

The Product Liability Directive – implementation in selected EU member states

20 January 2026

The **Directive (EU) 2024/2853 on liability for defective products (PLD)** is a gamechanger for manufacturers, importers, distributors and other service providers. To bring the PLD up to speed with the digital age, circular economy business models and global value chains, the directive inter alia provides for (i) a significant extension of the scope of covered economic actors, products and damages, (ii) new presumptions for the defect and/or causality, (iii) disclosure rights, (iv) changes to the liability exemptions, and (v) longer expiry periods in case of latent damages.

Member states have to implement the directive into national legislation by December 2026. In this overview, we keep track of the implementation in selected EU member states of key relevance.



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Belgium

Status	Next steps and timing	Legislative documents	Description
No implementation steps initiated.	N/A	N/A	N/A

France

Status	Next steps and timing	Legislative documents	Description
No implementation steps initiated. This lack of progress is notably highlighted by a parliamentary question submitted on 9 December 2025 by a French MP to the Minister of Justice, asking when the Ministry intends to present Parliament with a draft bill for the transposition of the PLD into national law, the deadline being set for 9 December 2026. To date, this question remains unanswered.	N/A	N/A	N/A

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Germany

Status	Next steps and timing	Legislative documents	Description
The government adopted a draft bill for the transposition of the PLD on 17 December 2025.	The bill is subject to the ordinary legislative procedure.	Governmental draft (17 December 2025)	The government aims at a one-to-one transposition of the PLD by way of a complete overhaul of the Product Liability Act. For German law, the new disclosure obligations as well as the alleviations of the burden of proof (presumptions for the defect and/or causality) are particularly challenging.

Italy

Status	Next steps and timing	Legislative documents	Description
On 22 July 2025, the Council of Ministers approved a draft law to begin the process of transposing the PLD into national law. The draft law is now with the Parliament for its legislative approval.	Following approval of the draft law by the Parliament, the government, acting through the Council of Ministers, will be authorised to adopt a legislative decree that transposes the PLD into national law.	European Delegation Draft Law 2025	The draft law provides delegation to the government for the transposition of EU directives and the implementation of other EU legal acts adopted between June 2024 and April 2025. It provides for the transposition of 18 EU directives, including the PLD.

Luxembourg

Status	Next steps and timing	Legislative documents	Description
No implementation steps initiated.	N/A	N/A	N/A

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The Netherlands

Status	Next steps and timing	Legislative documents	Description
On 15 October 2025, the government submitted the draft implementation act for the PLD to the Council of State for its mandatory opinion. On 3 December 2025, the Council of State advised that the proposal be submitted to the House of Representatives for parliamentary consideration, raising no objections. The advisory opinion was published on 8 December 2025.	The bill will now be submitted to the House of Representatives for debate and approval, followed by the Senate, in accordance with the standard Dutch legislative procedure. The government had previously indicated that it would aim to comply with the transposition deadline provided by the PLD.	Draft Implementation Act Explanatory Memorandum Advisory Opinion	The draft bill follows a “minimum implementation” approach, introducing only those changes strictly required by the PLD in order to limit burdens for businesses. As outlined in the Explanatory Memorandum, the Netherlands will maintain its current policy and will not use the option to exclude the development risk defence, as there is no indication this would be desirable.

Portugal

Status	Next steps and timing	Legislative documents	Description
No implementation steps initiated.	N/A	N/A	N/A

Spain

Status	Next steps and timing	Legislative documents	Description
No implementation steps initiated.	N/A	N/A	N/A

Key contacts

Belgium

Florence Danis

Partner
Brussels
Tel: (+32) 2501 9028
florence.danis@linklaters.com

Léonard Maistriaux

Managing Associate
Brussels
Tel: (+32) 2501 9095
leonard.maistriaux@linklaters.com

France

Jean-Charles Jaïs

Partner
Paris
Tel: (+33) 15643 5800
jean-charles.jais@linklaters.com

Cyril Falhun

Counsel
Paris
Tel: (+33) 15643 2701
cyril.falhun@linklaters.com

Germany

Rupert Bellinghausen

Partner
Frankfurt
Tel: (+49) 69 71003 470
rupert.bellinghausen@linklaters.com

Anke Krause

Counsel
Frankfurt
Tel: (+49) 69 71003 519
anke.krause@linklaters.com

Italy

Alessandro Villani

Partner
Milan
Tel: (+39) 0288393 5221
alessandro.villani@linklaters.com

Alessandro Salvador

Counsel
Milan
Tel: (+39) 0288393 5206
alessandro.salvador@linklaters.com

Luxembourg

Guy Loesch

Partner
Luxembourg
Tel: (+352) 2608 8212
guy.loesch@linklaters.com

Louis-Eudes Giroux

Senior Managing
Associate, Luxembourg
Tel: (+352) 2608 8290
louis-eudes.giroux@linklaters.com

The Netherlands

Daniella Strik

Partner
Amsterdam
Tel: (+31) 207996 338
daniella.strik@linklaters.com

Bart Fleuren

Counsel
Amsterdam
Tel: (+31) 207996 369
bart.fleuren@linklaters.com

Portugal

Ricardo Guimarães

Partner
Lisbon
Tel: (+351) 218640 018
ricardo.guimaraes@linklaters.com

José Gonçalves Pereira

Associate
Lisbon
Tel: (+351) 218640 149
jose.pereira@linklaters.com

Spain

Alex Ferreres

Partner
Madrid
Tel: (+34) 91399 6070
alejandra.ferreres@linklaters.com

Laura Garcia

Associate
Madrid
Tel: (+34) 91399 6188
laura.garcia@linklaters.com

www.linklaters.com

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