

**Judgment of the Court (Sixth Chamber) of 24 May 2007 —
Commission of the European Communities v Portuguese
Republic**

(Case C-375/06) ⁽¹⁾

(Failure of Member State to fulfil obligations — Directive 2003/105/EC — Protection of workers — Control of major-accident hazards involving dangerous substances — Failure to transpose within the prescribed period)

(2007/C 155/09)

Language of the case: Portuguese

Parties

Applicant: Commission of the European Communities (represented by: A. Caeiros and B. Schima, acting as Agents)

Defendant: Portuguese Republic (represented by: L. Fernandes and F. Fraústo de Azevedo, Agents)

Re:

Failure of Member State to fulfil obligations — Failure to take within the prescribed period the measures necessary to comply with Directive 2003/105/EC of the European Parliament and of the Council of 16 December 2003 amending Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances (OJ 2003 L 345, p. 97)

Operative part of the judgment

The Court:

1. Declares that, by not adopting, within the prescribed period, the laws regulations and administrative provisions necessary to comply with Article 2 of Directive 2003/105/EC of the European Parliament and of the Council of 16 December 2003 amending Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances, the Portuguese Republic has failed to fulfil its obligations under that directive.
2. Orders the Portuguese Republic to pay the costs.

⁽¹⁾ OJ C 261, 28.10.2006.

**Judgment of the Court (Sixth Chamber) of 24 May 2007 —
Commission of the European Communities v Portuguese
Republic**

(Case C-376/06) ⁽¹⁾

(Failure of Member State to fulfil obligations — Directive 2001/42/EC — Assessment of the effects of certain plans and programmes on the environment — Failure to transpose within the prescribed period)

(2007/C 155/10)

Language of the case: Portuguese

Parties

Applicant: Commission of the European Communities (represented by: A. Caeiros and J.-B. Laignelot, acting as Agents)

Defendant: Portuguese Republic (represented by: L. Fernandes and F. Fraústo de Azevedo, Agents)

Re:

Failure of Member State to fulfil obligations — Failure to take within the prescribed period the measures necessary to comply with Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ 2001 L 197, p. 30)

Operative part of the judgment

The Court:

1. Declares that, by not adopting, within the prescribed period, the laws regulations and administrative provisions necessary to comply with Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, the Portuguese Republic has failed to fulfil its obligations under that directive.
2. Orders the Portuguese Republic to pay the costs.

⁽¹⁾ OJ C 261 of 28.10.2006.