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The Collective Redress Directive – implementation in selected EU member states

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The Directive (EU) 2020/1828 on representative actions for the protection of the collective interests of consumers (the "Directive") introduces a right of collective redress across the EU. It requires member states to put in place procedures by which "qualified entities" can bring representative actions to seek injunctions, damages and other redress on behalf of a group of consumers who have been harmed by a trader who has allegedly infringed EU law (read more here). Once implemented by the member states, the Directive may have a significant impact on the balance of power in consumer redress and is likely to facilitate the current trend of increased commercialisation of consumer rights and actions in Europe.

Member states were supposed to implement the Directive into national legislation by the end of 2022, with a further six months for the new processes to come into effect. In this overview, we keep track of the implementation in selected EU member states.

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For more information on collective redress regimes across 19 international jurisdictions, please see our global review of collective redress, which includes a chapter on the EU Directive on representative actions.

Belgium

Status	Next steps and timing	Legislative documents	Description
The implementation act was published on 31 May 2024 and entered into force on 10 June 2024.	N/A	Publication in the State Gazette	The act does not entail a complete overhaul of the previous Belgian regime, which already complied to a large extent with the requirements set forth in the Collective Redress Directive. Nevertheless, transposition of the Directive has had a significant impact on the Belgian legal landscape for collective litigation, with notable changes relating to (i) an extended scope of application (which is now broader than required by the Directive), (ii) an opt-in regime, (iii) cross-border actions for collective redress and (iv) some procedural aspects.

France

Status	Next steps and timing	Legislative documents	Description
The bill implementing the Directive has been passed into law on 2 May 2025, following its promulgation by the French President and publication in the French Official Journal.	The new law applies to class actions introduced from 3 May 2025 onwards, even if the misconduct happened before. The “serial damages” civil penalty, however, can only be imposed for misconduct committed after the law’s entry into force.	The text of the law can be accessed here (in French).	The new law creates a unified regime for class actions which goes beyond the mere transposition of the Directive. Key features of the new law include: - A general and unified regime replacing the current sector-specific class actions. - Legal standing limited to non-profit and government preapproved associations, including certified entities admitted to bring cross-border representative actions under the Directive. - Preservation of the opt-in mechanism. - Limited admission of third-party funding under strict conditions aiming to protect the interests of the represented persons.

			- Creation of a new "serial damages" civil penalty in all types of proceedings (i.e., not limited to class actions), at the request of the public prosecutor or the Government. - Creation of specialised courts with exclusive jurisdiction over all class actions. Read more in our blog post (12 May 2025).

Germany

Status	Next steps and timing	Legislative documents	Description
The implementation act entered into force on 13 October 2023.	N/A	Publication in the State Gazette	The new "redress action" shall inter alia require an opt-in of at least 50 consumers, be available for small businesses and allow for third-party litigation funding under certain circumstances. Read more in our FAQs (29 September 2023) and our blog post (13 July 2023).

Italy

Status	Next steps and timing	Legislative documents	Description
On 9 March 2022, the Government approved Legislative Decree No 28/2023 aimed at implementing the Directive in Italy (the "Legislative Decree"), published in the Italian Official Gazette on 23 March 2023.	N/A	Legislative Decree No 28/2023 Decree of the Department of Business and of Made in Italy	The Legislative Decree introduces a new representative action regime into the Consumer Code (Legislative Decree No 206/2005, *sub* Articles 140-ter – 140-*quaterdecies*). Qualified entities (incl. certain consumer organisations) are allowed to autonomously bring representative actions (to seek injunctive and/or redress measures) against traders, without any consumer being formally represented by the organisation when initiating proceedings.

On 26 July 2023, the Department of Business and of Made in Italy (Ministero delle imprese e del Made in Italy) issued a decree (the "Ministerial Decree") in relation to the entities entitled to bring cross-border representative actions, governing the procedures for (i) submitting requests for registration, and (ii) for verification and cancellation, etc. The Legislative Decree is applicable since 25 June 2023. The Ministerial Decree entered into force on 10 September 2023.			The Legislative Decree provides for an opt-in system, according to which consumers will be able to join the action only after the latter has been considered admissible by the court. Potential costs to be borne by the consumers are limited compared to those applicable under the ordinary class action regime. The Consumer Code provides for a special section in which the entities entitled to bring cross-border representative actions shall be registered, in compliance with the requirements set forth by the Ministerial Decree. As to litigation funding, the Decree provides: (i) as requirements to be included in the qualified entities' list, the need to have specific conflict-of-interest related checks and balances included in by-laws, and to publish the information on the entities' sources of financing; (ii) the duty for the qualified entity to disclose any financing sources of the action in its application; and (iii) the inadmissibility of a representative action for conflict of interest if the action's funding provider is a competitor of or a person dependant on the defendant.

Luxembourg

Status	Next steps and timing	Legislative documents	Description
In anticipation of the Directive, Luxembourg introduced draft bill n° 7650 regarding collective redress on 14 August 2020. The first constitutional vote to adopt the bill took place on 30 October 2025, and a request for exemption from a second vote was submitted on the same day.	At present, Parliament is awaiting the exemption from a second constitutional vote, which the *Conseil d'État* is expected to grant. Once this exemption has been granted, the law must be promulgated by the Grand Duke of Luxembourg.	First vote (30 October 2025) NB: All legislative documents are available here in French.	The new law aims to make it easier for consumers, who are affected by the same or by similar harm caused by one or more professionals, to access justice. It allows these consumers to bring a single collective action, which can seek compensation for the harm suffered, the cessation or prohibition of the breach, or both. The scope of the law matches the Directive and covers the 66 acts listed in the Directive's Annex I. Areas such as financial services (incl. banking and insurance), energy, telecommunications, health, and the environment may be subject to collective actions under the law.

	The law will subsequently enter into force four days after its publication in the Luxembourg Official Journal.		The collective action process takes place in three main phases. First, the court assesses the admissibility of the collective action, filtering out any claims that are manifestly unfounded or abusive. If the action is allowed, the court then examines the substance of the case. The court establishes the eligibility criteria to be included into the group of consumers affected by harm caused by the professional, and then determines the professional's liability on a case-by-case basis. During the second phase, the judgment's implementation takes place under the supervision of a liquidator. The law encourages the parties to attempt mediation. If an agreement is reached in mediation, it must be approved (*homologué*) by the judge. If mediation is not attempted or fails, the proceedings resume. Finally, in the third phase, the liquidator presents their report to the judge who oversees the judgment's enforcement. The proceedings formally close when all affected consumers have received compensation.

The Netherlands

Status	Next steps and timing	Legislative documents	Description
The implementation act entered into force on 25 June 2023. The Dutch Civil Code (article 3:305a) has been updated to reflect the changes.	N/A	Publication in Dutch State Gazette	As Dutch law already has a collective redress regime in place that is largely in line with the Directive (the WAMCA), the implementation does not require a complete overhaul of Dutch law. The legislator considered that only in a few special cases, a relatively limited adjustment of the WAMCA is required. This is, e.g., the case wrt finance requirements, the provision that consumers cannot participate in multiple actions in different jurisdictions, information requirements and certain provisions for representatives submitting a cross-jurisdictional action.

			Read more in our blog post (18 November 2022).

Portugal

Status	Next steps and timing	Legislative documents	Description
The bill was published on 5 December 2023 and entered into force on 6 December 2023 (Decree-Law 114-A/2023, of 5 December).	N/A	Publication in the Portuguese Official Journal (in Portuguese).	While the general class action regime is kept in force (Law no. 83/95, of 31 August), this new bill establishes a specific regime for consumer protection collective claims. The points to note on this new Decree-Law no. 114-A/2023, of 5 December, relate to (i) the *locus standi* of consumer protection associations and foundations, (ii) the funding of class actions by third-parties and (iii) the definition of a cross-border class action regime. The new framework covers the *locus standi* of associations and foundations and the requirements are expanded to include criteria relating to the independence of those legal entities towards funders of collective redress claims. In particular, the new legislation requires (i) independence and absence of influence from non-consumers, particularly professionals with an economic interest in initiating a class action, especially in cases of third-party funding; and (ii) the implementation of procedures to prevent such influence and to avoid conflicts of interest between plaintiffs, funders and consumers. Implementation of those rules is essential to assure standing of claimants. If those requirements are not met, standing will not be recognised. The new rules also cover funding by third parties. Disclosure of specific information is mandatory in order to assess independence of the claimant and the absence of any conflicts of interest relation to third parties. Accordingly, claimants are required to have exclusive control over the decisions regarding the proceedings, including the selection of counsel and the procedural strategy.

			In this sense, any clauses that allow funding parties to influence the claimant's decisions, being that in relation to settlement or even to legal advisors, are considered void. It is possible to have an order issued by the court to correct the funding agreement. If such correction is not implemented within a given timeframe, standing may be denied by the court. Moreover, if one of the defendants is a competitor of the funder or an entity upon which the funder is dependent on, that may be deemed as a conflict of interest for the purpose of standing under this new legislation. Also, as to compensation on costs relating to funding, any compensation to the funder now must be fair and proportional, taking into consideration the risk and market pricing applicable to funding. The new rules do not elaborate further on the criteria to assess these requirements, but may impact funding agreements in place. Finally, this legislation also regulates the terms under which entities may qualify for initiating cross-border class actions. It establishes the procedures applicable to the recognition of such entities.

Poland

Status	Next steps and timing	Legislative documents	Description
On 6 June 2024, the government submitted a draft implementation act. The draft passed the legislative process and was signed by the President on 8 August 2024. The implementation act came into effect on 29 August 2024.	N/A	Legislative process Implementation Act	The implementation act changes and supplements the existing regulations on collective actions and consumer protection in line with the Directive. Read more in our client alert. Entities authorized to represent consumers in representative proceedings may be organisations, particularly consumer organisations, that meet specified criteria of expertise and independence. The register of such organisations will be maintained by the Office of Competition and Consumer Protection.

			One of the innovations in this type of proceedings is the procedure for disclosure and submission of evidence. Both parties will be able to request the court to compel the opposing party to disclose or submit evidence in their possession. The sanction for failing to comply with the court's order in this regard will be both financial (a fine of up to PLN 50,000, an obligation to reimburse the costs of proceedings regardless of the case's outcome) and procedural (acceptance of the opposing party's factual assertions as proven). Court proceedings may be financed by third parties who are not party to the proceedings. However, such financing will be subject to judicial oversight.

Spain

Status	Next steps and timing	Legislative documents	Description
On 4 March 2025, the Government approved a new draft (following the withdrawal of a previous draft in October 2024).	The new draft will be sent to the Parliament for discussion and enactment. It will be dealt with under the urgency procedure. This shortens by half the normal time limits of the ordinary procedure.	Legislative proposal	The new draft largely corresponds to the withdrawn draft. The following aspects are particularly worth noting (read more in our client alert on the withdrawn draft): - The bill has an ambitious scope. - An opt-out mechanism applies. - The entity that files the action will deal with the process through an online tool. - To certify actions, Spanish courts will assess commonality in how consumers have been affected by the company's conduct or activity. - Only qualified entities (public bodies or organisations) that meet certain requirements can bring actions for redress. - The rules open the door to third party funding.

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