

(English version)

**Priority question for written answer P-002589/26
to the Commission
Carlo Fidanza (ECR)
(24 June 2026)**

Subject: Application of Directive 2006/123/EC to beach concessions and trading concessions in public areas in the Member States

Article 12 of Directive 2006/123/EC provides that, where the number of available authorisations is limited by the scarcity of available natural resources or technical capacity, Member States are to use impartial and transparent selection procedures, without automatic renewals and for a limited duration.

In Italy, the application of these principles to beach concessions on state-owned property for tourism and recreational purposes and to trading pitch concessions in public areas has led to significant administrative and judicial litigation.

Other Member States have transposed the directive by providing for concessions of very long duration, transitional arrangements favourable to outgoing concessionaires or special rules for specific economic sectors.

In the light of the above:

1. Can the Commission confirm, for each Member State, the maximum duration of concessions, any extensions or transitional arrangements for outgoing concessionaires, and the date by which current concessions should be reallocated through competitive procedures?
2. With particular reference to these two sectors, are there any Member States or economic sectors with special arrangements, extensions, exemptions or special rules with regard to the application of Article 12 of the directive that the Commission considers to be compatible with EU law?
3. Does the Commission believe the current application of the directive ensures an effective level playing field among economic operators in the EU and, if so, on what objective elements does it base this assessment?

Submitted: 24.6.2026

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(9 September 2026)**

The Commission takes all necessary initiatives to ensure the correct application of the Services Directive ⁽¹⁾, acting both based on complaints and, where suitable, *ex officio* investigations.

In the last years, four Member States have been concerned by infringement procedures for not having correctly implemented rules regarding tendering procedures for the award of coastal concessions.

On 6 April 2022, the Commission undertook action against Portugal (INFR(2022)2020); the case was positively closed on 16 November 2023, following corrective and compliant measures enacted by Portugal.

Three infringement procedures are pending concerning: Italy (INFR(2020)4118), Spain (INFR(2022)4121) and Greece (INFR(2024)2243). Positive discussions and relevant progress have been made in all three cases ⁽²⁾.

As recalled by the Honourable Member, the correct application of the Services Directive to the ‘coastal concessions sector’ ensures that authorisations that are limited, due to the scarcity of available natural resources, are granted through transparent, impartial and non-discriminatory public selection procedures.

The implementation of such principles guarantees equal opportunities to all interested operators and not only to incumbents, protects consumers, encourages innovation both in the provision of services and in the management of public and environmental resources, and secures better access to coastal areas.

⁽¹⁾ Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32006L0123>.

⁽²⁾ Italy — INFR(2020)4118, [https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=en&langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR\(2020\)4118&page=1&size=10&order=desc&sortColumns=decisionDate](https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=en&langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR(2020)4118&page=1&size=10&order=desc&sortColumns=decisionDate);
Spain — INFR(2022)4121, [https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=en&langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR\(2022\)4121&page=1&size=10&order=desc&sortColumns=decisionDate](https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=en&langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR(2022)4121&page=1&size=10&order=desc&sortColumns=decisionDate);
Greece — INFR(2024)2243, [https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?typeOfSearch=byDecision&langCode=EN&version=v1&refId=INFR\(2024\)2243&page=1&size=10&order=desc&sortColumns=decisionDate](https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?typeOfSearch=byDecision&langCode=EN&version=v1&refId=INFR(2024)2243&page=1&size=10&order=desc&sortColumns=decisionDate); Portugal — INFR(2022)2020, [https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=en&langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR\(2022\)2020&page=1&size=10&order=desc&sortColumns=decisionDate](https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=en&langCode=EN&version=v1&typeOfSearch=byDecision&refId=INFR(2022)2020&page=1&size=10&order=desc&sortColumns=decisionDate).

By way of example, the participation of new operators in the open tenders recently organised by several Italian municipalities, as required by Law 166/2024, demonstrates that providers are willing to take such opportunities.
