

**Judgment of the Court (Fifth Chamber) of 23 November 2006 — Commission of the European Communities v Kingdom of Sweden**

(Case C-156/06) <sup>(1)</sup>

*(Failure of a Member State to fulfil obligations — Directive 2002/87/EC — Credit institutions, insurance undertakings and investment firms in a financial conglomerate — Supplementary supervision — Failure to transpose within the prescribed period)*

(2006/C 331/36)

Language of the case: Swedish

**Parties**

*Applicant:* Commission of the European Communities (represented by: D. Maidani and K. Simonsson, acting as Agents)

*Defendant:* Kingdom of Sweden (represented by: A. Falk, Agent)

**Re:**

Failure of a Member State to fulfil obligations — Failure to transpose within the prescribed period Directive 2002/87/EC of the European Parliament and of the Council of 16 December 2002 on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate and amending Council Directives 73/239/EEC, 79/267/EEC, 92/49/EEC, 92/96/EEC, 93/6/EEC and 93/22/EEC, and Directives 98/78/EC and 2000/12/EC of the European Parliament and of the Council (OJ 2003 L 35, p. 1)

**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 2002/87/EC of the European Parliament and of the Council of 16 December 2002 on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate and amending Council Directives 73/239/EEC, 79/267/EEC, 92/49/EEC, 92/96/EEC, 93/6/EEC and 93/22/EEC, and Directives 98/78/EC and 2000/12/EC of the European Parliament and of the Council, 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 131 of 3.6.2006.

**Judgment of the Court (Seventh Chamber) of 14 December 2006 — Commission of the European Communities v Grand-Duchy of Luxembourg**

(Case C-198/06) <sup>(1)</sup>

*(Failure of a Member State to fulfil obligations — Directive 1999/94/EC — New passenger cars — Consumer information on fuel economy and CO<sub>2</sub> emissions)*

(2006/C 331/37)

Language of the case: French

**Parties**

*Applicant:* Commission of the European Communities (represented by: A. Alcover San Pedro and F. Simonetti, Agents)

*Defendant:* Grand-Duchy of Luxembourg (represented by: C. Schiltz, Agent)

**Re:**

Failure of a Member State to fulfil obligations — Failure to draw up or to transmit to the Commission the report required under Article 9 of Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars (OJ 2000 L 12, p. 16)

**Operative part of the judgment**

*The Court:*

1. Declares that, by failing to transmit the report required under Article 9 of Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars, the Grand-Duchy of Luxembourg has failed to fulfil its obligations under that directive;
2. Orders the Grand-Duchy of Luxembourg to pay the costs.

<sup>(1)</sup> OJ C 165, 15.7.2006.