Re:

Failure of a Member State to fulfil obligations — Failure to have adopted, within the prescribed period, all the provisions necessary to comply with Directive 2003/51/EC of the European Parliament and of the Council of 18 June 2003 amending Council Directives 78/660/EEC, 83/349/EEC, 86/635/EEC and 91/674/EEC on the annual and consolidated accounts of certain types of companies, banks and other financial institutions and insurance undertakings (OJ 2003 L 178, p. 16).

Operative part

The Court:

1. Declares that, by failing to adopt, within the prescribed period, the laws, regulations and administrative provisions necessary to comply with Directive 2003/51/EC of the European Parliament and of the Council of 18 June 2003 amending Council Directives 78/660/EEC, 83/349/EEC, 86/635/EEC and 91/674/EEC on the annual and consolidated accounts of certain types of companies, banks and other financial institutions and insurance undertakings, the Grand Duchy of Luxembourg has failed to fulfil its obligations under that directive;

2. Orders the Grand Duchy of Luxembourg to pay the costs.

Judgment of the Court (Eighth Chamber) of 14 December 2006 — Commission v Germany

(Case C-252/06)

Failure of a Member State to fulfil obligations — Directive 2002/92/EC — Insurance mediation — Failure to implement within the prescribed period

Actions for failure to fulfil obligations — Examination of merits by the Court — Situation to be taken into consideration — Situation on expiry of the period laid down in the reasoned opinion (Art. 226 EC) (see para. 6)

Re:

Failure of a Member State to fulfil obligations — Failure to adopt within the period prescribed all the provisions necessary to comply with Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation (OJ 2003 L 9, p. 3).

Operative part

The Court:

1. Declares that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation, the Federal Republic of Germany has failed to fulfil its obligations under that directive;

2. Order the Federal Republic of Germany to pay the costs.

Order of the President of the Court of 19 December 2006 — Commission v Italy

(Case C-503/06 R)

Applications for interim measures — Application for suspension of operation and interim measures — Application for a ruling without hearing the other party — Protection of birds — Derogations

Applications for interim measures — Suspension of operation of a measure — Provisional measures — Conditions for granting — Prima facie case — Serious and irreparable damage — Balancing of all the interests involved — Interest in the sound administration of justice (Arts 242 EC and 243 EC; Rules of Procedure of the Court, Art. 84(2); Council Directive 79/409) (see paras 14-20)