

Action brought on 20 September 2006 — Commission of the European Communities v Ireland

(Case C-391/06)

(2006/C 294/48)

Language of the case: English

Parties

Applicant: Commission of the European Communities (represented by: D. Lawunmi, U. Wölker, 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 2003/4/EC⁽¹⁾ of the European Parliament and of the Council, or in any event by failing to communicate them to the Commission, Ireland has failed to fulfil its obligations under the Directive;
- order Ireland to pay the costs.

Pleas in law and main arguments

The period within which the directive had to be transposed expired on 14 February 2005.

⁽¹⁾ OJ L 94, P.49

Action brought on 21 September 2006 — Commission of the European Communities v Kingdom of Spain

(Case C-392/06)

(2006/C 294/49)

Language of the case: Spanish

Parties

Applicant: Commission of the European Communities (represented by: N. Yerrell and R. Vidal Puig, acting as Agents)

Defendant: Kingdom of Spain

Form of order sought

- declare that, by failing to bring into force the provisions necessary to comply with Directive 2002/15/EC of the

European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities⁽¹⁾ and, in any event, by failing to communicate them to the Commission, the Kingdom of Spain has failed to fulfil its obligations under that directive;

- order the Kingdom of Spain to pay the costs.

Pleas in law and main arguments

The period for transposition of Directive 2002/15/EC expired on 23 March 2005.

⁽¹⁾ OJ L 80 of 23.3.2002, p. 35.

Action brought on 22 September 2006 — Commission of the European Communities v Italian Republic

(Case C-394/06)

(2006/C 294/50)

Language of the case: Italian

Parties

Applicant: Commission of the European Communities (represented by: B. Schima and D. Recchia, acting as Agents)

Defendant: Italian Republic

Form of order sought

- declare that, by failing to submit, before 1 July 2005, an annual national report on the promotion of biofuels including all the information laid down in Article 4(1) of Directive 2003/30/EC of the European Parliament and of the Council on the promotion of the use of biofuels or other renewable fuels for transport⁽¹⁾, the Italian Republic has failed to fulfil its obligations under that directive;

- order the Italian Republic to pay the costs.

Pleas in law and main arguments

The period for submitting the annual national report on the promotion of biofuels referred to in Article 4(1) of Directive 2003/30/EC expired on 1 July 2005.

The Italian Republic maintains that it sent to the Commission a report in accordance with the requirements of the directive on 14 July 2006.