

JUDGMENT OF THE COURT**of 15 July 2015****in Case E-1/15****EFTA Surveillance Authority v Iceland**

(Failure by an EEA/EFTA State to fulfil its obligations — Failure to implement — Commission Directive 2010/26/EU amending Directive 97/68/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery)

(2016/C 3/06)

In Case E-1/15, EFTA Surveillance Authority v Iceland — APPLICATION for a declaration that by failing to adopt, and/or to notify the EFTA Surveillance Authority forthwith of the measures necessary to implement the Act referred to at point 1a, seventh indent, of Chapter XXIV of Annex II to the Agreement on the European Economic Area (Commission Directive 2010/26/EU of 31 March 2010 amending Directive 97/68/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery), as adapted to the Agreement by way of Protocol 1 thereto and by Joint Committee Decision No 76/2013 of 3 May 2013, within the time prescribed, Iceland has failed to fulfil its obligations under the Act and under Article 7 of the Agreement on the European Economic Area, the Court, composed of Carl Baudenbacher, President, Per Christiansen and Páll Hreinsson (Judge-Rapporteur), Judges, gave judgment on 15 July 2015, the operative part of which is as follows:

The Court hereby:

1. Declares that, by failing, within the time prescribed, to adopt the measures necessary to implement the Act referred to at point 1a, seventh indent, of Chapter XXIV of Annex II to the Agreement on the European Economic Area (Commission Directive 2010/26/EU of 31 March 2010 amending Directive 97/68/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery), as adapted to the Agreement by way of Protocol 1 thereto and by Joint Committee Decision No 76/2013 of 3 May 2013, Iceland has failed to fulfil its obligations under the Act and under Article 7 of the EEA Agreement.
 2. Orders Iceland to bear the costs of the proceedings.
-