

Action brought on 7 June 2007 — Commission of the European Communities v Grand Duchy of Luxembourg

(Case C-272/07)

(2007/C 211/25)

*Language of the case: French***Parties**

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

Defendant: Grand Duchy of Luxembourg

Form of order sought

1. Declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts ⁽¹⁾, the Grand Duchy of Luxembourg has failed to fulfil its obligations under Article 80 of that directive;

In the alternative:

declare that, by failing to notify the Commission of the laws, regulations and administrative provisions necessary to comply with Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, the Grand Duchy of Luxembourg has failed to fulfil its obligations under Article 80 of that directive;

2. order the Grand Duchy of Luxembourg to pay the costs.

Pleas in law and main arguments

The period prescribed for transposition of Directive 2004/18/EC expired on 31 January 2006.

⁽¹⁾ OJ L 134, p. 114.

Action brought on 7 June 2007 — Commission of the European Communities v Grand Duchy of Luxembourg

(Case C-273/07)

(2007/C 211/26)

*Language of the case: French***Parties**

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

Defendant: Grand Duchy of Luxembourg

Form of order sought

1. Declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Commission Directive 2005/51/EC of 7 September 2005 amending Annex XX to Directive 2004/17/EC and Annex VIII to Directive 2004/18/EC of the European Parliament and the Council on public procurement ⁽¹⁾, the Grand Duchy of Luxembourg has failed to fulfil its obligations under Article 3 of that directive;

In the alternative:

declare that, by failing to notify the Commission of the laws, regulations and administrative provisions necessary to comply with Commission Directive 2005/51/EC of 7 September 2005 amending Annex XX to Directive 2004/17/EC and Annex VIII to Directive 2004/18/EC of the European Parliament and the Council on public procurement, the Grand Duchy of Luxembourg has failed to fulfil its obligations under Article 3 of that directive;

2. order the Grand Duchy of Luxembourg to pay the costs.

Pleas in law and main arguments

The period prescribed for transposition of Directive 2005/51/EC expired on 31 January 2006.

⁽¹⁾ OJ 2005 L 257, p. 127.