

**JUDGMENT OF THE COURT****(Fourth Chamber)****of 18 November 2004****in Case C-87/04: Commission of the European Communities v Kingdom of Belgium <sup>(1)</sup>*****(Failure of a Member State to fulfil its obligations — Directive 2001/17/EC — Reorganisation and winding-up of insurance undertakings — Failure to transpose within the prescribed period)***

(2005/C 19/14)

*(Language of the case: French)*

In Case C-87/04: action under Article 226 EC for failure to fulfil obligations, brought on 23 February 2004, Commission of the European Communities (Agents: E. Traversa and P. Léouffre) against Kingdom of Belgium (Agent: E. Dominkovits) – the Court (Fourth Chamber), composed of: J.N. Cunha Rodrigues, acting as President of the Fourth Chamber, M. Ilešič (Rapporteur) and E. Levits, Judges; L.A. Geelhoed, Advocate General; R. Grass, Registrar, has given a judgment on 18 November 2004, in which it:

1. Declares that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2001/17/EC of the European Parliament and of the Council of 19 March 2001 on the reorganisation and winding-up of insurance undertakings, 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 85 of 3.4.2004.

**JUDGMENT OF THE COURT****(Sixth Chamber)****of 18 November 2004****in Case C-91/04: Commission of the European Communities v Kingdom of Sweden <sup>(1)</sup>*****(Failure by a Member State to fulfil its obligations — Directive 2001/29/EC — Harmonisation of certain aspects of******copyright and related rights in the information society — Failure to transpose within the prescribed period)***

(2005/C 19/15)

*(Language of the case: Swedish)*

In Case C-91/04: action under Article 226 EC for failure to fulfil obligations, brought on 25 February 2004, between Commission of the European Communities (Agents: K. Banks and K. Simonsson) and Kingdom of Sweden (Agent: A. Kruse) – the Court (Sixth Chamber), composed of: J.-P. Puissochet, acting as President of the Sixth Chamber, S. von Bahr and J. Malenovský (Rapporteur), Judges; J. Kokott, Advocate General; R. Grass, Registrar, has given a judgment on 18 November 2004, in which it:

1. Declares that, failing to take the laws, regulations and administrative provisions necessary to comply with Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society, the Kingdom of Sweden has failed to fulfil its obligations under that directive.
2. Orders the Kingdom of Sweden to pay the costs.

<sup>(1)</sup> OJ C 94 of 17.4.2004.

**JUDGMENT OF THE COURT****(Fourth Chamber)****of 2 December 2004****in Case C-97/04 Commission of the European Communities v Italian Republic <sup>(1)</sup>*****(Failure by a Member State to fulfil its obligations — Directive 2000/76/EC — Incineration of waste — Failure to transpose)***

(2005/C 19/16)

*(Language of the case: Italian)*

In Case C-97/04 Commission of the European Communities (Agents: R. Amorosi and M. Konstantinidis) v Italian Republic (Agent: I.M. Braguglia, and G. Fiengo) – action under Article 226 EC for failure to fulfil obligations, brought on 26 February 2004 – the Court (Fourth Chamber), composed of: K. Lenaerts, President of the Chamber, N. Colneric and E. Levits (Rapporteur), Judges; F.G. Jacobs, Advocate General; R. Grass, Registrar, gave a judgment on 2 December 2004, in which it: