

**Order of the Court of First Instance (Fourth Chamber) of 5 September 2006 —
Finland v Commission
(Case T-350/05)**

Preliminary issues — Objection of inadmissibility — Act without binding legal effect
— Own resources of the European Communities — Infringement procedure —
Default interest provided for in Article 11 of Regulation (EC, Euratom)
No 1150/2000 — Negotiation of an agreement on a conditional payment

1. *Actions for annulment — Actionable measures — Measures producing binding legal effects (Art. 230 EC; Council Regulation No 1150/2000) (see paras 36-38)*
2. *Own resources of the European Communities — Establishment and making available by the Member States (Council Regulation No 1150/2000) (see paras 39-47)*

Re:

APPLICATION for annulment of the decision of the Commission (General Secretariat) contained in the letter of 8 July 2005, by which the Commission refused to open negotiations with the Republic of Finland concerning the conditional payment of duties claimed retroactively together with default interest accrued up to the date of payment of those duties, claimed by the Commission from the Republic of Finland in the context of infringement procedure No 2003/2180, brought under Article 226 EC.

Operative part

The Court:

1. Dismisses the action as inadmissible;
2. Orders the Republic of Finland to pay the costs.