

**C-268/06 Impact v Minister for Agriculture and Food and Others [2008] ECR I-2483**

**Facts:** Irish law did not conform to EU law unless national implementing Acts had retrospective effect, which at the time was precluded by Irish law.

**Held:** In the absence of an express provision, EU law cannot be interpreted as requiring the referring court to give retrospective effect to the date by which the Directive should have been transposed. The requirement that national law be interpreted in conformity with EU law is inherent in the system of the EC Treaty, and this permits national courts to ensure the full effectiveness of EU law. Nevertheless, the obligation to refer to contents of directive when interpreting and applying domestic law is limited by general principles of law, particularly those of legal certainty, non-retroactivity, and that obligation cannot serve as the basis for an interpretation of national law *contra legem*. It was for the national courts to ensure full effectiveness of the directive to procure uniformity with EU law. In the absence of an express provision, the duty of consistent interpretation did not require the court to interpret national law *contra legem*.