

Judgment of the Court (Sixth Chamber) of 7 December 2006 — Commission of the European Communities v Grand Duchy of Luxembourg

(Case C-127/06) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Directive 2002/65/EC — Distance marketing of financial services — Failure to transpose within the period prescribed)

(2006/C 331/34)

Language of the case: French

Parties

Applicant: Commission of the European Communities (represented by: A. Aresu, acting as Agent)

Defendant: Grand Duchy of Luxembourg (represented by: S. Schreiner, acting as Agent)

Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, the provisions necessary to comply with Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ 2002 L 271, p. 16)

Operative part of the judgment

The Court:

1. Declares that, by failing to adopt, within the period prescribed, the laws, regulations and administrative provisions necessary to comply with Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC, the Grand Duchy of Luxembourg has failed to fulfil its obligations under Article 21(1) of that directive;
2. Orders the Grand Duchy of Luxembourg to pay the costs.

⁽¹⁾ OJ C 108, 6.5.2006.

Judgment of the Court (Fifth Chamber) of 14 December 2006 — Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland

(Case C-138/06) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Directive 2002/49/EC — Assessment and management of environmental noise — Non-transposition within the prescribed period)

(2006/C 331/35)

Language of the case: English

Parties

Applicant: Commission of the European Communities (represented by: A. Alcover San Pedro and D. Lawunmi, Agents)

Defendant: United Kingdom of Great Britain and Northern Ireland (represented by: V. Jackson, Agent)

Re:

Failure of a Member State to fulfil obligations — Failure to have adopted, within the prescribed period, all the measures necessary to comply with Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ 2002 L 189, p. 12)

Operative part of the judgment

The Court:

1. Declares that, by failing to adopt, within the prescribed period, the laws, regulations and administrative provisions necessary to comply with Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise, the United Kingdom of Great Britain and Northern Ireland has failed to fulfil its obligations under that directive;
2. Orders the United Kingdom of Great Britain and Northern Ireland to pay the costs.

⁽¹⁾ OJ C 131, 3.6.2006.