Operative part

The Court:

1. Declares that, the legislation transposing Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds into Italian law not being quite consistent with that directive, and the system for transposing Article 9 of that directive failing to ensure that the derogations adopted by the competent Italian authorities satisfy the conditions and requirements referred to in that article, the Italian Republic has failed to fulfil its obligations under Articles 2 to 7, 9 to 11, 13 and 18 of the Directive;

2. Orders the Italian Republic to bear the costs, including those of the interlocutory proceedings.

Judgment of the Court (Sixth Chamber) of 15 July 2010 — Commission v Greece

(Case C-512/09)

(Failure of a Member State to fulfil obligations — Directive 2006/66/EC — Batteries and accumulators and waste batteries and accumulators — Failure to transpose within the prescribed period)

Actions for failure to fulfil obligations — Examination of the merits by the Court — Situation to be taken into consideration — Situation on expiry of the period laid down in the reasoned opinion (Art. 258 TFEU; European Parliament and Council Directive 2006/66) (see paras 7-10)

Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the prescribed period, the provisions necessary to comply with Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC (OJ 2006 L 266, p. 1).

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 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC, the Hellenic Republic has failed to fulfil its obligations under that directive;

2. Orders the Hellenic Republic to pay the costs of the proceedings.

Judgment of the Court (Seventh Chamber) of 15 July 2010 — Commission v Luxembourg

(Case C-8/10)

(Failure of a Member State to fulfil obligations — Directive 2006/46/EC — Annual accounts and consolidated accounts of companies — Failure to transpose completely within the prescribed period)