

Action brought on 21 August 2003 by the Commission of the European Communities against the Republic of Austria

(Case C-362/03)

(2003/C 264/34)

An action against the Republic of Austria was brought before the Court of Justice of the European Communities on 21 August 2003 by the Commission of the European Communities, represented by Arnaud Bordes and Gerald Braun, Members of the Legal Service of the European Commission, with an address for service in Luxembourg.

The applicant claims that the Court should:

1. Declare that, by failing to adopt or to notify the Commission of the laws, regulations and administrative provisions necessary to transpose Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens⁽¹⁾, the Republic of Austria has failed to fulfil its obligations under that directive;
2. Order the Republic of Austria to pay the costs of the proceedings.

Pleas in law and main arguments

The period for transposition expired on 1 January 2002.

⁽¹⁾ OJ 1999 L 203, p. 53.

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(Case C-363/03)

(2003/C 264/35)

An action against the Republic of Austria was brought before the Court of Justice of the European Communities on 21 August 2003 by the Commission of the European Communities, represented by Wouter Wils, Member of the Legal Service of the European Commission, with an address for service in Luxembourg.

The applicant claims that the Court should:

1. Declare that, by failing to adopt or to notify the Commission of the laws, regulations and administrative provisions necessary to transpose Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community⁽¹⁾, the Republic of Austria has failed to fulfil its obligations under that directive;
2. Order the Republic of Austria to pay the costs of the proceedings.

Pleas in law and main arguments

The period for transposition expired on 10 August 2002.

⁽¹⁾ OJ 2000 L 203, p. 1.

Action brought on 9 September 2003 by the Commission of the European Communities against the Kingdom of Belgium

(Case C-377/03)

(2003/C 264/36)

An action against the Kingdom of Belgium was brought before the Court of Justice of the European Communities on 9 September 2003 by the Commission of the European Communities, represented by C. Giolito and G. Wilms, acting as Agents, with an address for service in Luxembourg.

The Commission of the European Communities claims that the Court should:

1. Declare that,