

The European Commission's decision not to reopen a case concerning the application of Directive 2006/42 on machinery by Slovenia

Decision

Case 1389/2020/JN - **Opened on** 02/09/2020 - **Decision on** 02/09/2020 - **Institution concerned** European Commission (No maladministration found) |

Dear Mr X,

On 17 August 2020, you submitted a complaint to the European Ombudsman against the European Commission concerning the above issue. Thank you for having accepted to communicate with our Office in English.

After a careful analysis of all the information you provided with your complaint, we have decided to terminate our examination of the matter with the following conclusion:

The information and evidence provided in the complaint lead to the conclusion that there was no maladministration by the European Commission.

We note that you already submitted a related complaint (reference 1466/2019/UNK) and further correspondence. We further note that our colleagues already informed you that, in accordance with the Ombudsman's Statute [\[1\] \[Link\]](#), *"a complaint shall be made within two years of the date on which the facts on which it is based came to the attention of the person lodging the complaint."*

For this reason, the assessment made by the Commission in 2014 and in 2017 remains inadmissible.

Moreover, we understand that, in 2019, you requested the Commission to reconsider the matter. In August 2020, the Commission informed you that the additional information you had provided did not justify the reopening of the case.

Having carefully examined all information and evidence provided with the complaint, we consider that it does not demonstrate that the Commission acted with maladministration.

Although we appreciate that you may be disappointed with this outcome, we hope that you will



find these explanations helpful. You are welcome to turn to the Ombudsman again should you encounter any other problems with an EU institution, body, office or agency.

Yours sincerely,

Marta Hirsch-Ziembińska Head of Inquiries and ICT - Unit 1

Strasbourg, 02/09/2020

[1] [\[Link\]](#) Article 2(4) of the Statute of the European Ombudsman.