

**JUDGMENT OF THE COURT****(Fifth Chamber)****of 15 December 2005****in Case C-253/04: Commission of the European Communities v Hellenic Republic <sup>(1)</sup>****(Failure of a Member State to fulfil obligations — Directive 2002/21/EC — Electronic communications networks and services — Common regulatory framework — Failure to transpose within the prescribed period)**

(2006/C 36/23)

(Language of the case: Greek)

In Case C-253/04 Commission of the European Communities (Agents: G. Zavvos and M. Shotter) v Hellenic Republic (Agent: N. Dafniou) — action for failure to fulfil obligations under Article 226 EC, brought on 14 June 2004 — the Court (Fifth Chamber), composed of J. Makarczyk, President of the Chamber, R. Silva de Lapuerta and P. Kūris (Rapporteur), Judges; A. Tizzano, Advocate General; R. Grass, Registrar, gave a judgment on 15 December 2005, in which it:

1. Declares that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive), the Hellenic Republic has failed to fulfil its obligations under that directive.
2. Orders the Hellenic Republic to pay the costs.

<sup>(1)</sup> OJ C 201, 07.08.2004

**JUDGMENT OF THE COURT****(Fifth Chamber)****of 15 December 2005****in Case C-254/04: Commission of the European Communities v Hellenic Republic <sup>(1)</sup>****(Failure of a Member State to fulfil obligations — Directive 2002/20/EC — Electronic communications networks and services — Authorisation — Failure to transpose within the prescribed period)**

(2006/C 36/24)

(Language of the case: Greek)

In Case C-254/04 Commission of the European Communities (Agents: G. Zavvos and M. Shotter) v Hellenic Republic (Agent:

N. Dafniou) — action for failure to fulfil obligations under Article 226 EC, brought on 14 June 2004 — the Court (Fifth Chamber), composed of J. Makarczyk, President of the Chamber, R. Silva de Lapuerta and P. Kūris (Rapporteur), Judges; A. Tizzano, Advocate General; R. Grass, Registrar, gave a judgment on 15 December 2005, in which it:

1. Declares that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive), the Hellenic Republic has failed to fulfil its obligations under that directive.
2. Orders the Hellenic Republic to pay the costs.

<sup>(1)</sup> OJ C 201, 07.08.2004

**JUDGMENT OF THE COURT****(Third Chamber)****of 8 December 2005****in Case C-280/04 Reference for a preliminary ruling from the Vestre Landsret (Denmark) Jyske Finans A/S v Skatteministeriet <sup>(1)</sup>****(Sixth VAT Directive — Article 13B(c) — Exemptions — Exemption of supplies of goods excluded from the right to deduct — Resale of motor cars purchased second-hand by a leasing company — Article 26a — Special arrangements for sales of second-hand goods)**

(2006/C 36/25)

(Language of the case: Danish)

In Case C-280/04: reference for a preliminary ruling under Article 234 EC from the Vestre Landsret (Denmark), made by decision of 25 June 2004, received at the Court on 29 June 2004, in the proceedings pending before that court between Jyske Finans A/S v Skatteministeriet — the Court: (Third Chamber) composed of A. Rosas, President of the Chamber, J. Malenovský (Rapporteur), J.-P. Puissochet, S. von Bahr and U. Löhms, Judges; L.A. Geelhoed, Advocate General, H. von Holstein, Deputy Registrar, gave a judgment on 8 December 2005, the operative part of which is as follows: