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From:	Presidency
To:	Delegations
Subject:	Presidency flash note for the Working Party on Competitiveness and Growth (Internal Market) on 06 May 2025

PRESIDENCY FLASH

Proposal for a Regulation on combating late payment in commercial transactions

WORKING PARTY ON COMPETITIVENESS AND GROWTH (INTERNAL MARKET)

6 May 2025

TUESDAY, 10.00

Dear Colleagues!

We are pleased to invite you to the second meeting of the Working Party hosted by the Polish Presidency on the proposal for a Regulation on combating late payment, scheduled for 6 May (the morning session starting at 10 a.m.).

First of all, we would like to thank the delegations who submitted their oral and written comments.

Below we present the Presidency's suggestions for discussion based on the bilateral consultations held and the comments provided to the Presidency:

1. In B2B commercial transactions, as in the current directive, we suggest:
   B2B: 60 days + the notion "grossly unfair" to be replaced by 60 days for verification = 120 days.

2. In G2B commercial transactions, we suggest:
   G2B: 30 days + 30 days for verification = 60 days
   The exception is the G2B in the health sector: 60 days + 30 days for verification = 90 days.

3. Amendment of Article 5: after the expiry of 60/90/120 days for payment, if not agreed otherwise by the parties, the parties will have an additional 120 days during which no default interest is charged.

4. Amendment of Article 8 to have the minimum €50 flat fee compensation and, in addition, to introduce a solution whereby the amount of compensation will vary according to the size of the obligation (percentages per transaction).

5. Deletion of Article 10.

6. Deletion of Articles 13, 14 and 15.

7. Deletion of paragraph 2 of Article 4, as a result of the deletion of Articles 13, 14 and 15.

8. Deletion of the first half-sentence of paragraph 1 of Article 16 ("*Without prejudice to the right of creditors to submit complaints under Article 15, and to the obligations and powers of enforcement authorities laid down in Articles 13, 14, and 15,*") as a result of the deletion of Articles 13, 14 and 15.

9. Proposal to introduce a public register of debtors in the Member States.

We look forward to our discussions.

Polish Presidency team