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 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities, 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 (Sixth Chamber) of 24 May 2007 — Commission v Portugal

(Case C-375/06)

Failure of a Member State to fulfil its obligations — Directive 2003/105/EC — Protection of workers — Control of major-accident hazards involving dangerous substances — Failure to transpose 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. 8)

Re:

Failure of a Member State to fulfil its obligations – Failure to adopt, 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

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.

Judgment of the Court (Sixth Chamber) of 24 May 2007 — Commission v Portugal

(Case C-376/06)

Failure of a Member State to fulfil its obligations — Directive 2001/42/EC — Assessment of the effects of certain plans and programmes on the environment — Failure to transpose 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. 10)

Re:

Failure of a Member State to fulfil its 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).