

## EFTA COURT

### **Action brought on 2 December 2009 by the EFTA Surveillance Authority against Iceland**

**(Case E-8/09)**

An action against Iceland was brought before the EFTA Court on 2 December 2009 by the EFTA Surveillance Authority, represented by Xavier Lewis and Florence Simonetti, acting as Agents of the EFTA Surveillance Authority, 35, Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to declare that:

- 1. By failing to adopt, or to notify the Authority of, the measures necessary to implement the Act referred to at point 5 of Chapter III of Annex II to the Agreement on the European Economic Area (*Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC on the approximation of the laws of the Member States relating to lifts*), as adapted to the EEA Agreement by Protocol 1 thereto, within the time prescribed, the Republic of Iceland has failed to fulfil its obligations under the Act and under Article 7 EEA**

**and**

- 2. The Republic of Iceland bear the costs of these proceedings**

*Legal and factual background and pleas in law adduced in support:*

- The present case concerns the non-implementation of a directive on machinery.
- The EFTA Surveillance Authority pleads that it has not received any information from Iceland indicating that the directive on machinery has been implemented into Icelandic law, nor is it in possession of any information on Iceland having taken necessary measures to ensure compliance with the directive.
- The EFTA Surveillance Authority pleads that the Government of Iceland has not disputed that it has not brought into force the laws, regulations and administrative provisions necessary to comply with the directive.