# Judgment of the Court (Fifth Chamber) of 28 September 2006 — Commission v Luxembourg

## (Case C-49/06)

Failure of a Member State to fulfil obligations — Directive 1999/37/EC — Registration documents for vehicles — 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. 6)*

**Re:**

Failure of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, the provisions necessary to comply with Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles (OJ 1999 L 138, p. 57).

**Operative part**

The Court:

1. Declares that, by failing to adopt, within the prescribed period, all the laws, regulations and administrative provisions necessary to comply with Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles, 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.