

**Re:**

Annulment of Commission Regulation (EC) No 147/2007 of 15 February 2007 adapting certain fish quotas from 2007 to 2012 pursuant to Article 23(4) of Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy (OJ 2007 L 46, p. 10)

**Operative part of the order**

1. *The action is dismissed as being inadmissible.*
2. *The applicants, Atlantic Dawn Ltd and Others, shall bear their own costs and pay those incurred by the Commission.*
3. *The Kingdom of Spain shall bear its own costs.*

(<sup>1</sup>) OJ C 170, 21.7.2007.

**Order of the Court of First Instance of 19 May 2008 —  
Transports Schiocchet — Excursions v Commission**

(Case T-220/07) (<sup>1</sup>)

*(Action for damages — Limitation period — Article 46 of the  
Statute of the Court — Inadmissibility)*

(2008/C 183/43)

*Language of the case: French*

**Parties**

*Applicant:* Transports Schiocchet — Excursions SARL (Beuvillers, France) (represented by: D. Schönberger, lawyer)

*Defendant:* Commission of the European Communities (represented by: J.-F. Pasquier and N. Yerrell, Agents)

**Re:**

Application for damages for the harm allegedly suffered by the applicant as a result of various alleged illegal acts complained of against the Community institutions.

**Operative part of the order**

1. *The action is dismissed as inadmissible.*

2. *Transports Schiocchet — Excursions SARL shall bear the costs.*

(<sup>1</sup>) OJ C 199 of 25.8.2007.

**Action brought on 3 January 2008 — EMSA v Portugal**

(Case T-4/08)

(2008/C 183/44)

*Language in which the application has been lodged: English*

**Parties**

*Applicant:* European Maritime Safety Agency (EMSA) (represented by: Professor E. Pache, and J. Menze, Agent)

*Defendant:* Republic of Portugal

**Form of order sought**

The European Maritime Safety Agency applies for a judgment of the Court of First Instance under Article 14, sentence 2, of the Seat Agreement establishing that:

— The Portuguese Government is bound by the provisions of the Seat Agreement which is an instrument of public international law within the sphere of Community law and which cannot be modified or changed unilaterally by Portugal, including by means of national legislation;

— according to the Seat Agreement, the Portuguese Government is obliged to secure that staff of the European Maritime Safety Agency and their family members have the right to import from their last country of residence or from the country of which they are nationals, free of duty and without prohibitions or restrictions, in respect of initial establishment, within five years of taking up their appointments with the Agency and in a maximum of two shipments, vehicles purchased under market conditions in the country in question and that the past and current application of this provision of the Seat Agreement by the relevant Portuguese authorities does not fulfil this obligation;

in particular, that the Portuguese Government is obliged to register, following application, under a special series free of duty and without prohibitions or restrictions, vehicles of staff members of the Agency and their families purchased under market conditions in the country of previous residence or in the country of which they are nationals;