

Pleas in law and main arguments

Article 12(1) of the directive provides, as a main rule, that inspections shall be carried out only by inspectors who fulfil the qualification criteria set out in Annex VII thereof. Paragraph 5 of Annex VII provides, as an exception to this main rule, that inspectors who do not fulfil the criteria in paragraphs 1-4 thereof are accepted if they are employed by the competent authority of a Member State for port State control at the date of adoption of the directive, in other words, on 19 June 1995.

The Act of Accession does not provide for any transitional measures relating to the application of the directive in respect of Malta. In accordance with article 2 of the Act of Accession the provisions of the directive are binding upon Malta from the date of accession.

It is the Commission's view that the Merchant Shipping (Port State Control) Regulations, 2004 (the 'Regulations'), adopted by Malta to implement the directive, are incompatible with the directive, read in conjunction with the Act of Accession, in so far as they provide that inspectors who do not fulfil the criteria in paragraphs 1-4 of Annex VII of the directive are accepted if they have been employed by the competent authority for port State control between 19 June 1995 and the date of entry into force of the Regulations — in other words, 1 May 2004.

⁽¹⁾ OJ L 157, p. 1.

Order of the President of the Fourth Chamber of the Court of 11 December 2007 — Commission of the European Communities v Centre de traduction des organes de l'Union européenne

(Case C-269/06) ⁽¹⁾

(2008/C 51/63)

Language of the case: French

The President of the Fourth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 190, 12.8.2006.

Order of the President of the Sixth Chamber of the Court of 20 November 2007 — Commission of the European Communities v Portuguese Republic

(Case C-482/06) ⁽¹⁾

(2008/C 51/64)

Language of the case: Portuguese

The President of the Sixth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 326, 30.12.2006.

Order of the President of the Eighth Chamber of the Court of 27 November 2007 — Commission of the European Communities v Republic of Hungary

(Case C-30/07) ⁽¹⁾

(2008/C 51/65)

Language of the case: Hungarian

The President of the Eighth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 69, 24.3.2007.

Order of the President of the Court of 16 November 2007 — Commission of the European Communities v Ireland

(Case C-31/07) ⁽¹⁾

(2008/C 51/66)

Language of the case: English

The President of the Court has ordered that the case be removed from the register.

⁽¹⁾ OJ C 56, 10.3.2007.