

**Form of order sought**

- a declaration that, by failing to adopt all the laws, regulations and administrative provisions necessary to comply with Directive 2006/21/EC <sup>(1)</sup> of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC <sup>(2)</sup> or, in any event, by failing to notify those provisions to the Commission, the Kingdom of Spain has failed to fulfil its obligations under that directive;
- an order that the Kingdom of Spain should pay the costs.

**Pleas in law and main arguments**

The period prescribed for transposition of Directive 2006/21/EC into domestic law expired on 30 April 2008.

<sup>(1)</sup> OJ 2006 L 102, p. 15.

<sup>(2)</sup> OJ 2004 L 143, p. 56.

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**Action brought on 26 May 2009 — Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland**

(Case C-187/09)

(2009/C 167/13)

*Language of the case: English*

**Parties**

*Applicant:* Commission of the European Communities (represented by: O. Beynet, S. Walker, Agents)

*Defendant:* United Kingdom of Great Britain and Northern Ireland

**The applicant claims that the Court should:**

- Declare that, by failing to adopt all the laws, regulations and administrative provisions necessary to comply with Directive 2006/40/EC <sup>(1)</sup> of the European Parliament and of the Council of 17 May 2006 relating to emissions from air-conditioning systems in motor vehicles and amending Council Directive 70/156/EEC, or in any event, by failing to communicate them all to the Commission, the United Kingdom of Great Britain and Northern Ireland failed to fulfil its obligations under this Directive and under the Treaty;
- order United Kingdom of Great Britain and Northern Ireland to pay the costs.

**Pleas in law and main arguments**

The period within which the Directive had to be transposed expired on 4 January 2008.

<sup>(1)</sup> OJ L 161, p. 12

**Action brought on 5 May 2009 — Commission of the European Communities v Ireland**

(Case C-202/09)

(2009/C 167/14)

*Language of the case: English*

**Parties**

*Applicant:* Commission of the European Communities (represented by: Mmes L. Balta, A.-A. Gilly, Agents)

*Defendant:* Ireland

**The applicant claims that the Court should:**

- declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2006/24/EC <sup>(1)</sup> of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC <sup>(2)</sup>, or in any event by failing to communicate them to the Commission, Ireland has failed to fulfil its obligations under the Directive; and
- order Ireland to pay the costs.

**Pleas in law and main arguments**

The period within which the directive had to be transposed expired on 15 September 2007.

<sup>(1)</sup> OJ L 105, p. 54

<sup>(2)</sup> OJ L 201, p. 37

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**Order of the President of the Fifth Chamber of the Court of 2 April 2009 — Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland**

(Case C-312/08) <sup>(1)</sup>

(2009/C 167/15)

*Language of the case: English*

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

<sup>(1)</sup> OJ C 223, 30.08.2008.