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Answer given by Mr Jørgensen
on behalf of the European Commission
(19.9.2025)

Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity¹ (Electricity Directive) aims to improve consumer rights and protections and, among others, sets clear rules restricting switching-related fees to improve consumer welfare and competition in the market.

Switching-related fees as defined in Article 2(17) of the Electricity Directive mean a charge or penalty for changing suppliers, including contract termination fees, that is directly or indirectly imposed on customers.

Pursuant to Article 12(2), Member States shall ensure that at least household customers and small enterprises are not charged any switching-related fees.

By way of derogation, as set out in Article 12(3), Member State may, if they wish, permit suppliers to charge contract termination fees where customers terminate fixed-term, fixed-price electricity supply contracts before their maturity, provided that i) such fees are part of a contract; ii) such fees are clearly communicated to the customer and iii) the fee is proportionate and does not exceed the direct economic loss to the supplier.

The burden of proof is on the supplier and the national regulatory authority should monitor the permissibility of such fees.

The Commission's services are currently assessing transposition of the Electricity Directive in all Member States, including Latvia. The Commission will be in a position to provide a more detailed reply on compliance of switching fee related provisions set in Latvian law with the EU legislation once the transposition and compliance checks are completed.

¹ OJ L 158, 14.6.2019, p. 125–199.