

Judgments by the EFTA Court

November–December 2013

1 Judgment of the EFTA Court of 15 November 2013 in Case E-9/13

Description of the case: Norway failed to adopt the measures to fully implement Directive 2010/48/EU adapting to technical progress Directive 2009/40/EC of the European Parliament and of the Council on roadworthiness tests for motor vehicles and their trailers by 31 December 2011 at the latest.

Application lodged at the EFTA Court: 28 June 2013

Corrective measures taken by Norway: Norway has amended the Guidelines for technical inspection of vehicles (Kontrollveiledning. Periodisk kontroll av kjøretøy) on 25 June 2013. These Guidelines will enter into force on 31 December 2013. However, Norwegian Regulation No. 1039/2012 still specifies 1 January 2015 as the date of entry into force for the new Annex to the Regulation on periodic roadworthiness tests of vehicles.

2 Judgment of the EFTA Court of 15 November 2013, Case E-10/13

Description of the case: This is a conformity assessment case, and the EFTA Court held that Iceland has failed to adopt measures that would implement correctly into its national legislation several key terms of the Equal Treatment Directive 2006/54/EC

Application lodged at the EFTA Court: 28 June 2013

Corrective measures taken by Iceland: A draft bill was submitted to the Icelandic Parliament on 20 November 2013 to correctly implement the Directive.

3 Judgment of the EFTA Court of 15 November 2013 in Case E-11/13

Description of the case: This is a conformity assessment case, and the EFTA Court held that Iceland has failed to adopt measures that are necessary to implement into its national legislation Article 9, paragraphs 1 and 2, and Article 10 of Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation.

Application lodged at the EFTA Court: 28 June 2013

Corrective measures taken by Iceland: A bill was presented to the Icelandic Parliament on 13 November 2013 to correctly implement the Directive.

4 Judgment of the EFTA Court of 2 December 2013 in Case E-13/13

Description of the case: This is a conformity assessment case, and the EFTA Court held that Norway has failed to adopt measures that would implement correctly into its national legislation Article 37(1) of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing.

Application lodged at the EFTA Court: 3 July 2013

Corrective measures taken by Norway: Norway has not yet adopted or proposed measures that will ensure correct implementation of the Directive.

5 Judgment of the EFTA Court of 2 December 2013 in Case E-14/13

Description of the case: On 16 March 2010, the Authority opened an own initiative case against Iceland regarding the immediate taxation of cross-border mergers. The Authority subsequently, on 6 August 2010, received a complaint on the matter. On 2 December 2013, the EFTA Court ruled that that, by maintaining in force a difference in treatment between domestic and cross-border mergers, Iceland had failed to fulfil its obligations arising from Articles 31 and 40 of the EEA Agreement.

Application lodged at the EFTA Court: 3 July 2013

Corrective measures taken by Iceland: On 29 November 2013, the Icelandic Government presented a Bill of law before the Parliament, proposing to abolish the immediate taxation of cross-border mergers.

6 Judgment of the EFTA Court of 6 December 2013 in Case E-15/13

Description of the case: Iceland failed to adopt the measures necessary to implement Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumers' interests by 1 January 2012 at the latest.

Application lodged at the EFTA Court: 9 July 2013

Corrective measures taken by Iceland: Iceland has not yet adopted or proposed measures that will ensure correct implementation of the Directive..

7 Judgment of the EFTA Court of 6 December 2013 in Case E-16/13

Description of the case: Iceland failed to adopt the measures necessary to implement Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange products by 1 November 2011 at the latest.

Application lodged at the EFTA Court: 9 July 2013

Corrective measures taken by Iceland: An act has been passed and given the number 120/2013. The Directive is therefore now fully implemented.

8 Judgment of the EFTA Court of 6 December 2013 in Case E-17/13

Description of the case: This is a non-implementation case, and the EFTA Court held that Iceland has failed to adopt the measures necessary to implement Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 amending Directive 98/26/EC on settlement finality in payment and securities settlement systems and Directive 2002/47/EC on financial collateral arrangements as regards linked systems and credit claims by 1 February 2012 at the latest.

Application lodged at the EFTA Court: 10 July 2013.

Corrective measures taken by Iceland: Iceland has not yet adopted or proposed measures that will ensure correct implementation of the Directive.

9 Judgment of the EFTA Court of 6 December 2013, Case E-18/13

Description of the case: Iceland failed to adopt the measures necessary to implement Directive 2001/81/EC on national emission ceilings for certain atmospheric pollutants (NEC Directive) by 1 January 2012 at the latest.

Application lodged at the EFTA Court: 10 July 2013

Corrective measures taken by Iceland: A bill to implement the NEC Directive is currently before the Icelandic Parliament.