

**Judgment of the Court (Sixth Chamber) of 1 October 2009  
— Commission of the European Communities v Kingdom  
of Belgium**

(Case C-575/08) <sup>(1)</sup>

*(Failure of a Member State to fulfil obligations — Directive 2005/56/EC — Cross-border mergers of limited liability companies — Failure to transpose within the prescribed period)*

(2009/C 282/27)

Language of the case: French

**Parties**

*Applicant:* Commission of the European Communities (represented by: V. Peere and P. Dejmek, acting as Agents)

*Defendant:* Kingdom of Belgium (represented by: D. Haven, acting as Agent)

**Re:**

Failure of a Member State to fulfil obligations — Failure to take or communicate, within the prescribed period, the measures necessary to comply with Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies (OJ 2005 L 310, p. 1)

**Operative part of the judgment**

*The Court:*

1. Declares that, by failing to adopt, within the prescribed period, all the laws, regulations and administrative provisions necessary to comply with Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies, the Kingdom of Belgium has failed to fulfil its obligations under that directive;
2. orders the Kingdom of Belgium to pay the costs.

<sup>(1)</sup> OJ C 44, 21.02.2009.

**Judgment of the Court (Fifth Chamber) of 6 October 2009  
— Commission of the European Communities v Kingdom  
of Belgium**

(Case C-6/09) <sup>(1)</sup>

*(Failure of a Member State to fulfil obligations — Directive 2005/60/EC — Money laundering and terrorist financing — Failure to transpose within the prescribed period)*

(2009/C 282/28)

Language of the case: French

**Parties**

*Applicant:* Commission of the European Communities (represented by: V. Peere and P. Dejmek, acting as Agents)

*Defendant:* Kingdom of Belgium (represented by: D. Haven, acting as Agent)

**Re:**

Failure of a Member State to fulfil its obligations — Failure to have adopted or communicated, within the prescribed time-limit, all the measures necessary to comply with Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ 2005 L 309, p. 15)

**Operative part of the judgment**

*The Court:*

1. declares that, by failing to adopt, within the prescribed period, all the laws, regulations and administrative provisions necessary to comply with Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, the Kingdom of Belgium has failed to fulfil its obligations under that directive;
2. orders the Kingdom of Belgium to pay the costs.

<sup>(1)</sup> OJ C 69, 21.03.2009.

**Judgment of the Court (Seventh Chamber) of 24  
September 2009 — Commission of the European  
Communities v Kingdom of Belgium**

(Case C-8/09) <sup>(1)</sup>

*(Failure of a Member State to fulfil obligations — Directive 2006/17/EC — Technical requirements for the donation, procurement and testing of human tissues and cells — Failure to transpose within the prescribed period)*

(2009/C 282/29)

Language of the case: French

**Parties**

*Applicant:* Commission of the European Communities (represented by: C. Cattabriga and J. Sénéchal, Agents)

*Defendant:* Kingdom of Belgium (represented by: D. Haven, Agent)

**Re:**

Failure of a Member State to fulfil obligations — Failure to adopt or notify, within the prescribed period, the measures necessary to comply with Commission Directive 2006/17/EC of 8 February 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards certain technical requirements for the donation, procurement and testing of human tissues and cells (OJ 2006 L 38, p. 40)

**Operative part of the judgment**

The Court:

1. Declares that, by not adopting, within the prescribed period, the laws, regulations and administrative provisions necessary to comply with Commission Directive 2006/17/EC of 8 February 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards certain technical requirements for the donation, procurement and testing of human tissues and cells, the Kingdom of Belgium has failed to fulfil its obligations under that directive;
2. Orders the Kingdom of Belgium to pay the costs.

(<sup>1</sup>) OJ C 69, 21.3.2009.

**Judgment of the Court (Seventh Chamber) of 22 September 2009 — Commission of the European Communities v Kingdom of Belgium**

(Case C-9/09) (<sup>1</sup>)

*(Failure of a Member State to fulfil obligations — Public Health — Directive 2004/23/EC — Setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells — Failure to transpose within the prescribed period)*

(2009/C 282/30)

Language of the case: French

**Parties**

*Applicant:* Commission of the European Communities (represented by: C. Cattabriga and J. Sénéchal, Agents)

*Defendant:* Kingdom of Belgium (represented by: D. Haven, Agent)

**Re:**

Failure of a Member State to fulfil obligations — Failure to adopt or to communicate, within the prescribed period, the measures necessary to comply with Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells (OJ 2004 L 102, p. 48)

**Operative part of the judgment**

The Court:

1. Declares that, by not adopting, within the prescribed period, all the laws, regulations and administrative provisions necessary to comply with Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, pres-

ervation, storage and distribution of human tissues and cells, the Kingdom of Belgium has failed to fulfil its obligations under that directive.

2. Orders the Kingdom of Belgium to pay the costs.

(<sup>1</sup>) OJ C 69, 21.3.2009.

**Judgment of the Court (Seventh Chamber) of 1 October 2009 — Commission of the European Communities v Czech Republic**

(Case C-100/09) (<sup>1</sup>)

*(Failure of a Member State to fulfil obligations — Directive 2007/14/EC — Detailed rules for the implementation of certain provisions of Directive 2004/109/EC — Failure to transpose within the prescribed period)*

(2009/C 282/31)

Language of the case: Czech

**Parties**

*Applicant:* Commission of the European Communities (represented by: L. Jelínek and P. Dejmek, acting as Agents)

*Defendant:* Czech Republic (represented by: M. Smolek, acting as Agent)

**Re:**

Failure of a Member State to fulfil obligations — Failure to adopt, within the prescribed period, all the provisions necessary to comply with Commission Directive 2007/14/EC of 8 March 2007 laying down detailed rules for the implementation of certain provisions of Directive 2004/109/EC on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market (OJ 2007 L 69, p. 27)

**Operative part of the judgment**

The Court:

1. declares that, by failing to adopt, within the prescribed period, all the laws, regulations and administrative provisions necessary to comply with Commission Directive 2007/14/EC of 8 March 2007 laying down detailed rules for the implementation of certain provisions of Directive 2004/109/EC on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market, the Czech Republic has failed to fulfil its obligations under Article 24 of that directive;

2. orders the Czech Republic to pay the costs.

(<sup>1</sup>) OJ C 113, 16.05.2009.