to call into question the presumptions. Thus, the General Court rejects the argument that the Commission imposed too high a standard of proof on ByteDance.

iii. The Commission erred in law by rejecting certain arguments by ByteDance aimed at rebutting the presumption relating to its significant impact on the internal market. However, the General Court considers that this does not vitiate the Commission's conclusion and does not allow the lawfulness of the contested decision to be called into question, since the global market value, the large number of TikTok users in the European Union and the potential future monetisation of those users by the applicant demonstrate its significant impact on the internal market.

iv. None of the applicant's arguments and evidence can justifiably refute the fact that, on the one hand, the company provides a core platform service which is an important gateway for business users to reach end users; and, on the other hand, that the company enjoys an entrenched and durable position. The General Court found another error in the Commission's analysis which again has no bearing on the lawfulness of the contested decision.

v. The DMA does not define the term "ecosystem", but this is inferred from its recitals. The existence of an ecosystem, although a typical characteristic of some gatekeepers, is not a mandatory requirement to be designated as a gatekeeper, as core platform services can, alone, be important gateways without necessarily forming part of an ecosystem.

vi. ByteDance's arguments based on (a) the absence of an ecosystem and network effects on its platform (the value of a product or service increases as more people use it); (b) the absence of

lock-in effects on its users; and (c) the existence of multi-homing with other similar platforms, do not allow it to undermine the assessment that it is a "gatekeeper" that can be classified as an "important gateway".

vii. ByteDance has not demonstrated a breach of its rights of defence, since it has failed to show that, had it been able to comment on certain findings on which it was unable to comment during the administrative procedure, the conclusion of the contested decision would have been different.

viii. Concerning the alleged infringement of the principle of equal treatment, this plea is unfounded because ByteDance has not explained why the circumstances in which certain types of core platform services other than online social networking services operate, are comparable to those of TikTok.

Further information of interest:

- Judgment of the General Court of the European Union of 17 July 2024, Case T-1077/23, Bytedance v. Commission.
- Commission Decision designating ByteDance as gatekeeper pursuant to Article 3 of Regulation (EU) 2022/1925 of the European Parliament and of the Council on fair and contestable markets in the digital sector: Case DMA.100040 ByteDance - Online social networking services (C(2023) 6102 final).
- European Commission: Decisions adopted under the provisions of the DMA.

ASSESMENT This is the first judgment of the General Court on the DMA. The General Court makes it clear that the standard of proof required from undertakings seeking to rebut the presumptions that allow the requirements for gatekeeper designation to be considered satisfied is a high standard which will require a particularly careful analysis. However, it should be remembered that an appeal can be brought before the CJEU against the aforementioned judgment.

Related to this judgment are the actions for annulment brought against Commission decisions in the field of the DMA in the following cases: (i) Case T-1078/23, *Meta Platforms v. Commission*; (ii) Case T-1079/23, *Apple v. Commission*; (iii) Case T-1080/23, *Apple v. Commission*; and (iv) Case T-214/24, *Apple and Apple Distribution International v. Commission*.

The pleas for annulment relied on by the applicants in these cases, although not identical, bear some similarity to those relied on by ByteDance in the judgment delivered by the General Court, in that they relate to errors of law, material factual errors and manifest errors of assessment by the Commission when adopting its decisions, and misinterpretation and misapplication of the DMA. It will therefore be necessary to wait for the judgments of the General Court in these cases to see whether the applicants succeed in proving the existence of the alleged errors.

However, two particular details should be noted: (i) in Cases T-1079/23, T-1080/23 and T-214/24, Apple has argued that the Commission's decisions misinterpret and misapply not only the DMA, but also Directive 2018/1972 establishing the European Electronic Communications Code; and (ii) in Cases T-1079/23 and T-214/24, the Commission's decisions under appeal concern the opening and closing of market investigations under the DMA and not the designation of an undertaking as a gatekeeper.

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Collective actions and the Court of Justice of the European Union: the Judgment of the Court of Justice of the European Union of 4 July 2024, C-450/22, *Caixabank and others (Contrôle de transparence dans l'action collective)*

On 4 July 2024, the CJEU delivered its judgment in Case C-450/22, *Caixabank and others (Contrôle de transparence dans l'action collective)* in the field of unfair terms in consumer contracts.

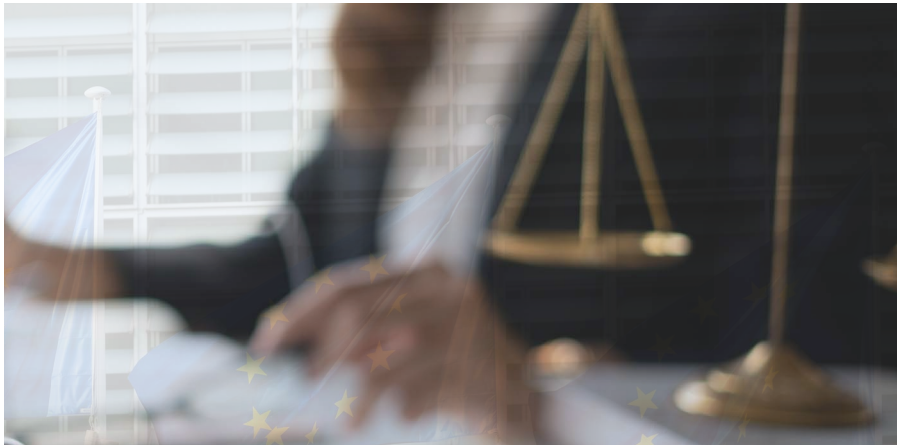
This is a judgment delivered in the context of two questions referred for a preliminary ruling by the Supreme Court (Spain) in national proceedings in which the Spanish Association of Users of Banks, Savings Banks and Insurance Companies ("ADICAE") brought a collective action against a total of 101 financial institutions (practically the entire Spanish banking system). In its action, the appellant requested a declaration that the floor clauses in the general conditions of mortgage loan agreements were null and void on the grounds of unfairness, and, also, sought the reimbursement of the amounts unduly charged in the application of these clauses.

The Supreme Court emphasised in its order that, due to the large number of financial institutions involved (in essence, the entire banking sector) and the fact that there were various specific categories of consumers (average consumers, qualified consumers, even non-consumer professionals), it was very difficult to establish a standardised contracting model and, therefore, to carry out the review of the transparency of unfair terms required by Directive 93/13 on unfair terms in consumer contracts, in the context of a collective action.

In its judgment, the CJEU has pointed out that, even though individual and collective actions have different objects and legal effects, the review of the transparency is possible in the framework of a collective action pursuant to Directive 93/13, albeit with certain nuances.

In this regard, the CJEU has noted that, in collective actions, only standardised practices can be reviewed (not individual situations), meaning that the analysis to be carried out by the national court must be based on these standard contractual and pre-contractual practices with respect to the average consumer. In this specific case, and always with the nuance that it is up to the national court to apply it in specific cases, the CJEU considers that the two requirements of Article 7(3) of Directive 93/13 are met on the basis of the following elements: (i) the collective action is directed against professionals in the same economic sector (banking institutions) and (ii) the floor clauses appear *a priori* similar, even if the contracts were entered into at different times or under different rules, but leaves the verification of that similarity to the Supreme Court.

Finally, the CJEU resolves the Supreme Court's question about the heterogeneity of the public concerned (different categories of consumers) by referring to the concept of the average consumer. This is a notion that is not set in stone, because the CJEU stresses the importance of taking into account the perception of the average consumer, which may have evolved due to factors such as the fall in interest rates in the 2000s or the Supreme Court's judgment of 9 May 2013. Consequently, the Supreme Court will have to determine whether the occurrence of an objective event or a well-known fact has altered the knowledge and information of the average consumer at the time the mortgage loan agreement was concluded.



ASSESMENT Apart from the practical considerations in the specific case to be decided by the Supreme Court, the CJEU clearly sets out the purpose of a collective action and the fact that it is a complementary procedural mechanism, distinct from individual actions.

As the CJEU explains, the collective action is not designed to analyse each situation individually but, rather, to allow a general and abstract control, of a deterrent nature, in order to avoid the multiplication of cases for the proper use of the always scarce resources of the Courts and Tribunals.

Collective actions are not always useful for the defence of individual interests, irrespective of whether they involve consumers, meaning that the relationship that may exist between the two types of action is fundamental not only for the defendant but also for the functioning of the Administration of Justice, which operates with scarce resources. This preliminary ruling is an example of the difficulty that can exist.

Moreover, this is a judgment that has been delivered while the transposition of Directive 2020/1828 on representative actions for the protection of the collective interests of consumers in Spain is still pending, despite the fact that the transposition deadline has been exceeded. Thus, on 9 January 2023, the Preliminary Draft Law on representative actions for the protection of the collective interests of consumers was published, without any legislative developments to date. Therefore, it will be necessary to wait for its adoption and implementation in order to be able to assess whether the new law will achieve a balanced approach guaranteeing the rights of all litigants - plaintiffs and defendants - while ensuring an efficient use of the resources of the Administration of Justice.

Further information of interest:

- Judgement of the CJEU of 4 July 2024, Case C-450/22, *Caixabank and others (Contrôle de transparecen dans l'action collective)*.
- Judgment of the CJEU of 29 November 2016, Joined Cases C381/14 and C385/14, *Sales Sinués*.
- Judgment of the CJEU of 26 April 2012, Case C-472/10, *Invitel*.
- Directive (EU) 2020/1828 of the European Parliament and of the Council of 25 November 2020 on representative actions for the protection of the collective interests of consumers and repealing Directive 2009/22/EC (Text with EEA relevance), OJ L 409, 4.12.2020, p. 1–27.
- Preliminary Draft Law on representative actions for the protection of the collective interests of consumers.

New Regulations and Directives published in the Official Journal of the European Union

This section includes the main legislative developments in May, June and July. These months have seen the publication of a large number of Regulations and Directives with great significance in different areas, such as: the energy sector and gas markets, the telecommunications sector and digital infrastructure, the banking sector, corporate governance of undertakings with impact on value chains, construction, environmental law, the transport sector and the manufacturing industry. We have selected the following highlights:

- Regulation (EU) 2024/1244 of the European Parliament and of the Council of 24 April 2024 on the **reporting of environmental data from industrial installations**, establishing an Industrial Emissions Portal and repealing Regulation (EC) No 166/2006 (Text with EEA relevance), [PE/101/2023/REV/1], OJ L, 2024/1244, 2.5.2024 - The Regulation entered into force on 22 May 2024 and shall apply from 1 January 2028.

- Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1724 and (EU) 2019/1020 ("**Critical Raw Materials Act**") (Text with EEA relevance), [PE/78/2023/REV/1], OJ L, 2024/1252, 3.5.2024 - The Regulation entered into force on 23 May 2024.

- Regulation (EU) 2024/1309 of the European Parliament and of the Council of 29 April 2024 on measures to reduce the cost of deploying gigabit electronic communications networks, amending Regulation (EU) 2015/2120 and repealing Directive 2014/61/EU ("**Gigabit Infrastructure Act**") (Text with EEA relevance), [PE/55/2024/REV/1], OJ L, 2024/1309, 8.5.2024 - The Regulation entered into force on 11 May 2024, with its provisions applying from 12 November 2025, with certain exceptions that shall apply either from 11 or 15 May 2024 or from 12 February or 12 May 2026.

- Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the **energy performance of buildings** (recast) (Text with EEA relevance), [PE/102/2023/REV/1], OJ L, 2024/1275, 8.5.2024 - The Directive entered into force on 28 May 2024 and EU Member States must transpose its provisions, depending on the case, by either 29 May 2026 or 1 January 2025.

- The **Anti-money laundering and countering the financing of terrorism legislative package**. It includes:

  i. Regulation (EU) 2024/1620 of the European Parliament and of the Council of 31 May 2024 establishing the **Authority for Anti-Money Laundering and Countering the Financing of Terrorism** and amending Regulations (EU) No 1093/2010, (EU) No 1094/2010 and (EU) No 1095/2010 (Text with EEA relevance), [PE/35/2024/INIT], OJ L, 2024/1620, 19.6.2024 - The Regulation entered into force on 26 June 2024, and its provisions shall apply from 1 July 2025, with certain exceptions that shall apply from 26 June 2024 or 31 December 2025.

  ii. Regulation (EU) 2024/1624 of the European Parliament and of the Council of 31 May 2024 on the **prevention of the use of the financial system for the purpose of money laundering or terrorist financing** (Text with EEA relevance), [PE/36/2024/REV/1], OJ L, 2024/1624, 19.6.2024 - The Regulation entered into force on 26 June 2024, and its provisions shall apply from 10 July 2027, except for certain entities, to which it shall apply from 10 July 2029.

  iii. Regulation (EU) 2023/1113 of the European Parliament and of the Council of 31 May 2023 on **information accompanying transfers of funds and certain crypto-assets** and amending Directive (EU) 2015/849 (Text with EEA relevance), [PE/53/2022/REV/1], OJ L 150, 09/06/2023, p. 1-39 - The Regulation entered into force on 29 June 2023, and its provisions shall apply from 30 December 2024.

  iv. Directive (EU) 2024/1640 of the European Parliament and of the Council of 31 May 2024 on the **mechanisms to be put in place by Member States for the prevention of the use of the financial system for the purposes of money laundering**

or terrorist financing, amending Directive (EU) 2019/1937, and amending and repealing Directive (EU) 2015/849 (Text with EEA relevance), [PE/37/2024/INIT], OJ L, 2024/1640, 19.6.2024 - The Directive entered into force on 9 July 2024, with Member States having to transpose it by 10 July 2027 at the latest, although there are certain exceptions where the deadline for transposition is 10 July 2025, 2026 or 2029 at the latest.

v. Directive (EU) 2024/1654 of the European Parliament and of the Council of 31 May 2024 amending Directive (EU) 2019/1153 as regards **access by competent authorities to centralised bank account registries through the interconnection system and technical measures to facilitate the use of transaction records**, [PE/44/2024/REV/1], OJ L, 2024/1654, 19.6.2024 - The Directive entered into force on 9 July 2024, with Member States having to transpose it by 10 July 2027 at the latest, although there are certain exceptions where the deadline for transposition is 10 July 2029 at the latest.

– The **EU Banking Union Reform (Basel III reforms)**. It includes:

i. Regulation (EU) 2024/1623 of the European Parliament and of the Council of 31 May 2024 amending Regulation (EU) No 575/2013 as regards **requirements for credit risk, credit valuation adjustment risk, operational risk, market risk and the output floor** (Text with EEA relevance), [PE/80/2023/INIT], OJ L, 2024/1623, 19.6.2024 - The Regulation entered into force on 9 July 2024, and its provisions shall apply from 1 January 2025, except for certain provisions which shall apply from 9 July 2024.

ii. Directive (EU) 2024/1619 of the European Parliament and of the Council of 31 May 2024 amending Directive 2013/36/EU as regards **supervisory powers, sanctions, third-country branches, and environmental, social and governance risks** (Text with EEA relevance), [PE/79/2023/REV/1], OJ L, 2024/1619, 19.6.2024 - The Directive entered into force on 9 July 2024, with Member States having to transpose it by 10-11 January 2026 or 11 July 2026 at the latest, depending on the provisions concerned.

– The **EU Electricity Market Reform**. It includes:

i. Regulation (EU) 2024/1747 of the European Parliament and of the Council of 13 June 2024 amending Regulations (EU) 2019/942 and (EU) 2019/943 as regards **improving the Union's electricity market design**, (Text with EEA relevance), [PE/1/2024/REV/1], OJ L, 2024/1747, 26.6.2024 The Regulation entered into force on 16 July 2024.

ii. Directive (EU) 2024/1711 of the European Parliament and of the Council of 13 June 2024 amending Directives (EU) 2018/2001 and (EU) 2019/944 as regards **improving the Union's electricity market design** (Text with EEA relevance), [PE/2/2024/REV/1], OJ L, 2024/1711, 26.6.2024 - The Directive entered into force on 16 July 2024, with Member States having to transpose it by 17 January 2025, although this deadline is extended to 17 July 2026 for certain provisions.

– Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the **development of the trans-European transport network**, amending Regulation (EU) 2021/1153 and Regulation (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013 (Text with EEA relevance), [PE/56/2024/ADD/1], OJ L, 2024/1679, 28.6.2024 - The Regulation entered into force on 18 July 2024.

– Regulation (EU) 2024/1735 of the European Parliament and of the Council of 13 June 2024 on establishing a framework of measures for strengthening Europe's net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724 ("**Net Zero Industry Act**") (Text with EEA relevance), [PE/45/2024/REV/1], OJ L, 2024/1735, 28.6.2024 - The Regulation entered into force on 29 June 2024.

– Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and

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repealing Directive 2009/125/EC ("**Ecodesign Regulation**") (Text with EEA relevance), [PE/106/2023/REV/1], OJ L, 2024/1781, 28.6.2024 - The Regulation entered into force on 18 July 2024.

– Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859 ("**Corporate Sustainability Due Diligence Directive**") (Text with EEA relevance), [PE/9/2024/REV/1], OJ L, 2024/1760, 5.7.2024 - The Directive entered into force on 25 July 2024 and must be transposed by Member States by 26 July 2026. However, depending on the type of company concerned, Member States must start to apply the measures transposing the Directive from one of the following dates: (i) 26 July 2027; (ii) 26 July 2028; or (iii) 26 July 2029.

– Directive (EU) 2024/1799 of the European Parliament and of the Council of 13 June 2024 on common rules promoting the repair of goods and amending Regulation (EU) 2017/2394 and Directives (EU) 2019/771 and (EU) 2020/1828 ("**Right to Repair Directive**") (Text with EEA relevance), [PE/34/2024/REV/1], OJ L, 2024/1799, 10.7.2024 - The Directive entered into force on 30 July 2024, with Member States having to transpose its provisions by 31 July 2026 at the latest.

– Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) No 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU 2016/797 and (EU) 2020/1828 ("**Artificial Intelligence Act**") (Text with EEA relevance), [PE/24/2024/REV/1], OJ L, 2024/1689, 12.7.2024 - The Regulation shall enter into force on 1 August 2024 and shall apply from 2 August 2026, with certain derogations whereby certain provisions shall apply from 2 February 2025, 2 August 2025 or 2 August 2027.

– Regulation (EU) 2024/1787 of the European Parliament and of the Council of 13 June 2024 on the **reduction of methane emissions in the energy sector** and amending Regulation (EU) 2019/942 (Text with EEA relevance), [PE/86/2023/REV/1], OJ L, 2024/1787, 15.7.2024 - The Regulation shall enter into force on 4 August 2024.

– The **EU hydrogen and gas decarbonisation package**. It includes:

  i. Regulation (EU) 2024/1789 of the European Parliament and of the Council of 13 June 2024 on the **internal markets for renewable gas, natural gas and hydrogen**, amending Regulations (EU) No 1227/2011, (EU) 2017/1938, (EU) 2019/942 and (EU) 2022/869 and Decision (EU) 2017/684 and repealing Regulation (EC) No 715/2009 (recast) (Text with EEA relevance), [PE/105/2023/REV/1], OJ L, 2024/1789, 15.7.2024 - The Regulation shall enter into force on 4 August 2024, and its provisions shall apply from 5 February 2025, with certain exceptions applying from 4 August 2024 or 1 January 2025.

  ii. Directive (EU) 2024/1788 of the European Parliament and of the Council of 13 June 2024 on common rules for **the internal markets for renewable gas, natural gas and hydrogen**, amending Directive (EU) 2023/1791 and repealing Directive 2009/73/EC (recast) (Text with EEA relevance), [PE/104/2023/REV/1], OJ L, 2024/1788, 15.7.2024 - The Directive shall enter into force on 4 August 2024 and must be transposed by Member States by 5 August 2026.

– Directive (EU) 2024/1785 of the European Parliament and of the Council of 24 April 2024 amending Directive 2010/75/EU of the European Parliament and of the Council on **industrial emissions (integrated pollution prevention and control)** and Council Directive 1999/31/EC on the landfill of waste (Text with EEA relevance), [PE/87/2023/REV/1], OJ L, 2024/1785, 15.7.2024 - The Directive shall enter into force on 4 August 2024 and must be transposed by Member States by 1 July 2026 at the latest.