

By the second plea in law, raised in the alternative in the event that the Court were to find that Article 341 TFEU provides an appropriate legal basis for the contested decision, the Parliament seeks to claim that that decision is vitiated by an absolute failure to state reasons. The Parliament considers that, as a legal act of the European Union, the contested decision is subject to the obligation to state reasons laid down in the second paragraph of Article 296 TFEU, which was not fulfilled in any way, since it utterly fails to specify the reasons why the city of Bratislava was chosen to host the seat of ELA.

⁽¹⁾ Decision (EU) 2019/1199 taken by common accord between the Representatives of the Governments of the Member States of 13 June 2019 on the location of the seat of the European Labour Authority (OJ 2019 L 189, p. 68).

⁽²⁾ Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344 (OJ 2019 L 186, p. 21).

Action brought on 10 October 2019 — European Commission v Italian Republic

(Case C-744/19)

(2019/C 399/42)

Language of the case: Italian

Parties

Applicant: European Commission (represented by: R. Tricot, G. Gattinara, acting as Agents)

Defendant: Italian Republic

Form of order sought

The Commission claims that the Court should:

- 1) declare that
 - by not adopting the laws, regulations and administrative provisions necessary to comply fully with Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom, ⁽¹⁾
 - and by not communicating such provisions to the Commission,
 - the Italian Republic has failed to meet its obligations under Article 106 of that directive;
- 2) order the Italian Republic to pay the costs of the proceedings.

Pleas in law and main arguments

By its sole plea in law, the Commission claims that, by not adopting and not communicating to the Commission the laws, regulations and administrative provisions necessary to comply fully with Council Directive 2013/59, the Italian Republic has failed to meet its obligations under Article 106 of the directive.

⁽¹⁾ OJ 2014 L 13, p. 1.
