— Directive 2003/108/EC of the European Parliament and of the Council of 8 December 2003 amending Directive 2002/96,

the United Kingdom of Great Britain and Northern Ireland has failed to fulfil its obligations under those Directives.

2. The United Kingdom of Great Britain and Northern Ireland is ordered to pay the costs.

Judgment of the Court (Eighth Chamber) of 1 March 2007 — Commission v Italy

(Case C-327/06)

Failure of a Member State to fulfil obligations — Directive 2002/14/EC — Establishment of a general framework for informing and consulting employees in the European Community — Failure to transpose within the period prescribed

1. *Member States — Obligations — Implementation of directives — Failure to fulfil obligations — Justification based on the internal order — Not permissible (Art. 226 EC) (see para. 6)*

2. *Action 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. 7)*

Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, the provisions necessary to comply with Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community — Joint declaration of the European Parliament, the Council and the Commission on employee representation (OJ 2002 L 80, p. 29).

Operative part

1. By failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community, within the period prescribed, the Italian Republic has failed to fulfil its obligations under that directive.

2. The Italian Republic is ordered to pay the costs.