All books in this flagship series contain carefully selected substantial extracts from key cases, legislation, and academic debate, providing students with a stand-alone resource. A crucial component of the Commission’s task is to monitor Member State compliance and to respond to non-compliance. The Treaty on the Functioning of the European Union (TFEU) provides for various enforcement mechanisms involving judicial proceedings against the Member States, which are brought either by the Commission or - much less frequently - by a Member State. Article 258 TFEU establishes the general enforcement procedure, giving the Commission broad power to bring enforcement proceedings against Member States that it considers to be in breach of their obligations under EU law. This chapter discusses the function and operation of the infringement procedure; the relationship between ‘public’ and ‘private’ enforcement mechanisms; the Commission’s discretion; types of breach by Member States of EU law; state defences in enforcement proceedings; and the consequences of an Article 258 ruling.
13. Enforcement Actions Against Member States

The UK version contains a further section analysing the extent to which Article 258 is relevant to the UK post-Brexit.

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