

Form of order sought

- Set aside the judgment under appeal in so far as, in that judgment, the General Court accepted the plea of inadmissibility raised by the Commission in the present proceedings;
- Declare that the appeal of the contested decision has been validly brought within the period laid down in Article 263 TFEU.
- Order the European Commission to pay all of the costs.

Pleas in law and main arguments

The Portuguese Republic considers that the decision is invalid on the following grounds:

A — First ground — Calculation of the time-limit for bringing proceedings against the decision of 20 July 2015

First argument

Infringement of Article 263 TFEU.

Second argument

Calculation of the time-limit for bringing proceedings from the date of notification of the final decision on 20 July 2015.

B — Second Ground — Calculation of the time-limit for bringing proceedings from the date of publication of the contested decision in the Official Journal

First argument

The wording of Article 263(6) TFEU.

Second argument

The consistent practice of publishing such decisions and identical prior legal proceedings.

C — Third Ground — The General Court erred in law in so far as it did not favour an interpretation that did not result in lapse of the right to bring proceedings

Appeal brought on 16 June 2016 by the Portuguese Republic against the order of the General Court (Eighth Chamber) delivered on 19 April 2016 in Case T-551/15 Portugal v Commission

(Case C-338/16 P)

(2016/C 326/22)

Language of the case: Portuguese

Parties

Appellant: Portuguese Republic (represented by: L. Inez Fernandes, M. Figueiredo, P. Estêvão and J. Saraiva de Almeida, acting as Agents)

Other party to the proceedings: European Commission

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**Appeal brought on 16 June 2016 by the Portuguese Republic against the order of the General Court
(Eighth Chamber) delivered on 19 April 2016 in Case T-556/15 Portugal v Commission**

(Case C-339/16 P)

(2016/C 326/23)

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