

## **EFTA COURT**

### **Action brought on 9 July 2013 by the EFTA Surveillance Authority against Iceland**

**(Case E-16/13)**

An action against Iceland was brought before the EFTA Court on 9 July 2013 by the EFTA Surveillance Authority, represented by Markus Schneider and Catherine Howdle 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 (i) to adopt, or (ii) to notify the EFTA Surveillance Authority forthwith of, the measures necessary to implement the Act referred to at point 7b of Annex XIX to the Agreement on the European Economic Area (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 contracts*), as adapted to the Agreement by way of Protocol 1 thereto, within the time prescribed, Iceland has failed to fulfil its obligations under the Act and under Article 7 of the Agreement.**
- 2. Order Iceland to bear the costs of these proceedings.**

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

- The present application by the EFTA Surveillance Authority addresses the failure by Iceland to comply, no later than 11 September 2012, with a reasoned opinion delivered by the EFTA Surveillance Authority on 11 July 2012 regarding that State's failure to implement into its national legal order, 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 contracts (the Act), as referred to at point 7b of Annex XIX to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto.
- The EFTA Surveillance Authority submits that it has no information before it that could indicate that the Act has been fully implemented.