

## EFTA COURT

### **Action brought on 28 June 2013 by the EFTA Surveillance Authority against the Kingdom of Norway**

**(Case E-9/13)**

An action against the Kingdom of Norway was brought before the EFTA Court on 28 June 2013 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:

- 1. Declare that by failing (i) to adopt, or (ii) to notify the Authority forthwith of, all the measure necessary to implement the Act referred to at point 16a of Chapter II of Annex XIII to the Agreement on the European Economic Area (Commission Directive 2010/48/EU of 5 July 2010 *adapting to technical progress Directive 2009/40/EC of the European Parliament and of the Council on roadworthiness tests for motor vehicles and their trailers*), as adapted to the Agreement by way of Protocol 1 thereto, within the time prescribed (both except for paragraph 3 of Annex II to the Directive on roadworthiness certificates which is only to be implemented by 31 December 2013), the Kingdom of Norway has failed to fulfil its obligations under the Act and under Article 7 of the Agreement.**
- 2. Order the Kingdom of Norway to bear the costs of these proceedings.**

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

- The EFTA Surveillance Authority submits that Norway has failed to fulfil its obligations under Article 2 of Directive 2010/48 and under Article 7 of the EEA Agreement by failing to adopt, or to notify the Authority of, all the measures necessary to implement the Act within the time prescribed (both except for paragraph 3 of Annex II to the Directive on roadworthiness certificates which is only to be implemented by 31 December 2013).