

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)

CHAPTER 3

**FINAL PROVISIONS**

*Article 21*

**Repeal**

Directive 2009/22/EC is repealed with effect from 25 June 2023 without prejudice to Article 22(2) of this Directive.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex II.

*Article 22*

**Transitional provisions**

1 Member States shall apply the laws, regulations and administrative provisions transposing this Directive to representative actions that are brought on or after 25 June 2023.

2 Member States shall apply the laws, regulations and administrative provisions transposing Directive 2009/22/EC to representative actions that are brought before 25 June 2023.

3 Member States shall ensure that laws, regulations or administrative provisions on suspension or interruption of limitation periods transposing Article 16 only apply to claims for redress based on infringements as referred to in Article 2(1) that occurred on or after 25 June 2023. This shall not preclude the application of national provisions on suspension or interruption of limitation periods which applied prior to 25 June 2023 to claims for redress based on infringements as referred to in Article 2(1) that occurred before that date.

*Article 23*

**Monitoring and evaluation**

1 No sooner than 26 June 2028, the Commission shall carry out an evaluation of this Directive and present a report on the main findings to the European Parliament, the Council and the European Economic and Social Committee. The evaluation shall be conducted in accordance with the Commission's better regulation guidelines. In the report, the Commission shall in particular assess the scope of this Directive laid down in Article 2 and Annex I and the functioning and effectiveness of this Directive in cross-border situations, including in terms of legal certainty.

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2 Member States shall provide the Commission, for the first time by 26 June 2027 and annually thereafter, with the following information necessary for the preparation of the report referred to in paragraph 1:

- a the number and type of representative actions that have been concluded before any of their courts or administrative authorities;
- b the type of infringements as referred to in Article 2(1) and the parties to those representative actions;
- c the outcomes of those representative actions.

3 By 26 June 2028, the Commission shall carry out an evaluation of whether cross-border representative actions could be best addressed at Union level by establishing a European ombudsman for representative actions for injunctive measures and redress measures, and shall present a report on its main findings to the European Parliament, the Council and the European Economic and Social Committee, accompanied, if appropriate, by a legislative proposal.

#### *Article 24*

#### **Transposition**

1 Member States shall adopt and publish, by 25 December 2022, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall immediately inform the Commission thereof.

They shall apply those measures from 25 June 2023.

When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such a reference shall be laid down by Member States.

2 Member States shall communicate to the Commission the text of the measures of national law which they adopt in the field covered by this Directive.

#### *Article 25*

#### **Entry into force**

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

#### *Article 26*

#### **Addressees**

This Directive is addressed to the Member States.