Operative part

The Court:

1. Declares that, in failing, firstly, to establish monitoring programmes on the status of inland surface water and make them operational in accordance with Article 8(1) and (2) of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, and, secondly, to submit summary reports on the monitoring programmes on the status of inland surface water in accordance with Article 15(2) of that directive, the Republic of Malta has failed to fulfil its obligations under Articles 8 and 15 of that directive;

2. Orders the Republic of Malta to pay the costs.

Judgment of the Court (Third Chamber) of 22 December 2010 — Commission v Austria

(Case C-433/09)

(Failure of a Member State to fulfil obligations — Taxation — Directive 2006/112/EC — VAT — Taxable amount — Tax on the delivery of vehicles not yet registered in the Member State based on their value and their average consumption — 'Normverbrauchsabgabe')

Tax provisions — Harmonisation of laws — Turnover taxes — Common system of value added tax — Taxable amount (Council Directive 2006/112, Art. 78) (see paras 33-35, 38-39, 43, 46)

Re:

Failure of Member State to fulfil obligations — Infringement of Articles 78 and 79 of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ 2006 L 347, p. 1) — Sale of a motor vehicle — Inclusion in the taxable amount of a tax on the delivery of vehicles not yet registered in the Member State concerned on the basis of their value and their average consumption ('Normverbrauschasbgage').

Operative part

1. Declares that, by including the standard consumption tax ('Normverbrauchsabgabe') in the taxable amount of value added tax levied in Austria on the delivery of a motor vehicle, the Republic of Austria has failed to fulfil its obligations under Article 78 of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax;

2. Dismisses the remainder of the action;

3. Orders the Commission and the Republic of Austria to bear their own costs.

Judgment of the Court (Eighth Chamber) of 22 December 2010 — Commission v Czech Republic

(Case C-276/10)

(Failure of a Member State to fulfil obligations — Environment — Directive 2006/118/EC — Protection of groundwater against pollution and deterioration — Failure to transpose within the prescribed period)