



Reports of Cases

Order of the General Court (Third Chamber) of 14 September 2015 —

Slovakia v Commission

(Case T-678/14)

(Action for annulment — Own resources of the European Union — Financial responsibility of the Member States — Obligation to pay the Commission the amount corresponding to a loss of own resources — Letter from the Commission — Act not open to challenge — Inadmissibility)

1. *Actions for annulment — Actionable measures — Concept — Measures producing binding legal effects — Commission letter informally calling on Member State to place traditional own resources at the disposal of the EU budget — Not included — Letter not producing binding legal effects — Application inadmissible (Art. 263 TFEU; Council Regulation No 1150/2000; Council Decision 2007/436) (see paras 24-26, 35-48, 53, 57, 60)*
2. *Own resources of the European Union — Establishment and making available by the Member States — Responsibility of the Member States — Scope (Council Regulation No 1150/2000, Arts 2(1), 9(1), and 17(1) and (2); Council Decision 2007/436, Arts 2(1)(a), and 8(1)) (see paras 28-34)*

Re:

ACTION for the annulment of the alleged decision of the Directorate-General for Budget of the Commission, contained in letter BUDG/B/03MV D (2014) 2351197 of 15 July 2014, by which the Commission formally demanded the Slovak Republic to make funds available to the Commission for the gross amount of EUR 1 602 457.33 (of which 25% should be deducted to cover expense incurred in collection) corresponding to a loss of traditional own resources, at the latest by the first working day following the 19th day of the second month after the letter was sent.

Operative part

The Court:

1. Dismisses the action;
2. Holds that there is no need to rule on the applications for leave to intervene of the Federal Republic of Germany and Romania;
3. Orders the Slovak Republic to bear its own costs and to pay those incurred by the European Commission;
4. Orders the Slovak Republic, the Commission, the Federal Republic of Germany and Romania each to bear their own costs relating to the applications for leave to intervene.