

## EFTA COURT

### **Action brought on 26 July 2010 by the EFTA Surveillance Authority against Liechtenstein**

**(Case E-9/10)**

An action against Liechtenstein was brought before the EFTA Court on 26 July 2010 by the EFTA Surveillance Authority, represented by Xavier Lewis and Markus Schneider, 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 fully implement the Act referred to at point 1 of Annex VII to the EEA Agreement (*Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, as amended by Commission Regulation (EC) No 1430/2007 of 5 December 2007 amending Annexes II and III to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications and by Commission Regulation (EC) No 755/2008 of 31 July 2008 amending Annex II to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications*), as adapted to the EEA Agreement by Protocol 1 thereto, within the time prescribed, the Principality of Liechtenstein has failed to fulfil its obligations under Article 63(1) of the Directive and under Article 7 EEA;**
- 2. The Principality of Liechtenstein bears the costs of these proceedings.**

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

- The application addresses the failure by Liechtenstein to comply with a reasoned opinion issued by the EFTA Surveillance Authority on the failure to adopt, or to notify the Authority of the measures necessary to fully implement the EEA Act corresponding to European Union *Directive 2005/36/EC on the recognition of professional qualifications* as amended.
- The outstanding Liechtenstein measures concern the recognition of professional qualifications obtained in other EEA States regarding the crafts sector.

- The EFTA Surveillance Authority pleads that it has not received information from the Liechtenstein government indicating that the Act has been fully implemented into national law, nor is it in possession of any other information which would enable it to conclude accordingly.
- The Liechtenstein government has not disputed the delay in fully implementing the Act.