

EFTA COURT

Action brought on 17 July 2014 by the EFTA Surveillance Authority against Iceland.

(Case E-11/14)

An action against Iceland was brought before the EFTA Court on 17 July 2014 by the EFTA Surveillance Authority, represented by Markus Schneider and Janne Tysnes Kaasin, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

- 1. Declare 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 2 of Annex XII to the Agreement on the European Economic Area (*Directive 2011/7 of the European Parliament and of the Council of 16 February 2011 on combating late payments in commercial transactions*), as adapted to the EEA Agreement by way of Protocol 1 thereto, Iceland has failed to fulfil its obligations under Article 12 of that Act and Article 7 of the EEA Agreement.**
- 2. Order Iceland to bear the costs of these proceedings.**

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

- The application addresses Iceland's failure to comply, no later than on 18 February 2014, with a reasoned opinion delivered by the EFTA Surveillance Authority on 18 December 2013 regarding that State's failure to implement into its national legal order Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payments in commercial transactions ("the Act"), as referred to at point 2 of Annex XII to the Agreement on the European Economic Area, as adapted to the EEA Agreement by way of Protocol 1 thereto.
- The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under Article 12 of the Act and under Article 7 of the EEA Agreement by failing to adopt, and/or to notify the EFTA Surveillance Authority of, the measures necessary to implement the Act within the time prescribed.