

implementation of the Community transit procedure and for certain simplifications of that procedure, must be interpreted as meaning that the office of departure must notify to the declarer the period of three months in which proof of the regularity of the transit operation or of the place where the offence or the irregularity was actually committed may be furnished to that office, to the satisfaction of the competent authorities, so that the competent authority can proceed with recovery only after having expressly indicated to the declarer that the latter has three months in which to furnish that proof, and that that proof has not been furnished within that period.

**Order of the Court (Sixth Chamber) of 6 April 2006 —
Gisti v Commission**

(Case C-408/05 P)

(Appeal — Refusal by the Commission of the European Communities to examine a complaint against the Italian authorities — Appeal manifestly unfounded)

1. *Actions for annulment — Actionable measures (Arts 226 EC and 230(4) EC) (see paras 10-16, 22)*
2. *Procedure — Grounds of judgments — Scope (see paras 26-27)*

Re:

Appeal brought against the order of the Court of First Instance (Fifth Chamber) of 6 September 2005 in Case T-209/05 *Gisti v Commission*, by which the Court of First Instance dismissed the action seeking the annulment of the Commission's decision of 18 March 2005 refusing to initiate infringement proceedings under Art. 226 EC against the Italian Republic.

Operative part

The Court:

1. Dismisses the action;
2. Orders the Groupe d'information et de soutien des immigrés (GISTI) to pay its own costs.

Order of the Court of 6 April 2006 — An Post

(Case C-130/06 P)

(Appeal — Intervention — Conditions — Interest in the resolution of the dispute)

1. *Procedure — Intervention — Conditions as to admissibility (Statute of the Court of Justice, Art. 40, para. 2) (see paras 8-9)*
2. *Procedure — Intervention — Persons establishing an interest (Statute of the Court of Justice, Art. 40, para. 2) (see para. 11)*

Re:

Appeal brought against the order of the President of the Fourth Chamber of the Court of First Instance of 26 January 2006 in Case T-493/04 *Deutsche Post AG v Commission* dismissing the applicant's application for leave to intervene.