Operative part

1. The appeal is dismissed.

2. Athinaïki Oikogeniaki Artopoïïa AVEE is ordered to pay the costs.

Judgment of the Court (Eighth Chamber) of 13 September 2007 — Commission v Greece

(Case C-381/06)

Failure of a Member State to fulfil obligations — Directive 2002/14/EC — Informing and consulting employees — Failure to transpose within the period prescribed

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 obligations — Failure to adopt, within the period prescribed, all 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

The Court:

1. Declares that, by failing to adopt, within the period prescribed, all 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, the Hellenic Republic has failed to fulfil its obligations under that directive;

2. Orders the Hellenic Republic to pay the costs.

Order of the Court (Sixth Chamber) of 18 September 2007 — Sellier v Commission

(Case C-191/07 P)

Appeals — Time-limit — Inadmissibility

Procedure — Time-limit for instituting proceedings — Claim barred by lapse of time — Unforeseeable circumstances or force majeure (Statute of the Court of Justice, Art. 45, para. 2; Rules of Procedure of the Court, Arts 37(6) and 81(2)) (see paras 7, 9)

Re:

Appeal against the order of the Court of First Instance (Fourth Chamber) of 15 January 2007, *Sellier* v *Commission* (T-276/06), whereby the Court of First Instance dismissed as inadmissible the action by the applicant for annulment of the Commission's decision of 14 July 2006 to take no action on his complaint alleging that French legislation concerning the deposit of funds held by notaries with certain banking establishments was contrary to Community law.