

**Synopsis of the work
of the Court of Justice
of the European Communities
in 1977**

Luxembourg 1978

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Foreword

This synopsis of the work of the Court of Justice of the European Communities is intended for judges, lawyers and practitioners generally, as well as teachers and students of Community law.

It is issued for information only, and obviously must not be cited as an official publication of the Court, whose judgments are published officially only in the *European Court Reports*.

The synopsis is published in the working languages of the Communities (Danish, Dutch, English, French, German, Italian). It is obtainable free of charge on request (specifying the language required) from the Information Bureaux of the European Communities whose addresses are listed in Annex XI.

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I — Proceedings of the Court

1. Community case-law

A — *Statistical information*

Judgments delivered

During 1977 the Court of Justice of the European Communities delivered 101 judgments:¹

12 in direct actions (excluding actions brought by officials of the Communities);

75 in cases referred to the Court for preliminary rulings by the national courts of the Member States;

14 in actions brought by officials of the Communities;

24 of the judgments were delivered by Chambers of which

10 were in cases referred for a preliminary ruling assigned to the Chambers pursuant to Article 95(1) of the Rules of Procedure and

14 were in actions brought by officials of the Communities.

In addition the Court delivered one opinion pursuant to Article 228 of the EEC Treaty.

The Court or the President made 6 orders for interim measures.

Documentation

The written procedure in these cases runs to some 100 000 pages, of which 38 000 have been translated by the Language Directorate.²

Hearings

In 1977 the Court met for 173 public hearings.

¹One of which was on the interpretation of a previous judgment.

²For further details of the work of the Language Directorate see Annex IX.

Lawyers

During these hearings, apart from the representatives or agents of the Council, the Commission and the Member States, the Court heard:

31 Belgian lawyers,
5 British lawyers,
0 Danish lawyers,
15 French lawyers,
28 lawyers from the Federal Republic of Germany,
11 Irish lawyers,
19 Italian lawyers,
7 Luxembourg lawyers,
12 Netherlands lawyers.

Duration of proceedings

Proceedings lasted for the following periods of time:

In cases brought directly before the Court the average duration for most of them has been rather more than 9 months, the shortest being 7 months.

In cases arising from questions referred by national courts for preliminary rulings, the average duration has been some 6 months (including judicial vacations).

Cases brought in 1977

In 1977, 158 cases were brought before the Court of Justice. They concerned:

1. Actions brought by the Commission for failure to fulfil an obligation against:

Belgium	1	
France	2	
Ireland	1	
Italy	3	
Luxembourg	1	
Netherlands	1	
United Kingdom	1	
	—	10

2. Actions brought by the Member States against the Commission:

United Kingdom	1	
	—	1

3. Actions brought by one Member State against another:

Ireland against France	1	
	—	1

carried forward: 12

	brought forward:	12	
4. Actions brought by natural or legal persons against:			
Commission		23	
Council		5	
Council and Commission		10	
		—	38
5. Actions brought by officials of the Communities		24	
		—	24
6. References made to the Court of Justice by national courts for preliminary rulings on the interpretation or validity of provisions of Community law. Such references originated as follows:			
<i>Belgium</i>		16	
3 from the Cour de Cassation			
13 from courts of first instance or of appeal			
<i>Denmark</i>		1	
from a court of first instance			
<i>Federal Republic of Germany</i>		30	
2 from the Bundesgerichtshof			
2 from the Bundesverwaltungsgericht			
4 from the Bundesfinanzhof			
22 from courts of first instance or of appeal			
<i>France</i>		14	
2 from the Cour de Cassation			
12 from courts of first instance or of appeal			
<i>Ireland</i>		2	
1 from the High Court			
1 from a court of first instance			
		—	—
	carried forward	63	74

	brought forward:	63	74
<i>Italy</i>		7	
1 from the Corte Suprema di Cassazione			
6 from courts of first instance or of appeal			
<i>Netherlands</i>		9	
1 from the Hoge Raad			
3 from the Centrale Raad van Beroep			
2 from the College van Beroep voor het Bedrijfsleven			
2 from the Tariefcommissie			
1 from a court of appeal			
<i>United Kingdom</i>		5	
from courts of first instance or of appeal		—	
			84
			—
	Total:		158

In addition the Court made 6 orders for interim measures.

TABLE 1

Cases brought since 1953 analysed by subject matter¹

Situation at 31 December 1977

(the Court of Justice for which provision was made in the ECSC Treaty took up its duties in 1953)

Type of case	Direct actions											
	ECSC				EEC							EAEC
	Scrap equa- liza- tion	Trans- port	Com- pet- ition	Other ²	Free move- ment of goods and cus- toms union	Right of estab- lish- ment, free- dom to supply ser- vices	Tax cases	Com- pet- ition	Social secu- rity and free move- ment of work- ers	Agri- cul- tural policy	Other	
New cases	167	35	27	49 (1)	25 (2)	2	14	58 (2)	1	123 (20)	75 (3)	2
Cases not resulting in a judgment	25	6	10 (2)	16	6	1	2	5 (1)	—	11 (2)	9 (2)	—
Cases decided	142	29	17	33 (1)	18 (2)	1	12	48 (1)	1	74 (10)	45 (3)	2
Cases pending	—	—	—	—	1	—	—	5	—	38	21	—

The figures in brackets represent the cases dealt with by the Court in 1977.

¹ Cases concerning several subjects are classified under the most important heading.

² Levies, investment declarations, tax charges, miners' bonuses.

³ Convention of 27 September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters (the 'Brussels Convention').

Proceedings by staff of institutions	References for a preliminary ruling										Total
	Free movement of goods and customs union	Right of establishment, freedom to supply services	Tax cases	Competition	Social security and freedom of movement of workers	Agricultural policy	Transport	Convention Article 220 ³	Privileges and immunities	Other	
499 (17)	114 (24)	9 (3)	29 (3)	35 (5)	124 (23)	153 (27)	9 (2)	13 (4)	6	20 (1)	1 589 (137)
86	5	1	1	3	2	5	1	1	1	—	197 (7)
390 (15)	97 (21)	8 (3)	28 (3)	30 (5)	113 (21)	127 (21)	8 (2)	11 (4)	5	18 (1)	1 257 (113)
23	12	—	—	2	9	21	—	1	—	2	135

TABLE 2

Cases brought since 1958 analysed by type (EEC Treaty)¹

Situation at 31 December 1977

(the Court of Justice for which provision was made in the EEC Treaty took up its duties in 1958)

Type of case	Proceedings brought under											Protocols Conventions Art. 220	Grand total ²
	Arts. 169 and 93	Art. 170	Art. 173				Art. 175	Art. 177			Art. 215		
			By Governments	By Individuals	By Community Institutions	Total		Validity	Inter- preta- tion	Total			
New cases	54	1	23	109	3	135	12	70	442	512	108	13	831
Cases not resulting in a judgment	13	—	4	11	—	15	—	1	19	20	5	1	54
Cases decided	31	—	14	83	3	100	12	52	393	445	68	11	665
In favour of applicant ³	27	—	4	20	1	25					—		
Dismissed on the merits ⁴	4	—	9	37	2	48					63		
Rejected as inadmissible	—	—	1	26	—	27	12				5		
Cases pending	10	1	5	15	—	20	—	17	30	47	35	1	114

¹ Excluding proceedings by staff and cases concerning the interpretation of the Protocol on Privileges and Immunities and of the Staff Regulations (see Table 1).

² Totals may be smaller than the sum of individual items because some cases are based on more than one Treaty Article.

³ In respect of at least one of the applicant's main claims.

⁴ This also covers proceedings rejected partly as inadmissible and partly on the merits.

TABLE 3

Cases brought since 1958 analysed by type (ECSC and Euratom Treaties)¹

Situation at 31 December 1977

(the Court of Justice for which provision was made in the Euratom Treaty took up its duties in 1958)

Type of case	Number of proceedings instituted						Total	
	By Governments		By Community institutions		By Individuals (undertakings)			
	ECSC	Euratom	ECSC	Euratom	ECSC	Euratom	ECSC	Euratom
New cases	20			1	258	1	278	2
Cases not resulting in a judgment	8				49		57	
Cases decided	12			1	209	1	221	2
In favour of applicant ²	5			1	37	—	42	1
Dismissed on the merits ³	6			—	124	1	130	1
Rejected as inadmissible	1			—	48	—	49	—
Cases pending	—			—	—	—	—	—

¹ Excluding proceedings by staff and cases concerning the interpretation of the Protocol on Privileges and Immunities and of the Staff Regulations (see Table 1).

² In respect of at least one of the applicant's main claims.

³ This also covers proceedings rejected partly as inadmissible and partly on the merits.

It is not possible within the confines of this Synopsis to present a full report on the case-law of the Court. For this reason, and in spite of the risk of a certain degree of subjectivity which is involved in any choice, the decision has been taken to set out here only a selection of judgments of particular importance. For a fuller analysis the reader is invited to refer to the chapter on Community law in the Eleventh General Report by the Commission of the European Communities.

**I. Power of the Community to conclude international agreements
(EEC Treaty, Article 228)**

Opinion 1/76 of 26 April 1977 [1977] ECR 741

Pursuant to Article 228 of the EEC Treaty the Commission asked for the opinion of the Court as to whether a draft Agreement establishing a European laying-up fund for inland waterway vessels is compatible with the provisions of the Treaty. The draft Agreement was the subject of negotiations between the Commission, acting on behalf of the Community in accordance with a decision of the Council, and Switzerland, with the participation of delegations from the six Member States (Belgium, the Federal Republic of Germany, France, Luxembourg, the Netherlands and the United Kingdom) who are parties either to the revised Convention for the Navigation of the Rhine of 17 October 1868 (hereinafter referred to as 'the Mannheim Convention') or to the Convention for the Canalization of the Moselle of 27 October 1956. When the negotiations had been completed, the draft Agreement with the Statute of a Fund annexed thereto was initialled by the representatives of the parties on 9 July 1976.

The Commission has stated as the grounds for its request for an opinion that the system envisaged involves for the Community a certain delegation of *powers of decision* and *judicial powers* to bodies which are *independent* of the *common institutions*. Whilst considering that that delegation is compatible with the Treaty, the Commission, out of concern for legal certainty, has considered it appropriate to consult the Court under Article 228, in view of the *innovation* represented by such delegation of powers and of the precedent which it is likely to constitute for any other subsequent agreements.

The text of the Agreement and of the Statute of the Fund which is an integral part thereof were annexed to the request for an opinion. The Commission has

also submitted to the Court the proposal for a regulation which it has sent to the Council for the purposes of the conclusion of the Agreement. In addition these documents have been published for information in the Official Journal of the European Communities (Official Journal C 208 of 3 September 1976, pp. 2 to 22). The essential framework of the system envisaged was the '*European laying-up fund for inland waterway vessels*' (an 'international public institution'). The organs of the Fund were to be a *Supervisory Board* and a *Board of Management* assisted by a *Director*. In addition a court called the '*Fund Tribunal*' was to be established.

The Fund Tribunal was to consist of seven judges appointed for a term of five years, one judge to be appointed by Switzerland and six other judges by all the other Contracting Parties. The proposal for a regulation submitted to the Council by the Commission for the purposes of the conclusion of the Agreement and its implementation provided however that these six other judges should be nominated by *the Court of Justice from among its number*.

In its opinion of 26 April 1977 the Court of Justice declared that the draft agreement was *incompatible* with the EEC Treaty. The reasons it gave for its decision may be summarized as follows:

1. Whenever Community law has created for the institutions of the Community powers within its internal system for the purpose of attaining a specific objective, the Community has authority to enter into the international commitments necessary for the attainment of that objective even in the absence of an express provision in that connexion. This is particularly so in all cases in which internal power has already been used in order to adopt measures which come within the attainment of common policies. It is, however, not limited to that eventuality. Although the internal Community measures are only adopted when the international agreement is concluded and made enforceable, the power to bind the Community *vis-à-vis* third countries nevertheless flows by implication from the provisions of the Treaty creating the internal power and in so far as the participation of the Community in the international agreement is necessary for the attainment of one of the objectives of the Community.
2. The participation of specific Member States, together with the Community, in the conclusion of an agreement concerning inland navigation is justified, as regards navigation on the Rhine, by the existence of certain international conventions which preceded the EEC Treaty and are capable of forming an obstacle to the attainment of the scheme laid down by the agreement. The participation of these States must however be considered as being for the sole purpose of carrying out the undertaking to make the amendments necessitated by the implementation of the scheme concerned. Within these limits, that participation is justified by the second paragraph of Article 234 of the Treaty and cannot therefore be regarded as encroaching on the external power of the Community.
3. The legal effect with regard to the Member States of an agreement concluded by the Community, in accordance with Article 228 (2) of the Treaty, results

exclusively from the fact that the agreement was concluded by the Community even though Member States are parties to it.

4. In order to attain a common policy, such as the common transport policy governed by Articles 74 and 75 of the Treaty, the Community is not only entitled to enter into contractual relations with a third country but also has the power, while observing the provisions of the Treaty, to cooperate in setting up an international organism, to give the latter appropriate powers of decision and to define, in a manner appropriate to the objectives pursued, the nature, elaboration, implementation and effects of the provisions to be adopted within such a framework.
5. The conclusion of an international agreement by the Community cannot have the effect of surrendering the independence of action of the Community in its external relations and changing its internal constitution by the alteration of essential elements of the Community structure as regards the prerogatives of the institutions, the decision-making procedure within the latter and the position of the Member States *vis-à-vis* one another. More particularly, the substitution, in the structure of the organs of the proposed fund, of several Member States in place of the Community and its institutions, the alteration of the relationship between Member States as laid down by the Treaty, in particular by the exclusion or non-participation of certain States in the activities provided for and the grant of special prerogatives to certain other States in the decision-making procedure are incompatible with the constitution of the Community and more especially with the concepts which may be deduced from the recitals of the preamble to and from Articles 3 and 4 of the Treaty. An international agreement the effect of which is also to contribute to the weakening of the institutions of the Community and to the surrender of the bases of a common policy and to the undoing of the work of the Community is incompatible with the provisions of the Treaty.
6. The question whether the grant to a public international organ separate from the Community of the power to adopt decisions which are directly applicable in the Member States comes within the powers of the institution does not need to be solved, since the provisions of the agreement concerned define and limit the powers in question so clearly and precisely that they are only executive powers.
7. An international agreement concluded by the Community is, so far as the latter is concerned, an act of one of the institutions within the meaning of subparagraph (b) of the first paragraph of Article 177 of the Treaty and therefore the Court has jurisdiction to give a preliminary ruling on the interpretation of such an agreement. Since it is possible that a conflict may arise between the provisions concerning jurisdiction set out in the Treaty and those laid down within the context of the proposed agreement according to the interpretation which might be attached to the provisions of the latter, the Fund Tribunal could only be established within the terms concerned on condition that judges

belonging to the Court of Justice who are under an obligation to give a completely impartial ruling on the contentious questions which may be brought before the Court, are not called upon to serve on it.

II. Agriculture – Common organization of the markets – Nullity of Council Regulation No 563/76 on the compulsory purchase of skimmed-milk powder held by intervention agencies

Judgments of 5 July 1977 – Case 114/76 Bela-Mühle Josef Bergmann KG v Grows Farm GmbH & Co. KG [1977] ECR 1211; Case 116/76 Granaria BV v Hoofdprodukschap voor Akkerbouwprodukten [1977] ECR 1247; Joined cases 119 and 120/76 Ölmühle Hamburg AG v Hauptzollamt Hamburg-Waltershof and Firma Kurt A. Becher v Hauptzollamt Bremen-Nord [1977] ECR 1269.

These cases were referred to the Court of Justice by courts in Germany and the Netherlands for a preliminary ruling on the validity of Regulation No 563/76 of the Council of 15 March 1976.

The system established by the regulation, which is aimed at reducing the large stocks of skimmed-milk powder, consists, on the one hand, in the imposition not only on *producers of milk and milk products* but also, and more especially, on producers in *other agricultural sectors*, of the obligation to purchase large quantities of the product and, on the other hand, the fixing of a purchase price for the product which is *three times* the price of the products which it *replaced*.

The Court held that the regulation in question was null and void on the ground that the obligation to purchase at such a disproportionate price constituted a discriminatory distribution of the burden of costs between the various agricultural sectors and was, moreover, not necessary in order to attain the object in view.

III. Freedom of movement of persons (nationals of Member States) – EEC Treaty, Article 48; Directive No 63/360, Article 4

Judgment of 14 July 1977, Case 8/77 Sagulo, Brenca and Bakhouché [1977] ECR 1495

In answer to questions referred by a German court, the Court of Justice delivered a preliminary ruling with regard to the freedom of movement of persons (nationals of Member States) concerning in particular the scope of Council Directive No 68/360 of 15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families and the application of the provisions of the residual national law.

In this case two Italian nationals and a French national were the subject of criminal proceedings brought under the German *Ausländergesetz* (Aliens Law) of 28 April 1965.

Those proceedings resulted in a court order imposing a fine on the two Italian nationals for having resided in the Federal Republic of Germany without a valid passport or identity card, that is, therefore, without any valid residence permit.

Although the French national was in possession of a valid passport he had refused to comply with the formalities required by the German authorities in order to obtain a residence permit and was detained for a short time in order for criminal proceedings to be brought against him; he was accused of having failed to take the necessary steps to regularize his position.

The above facts led the Amtsgericht Reutlingen to ask the Court of Justice to give a preliminary ruling on the interpretation of Articles 7 and 48 of the EEC Treaty (concerning the prohibition of discrimination on grounds of nationality and freedom of movement for workers) and of Article 4 of Council Directive No 68/360 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families.

The questions referred asked, basically, whether the Member States are still entitled to apply to persons enjoying the protection of Community law general legislative provisions relating to the entry and residence of aliens and, where appropriate, the penalties attaching to an infringement of those provisions.

The Court ruled that the right of nationals of Member States to enter the territory of another Member State and to reside there for the purposes mentioned in the Treaty follows *directly* from the Treaty or from the *provisions adopted for its implementation*.

The issue of the special residence document provided for in Article 4 of Council Directive No 68/360 of 15 October 1968 has only a *declaratory* effect; for aliens to whom Article 48 of the Treaty or parallel provisions give rights, it cannot be assimilated to a residence permit such as is prescribed for aliens in general, in connexion with the issue of which the national authorities have a discretion.

A Member State *may not* require from a person enjoying the protection of Community law that he should possess a general residence permit instead of the document provided for in Article 4 (2) of Directive No 68/360 in conjunction with the Annex thereto nor may it *impose penalties* for the failure to possess such a permit.

It is for the competent authorities of each Member State to impose penalties where appropriate on a person subject to the provisions of Community law who has failed to provide himself with *one* of the documents of identity referred to in Article 3 (1) of Directive No 68/360 but the penalties imposed must not be disproportionate to the nature of the offence committed.

IV. Competition

Competition – Selective distribution systems

Judgment of 25 October 1977, Case 26/76 Metro SB Grossmärkte GmbH and Co. KG v Commission of the European Communities [1977] ECR 1875

The applicant, the Metro SB undertaking, sought the annulment of a decision taken by the Commission in respect of the SABA undertaking on the ground

that the decision allowed certain infringements of Articles 85 and 86 of the EEC Treaty to continue.

The facts giving rise to the case may be summarized as follows:

The SABA undertaking, whose registered office is in the Federal Republic of Germany, manufactures electronic equipment for the leisure market (radio receivers, televisions, tape recorders) which it sells through a network of contracts and agreements with sole distributors, wholesalers and appointed retailers. The network constitutes a selective distribution system applying uniformly throughout the territory of the Community, the essential features of which are as follows:

1. cooperation with SABA and its sole distributors and wholesalers;
2. limitation on the number of resellers;
3. the establishment of distribution channels by the manufacturer.

In Germany, the distribution system involves a network of wholesalers and appointed retailers and in the other Member States, with the exception of Ireland, it involves sole distributors who are, in turn, in contact with wholesalers and appointed retailers.

The distribution system is characterized by four essential elements:

1. distribution is carried out by selected and appointed wholesalers and retailers and by sole distributors;
2. resellers undertake to supply only other resellers who are appointed distributors and to submit to inspections. German wholesalers undertake not to supply to private consumers in the Federal Republic of Germany;
3. wholesalers, retailers and distributors undertake not to export SABA equipment outside the Community or to import it from third countries;
4. wholesalers and retailers undertake to achieve an adequate turnover and to keep a stock of SABA equipment.

The Metro SB undertaking applied to the Commission because SABA refused to supply its make of products to Metro SB on the ground that Metro SB does not satisfy the conditions for appointment as a SABA wholesaler. Metro SB maintains that the *system of distribution agreements laid down* infringes Articles 85 and 86 of the EEC Treaty.

On 15 December 1975 the Commission adopted a decision addressed to SABA in which it asserted that:

1. the object and effect of allowing only appointed distributors to sell the products in question is to restrict competition considerably;
2. the objective nature of the qualitative criteria adopted shows that in so far as all the distributors who satisfy the conditions are actually accepted, competition is not yet restricted within the meaning of Article 85 (1);
3. such a restriction does exist, however, in so far as selection also depends on specific obligations which cannot be justified by the sale of the products in question under proper conditions (achievement of a satisfactory turnover, maintenance of a sufficient stock);

4. the obligations imposed on distributors in order to enable SABA to check that no delivery is made to a distributor who is not appointed are also capable of restricting competition;
5. the fact that SABA products are supplied exclusively to national distributors and that the sole distributors undertake to respect the various sales territories constitutes a restriction on competition within the meaning of Article 85 (1).

Metro SB considered that the decision allowed certain *infringements* to continue and therefore applied to the Court of Justice seeking the annulment of the decision. In its judgment the Court stated by way of a preliminary observation that it is in the interests of a satisfactory administration of justice and of the proper application of Articles 85 and 86 that natural or legal persons who are entitled, pursuant to Article 3 (2) (b) of Regulation No 17, to request the Commission to find an infringement of Articles 85 and 86 *should be able, if their request is dismissed either wholly or in part, to institute proceedings in order to protect their legitimate interests*. Such persons must accordingly be considered to be *directly and individually concerned*, within the meaning of the second paragraph of Article 173, by the decision of the Commission.

The Court thus found that the application was *admissible* but went on to dismiss it as *unfounded*: Selective distribution systems constitute, together with others, an aspect of competition which accords with Article 85 (1), provided that resellers are chosen on the basis of objective criteria of a qualitative nature relating to the technical qualifications of the reseller and his staff and the suitability of his trading premises and that such conditions are laid down uniformly for all potential resellers and are not applied in a discriminatory fashion.

On the other hand, the obligation to achieve a *turnover comparable to that of a specialist wholesaler* exceeds the strict requirements of the qualitative criteria inherent in a selective distribution system and it must accordingly be appraised in the light of Article 85 (3).

Competition – Community system – Obligations of the Member States

Judgment of 16 November 1977, Case 13/77 NV G.B.-Inno-B.M. v Vereniging van de Kleinhandelaars in Tabak (A.T.A.B.) [1977] ECR 2115

This case arose out of an action brought by the Vereniging van de Kleinhandelaars in Tabak (A.T.A.B.) before the President of the Reclitbank van Koophandel (Commercial Court) of Brussels, which resulted in an order that G.B.-INNO-B.M. desist from selling or from offering for sale cigarettes at a price lower than that stated on the tax label, on the ground that to do so constitutes unfair competitive practice and a violation of Article 58 of the Law on the introduction of value added tax.

Under the Belgian national legislation governing the taxation of tobacco products, tobacco products are subject to a system of excise duty characterized by the application of an '*ad valorem*' duty calculated on the basis of the retail selling price

including VAT. The sum of both those charges is paid by either the manufacturer or the importer when the tax labels are purchased. It is forbidden to sell tobacco products at a higher or lower price than that indicated on the tax label.

That dispute led the Hof van Cassatie (Court of Cassation), Belgium, to refer to the Court of Justice for a preliminary ruling certain questions concerning the compatibility with Community law of such provisions.

In its judgment the Court ruled: Member States may not enact measures enabling private undertakings to escape from the constraints imposed by Articles 85 to 94 of the Treaty. It follows that any abuse of a dominant position within the market is prohibited by Article 86 even if such abuse is encouraged by a national legislative provision.

In order to assess the compatibility with Article 86 of the Treaty, in conjunction with Article 3 (f) and the second paragraph of Article 5 of the Treaty, of the introduction or maintenance in force of a national measure whereby the prices determined by the manufacturer or importer must be adhered to when tobacco products are sold to a consumer, it must be determined, taking into account the obstacles to trade which may result from the nature of the fiscal arrangements to which those products are subject, whether, apart from any abuse of a dominant position which such arrangements might encourage, such introduction or maintenance in force is also likely to affect trade between Member States.

V. Fixing in national currencies of fines and penalty payments imposed by the Commission for infringements of the rules governing competition

Judgment of 9 March 1977, Joined cases 41, 43 and 44/73 – Interpretation, Société anonyme générale Sucrière and Others v Commission of the European Communities and Others [1977] ECR 445

The facts giving rise to this application for interpretation (Rules of Procedure, Article 102) are as follows:

By its judgment of 16 December 1975 the Court of Justice annulled or partly revised a decision of the Commission of 2 January 1973 which had been adopted mainly in order to impose fines expressed in units of account and in national currency on a large number of continental manufacturers of sugar on the ground of infringements of the rules governing competition.

The operative part of the judgment of 16 December 1975 expressed the fines imposed in units of account (a unit of account is equal to 0.88867088 grams of fine gold) and indicated in brackets the value of the fine in the national currency.

Two French companies paid the equivalent of the amount expressed in units of account to the Commission in *Italian lire*. The Commission informed the companies that those payments could not be accepted in full settlement of their debt and that if they wished to pay in lire they should have paid a sum corresponding to

the amount expressed in the national currency (in this case, French francs) at the rate of exchange on the free foreign exchange market applicable on the date of payment.

The companies challenged that point of view. In their view the size of the debt is determined by the amounts fixed by the Court in units of account and the sums expressed in national currency only appear in the judgment by way of guidance.

The two French companies submitted an application for the interpretation of the judgment of 16 December 1975.

From the judgment of the Court of Justice it may be noted that:

To the extent to which Article 15 (2) of Regulation No 17, for the purpose of defining the limits for fines, takes the unit of account into consideration the Commission and the Court, in order to convert the unit of account into national currency, have to adopt the method found in Article 18 of the said regulation and in the provisions to which this article refers. Nevertheless there is nothing in the wording of Article 15 of Regulation No 17 which justifies the conclusion that the Commission and the Court are bound to express the amount of a fine in units of account or with reference to a sum expressed in units of account. Since the unit of account is not a currency in which payment is made, the Commission and the Court are of necessity bound to fix the amount of the fine in national currency.

Although the Commission can require undertakings upon which a fine has been imposed within the meaning of Article 15 of Regulation No 17 to pay their debts in the national currency indicated in the Commission's decision or in the judgment of the Court, no legal provision prevents the Commission from accepting payments in another national currency of the Community. Nevertheless it must see to it that the actual value of the payments made in another currency corresponds to that of the sum fixed in national currency in the decision or in the judgment. Therefore the conversion of the two national currencies in question must be effected at the exchange rate on the free foreign exchange market applicable on the day of payment.

An interpreting judgment is binding not only on the applicants but also on any other party, in so far as that party is affected by the passage in the judgment which the Court is asked to interpret or by a passage which is exactly similar thereto.

VI. Convention of 27 September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters (the 'Brussels Convention')

Judgment of 14 July 1977, Joined cases 9 and 10/77 Bavaria Fluggesellschaft Schwabe & Co. KG and Germanair Bedarfsluftfahrt GmbH & Co. KG v Eurocontrol [1977] ECR 1517

On 14 July 1977 the Court of Justice delivered a judgment interpreting certain provisions of the Brussels Convention in answer to a question referred by the Bundesgerichtshof (Federal Court of Justice).

In 1974 the Tribunal de Commerce (Commercial Court), Brussels, ordered Bavaria and Germanair to pay to Eurocontrol certain charges imposed in respect of air traffic control. Those judgments, which were provisionally enforceable, became final after the legal remedies available in Belgium had been exhausted.

On the basis of the Brussels Convention Eurocontrol applied to the Landgericht München and the Landgericht Frankfurt for the enforcement of the above-mentioned judgments.

The Oberlandesgericht München and the Oberlandesgericht Frankfurt, to which those cases were referred, ordered the enforcement of the Belgian judgments.

Germanair and Bavaria then appealed to the Bundesgerichtshof, which asked the Court of Justice to give a preliminary ruling on the following question:

‘Under Article 56 of the Convention, do the Treaty and Conventions referred to in Article 55 continue to have effect in relation to decisions which do not fall under Article 1 (2) of the Convention but are excluded from the scope of the Convention?’

The wording of the articles in question of the Convention is as follows:

Article 1

‘This Convention shall apply in civil and commercial matters

The Convention shall not apply to:

1. the status or legal capacity of natural persons, rights in property arising out of a matrimonial relationship . . . ;
2. bankruptcy, proceedings relating to the winding-up of insolvent companies or other legal persons, judicial arrangements, compositions and analogous proceedings;
3. social security;
4. arbitration.’

Article 55

‘Subject to the provisions . . . of Article 56, this Convention shall, for the States which are parties to it, supersede the following conventions concluded between two or more of them:

.....
The Convention between the Federal Republic of Germany and the Kingdom of Belgium on the Mutual Recognition and Enforcement of Judgments, Arbitration Awards and Authentic Instruments in Civil and Commercial Matters, signed at Bonn on 30 June 1958.’

Article 56, first paragraph

‘The Treaty and the conventions referred to in Article 55 shall continue to have effect in relation to matters to which this Convention does not apply.’

The Court of Justice ruled that: The principle of legal certainty in the Community legal system and the objectives of the Brussels Convention in accordance with Article 220 of the EEC Treaty, which is at its origin, require in all Member States

a uniform application of the legal concepts and legal classifications developed by the Court in the context of the Brussels Convention.

A national court must not apply the Brussels Convention so as to recognize or enforce judgments which are excluded from its scope as determined by the Court of Justice. On the other hand, it is not prevented from applying to the same judgments one of the special agreements referred to in Article 55 of the Brussels Convention, which may contain rules for the recognition and enforcement of such judgments. As the first paragraph of Article 56 of the Brussels Convention recognizes, these agreements continue to have effect in relation to judgments to which the Brussels Convention does not apply. *Since Article 1 of the Protocol of 3 June 1971 gives the Court jurisdiction to interpret only the Brussels Convention and the Protocol, it is solely for the national courts to judge the scope of the above-mentioned agreements in relation to judgments to which the Brussels Convention does not apply. This may lead to the same expression in the Brussels Convention and in a bilateral agreement being interpreted differently.*

2. Meeting and visits

In 1977 the Court of Justice, maintaining its well-established tradition of regular contacts with national and international judicial bodies, organized a two-day study visit and a five-day study visit for the judges of the nine Member States.¹ It also received a group of some forty French judges from the Centre de Formation Permanente de l'École Nationale de la Magistrature in Vaucresson, a delegation of civil servants from the Bundeskartellamt, some forty judges from labour courts in North-Rhine Westphalia and twelve judges from the Cour du Travail, Antwerp. On 29 and 30 September the Court of Justice received a delegation from the European Court of Human Rights and the European Commission of Human Rights in Strasbourg for an exchange of views on common problems.

Finally on 10 and 11 November a delegation was received from the Swiss Tribunal Fédéral, Lausanne.

¹ See also Annex VI: statistical table of visitors to the Court of Justice in 1977.

3. Appointment of arbitrators by the President of the Court of Justice

1. On 18 March 1977 the French Minister for Foreign Affairs referred to the Court of Justice two *Franco-German draft agreements* on the construction of bridges over the Rhine. The agreements made provision for the constitution of an arbitration tribunal and in certain circumstances for the designation by the President of the Court of Justice of the president or of a member of the arbitration tribunal. However, if the President of the Court were unable to act or if he were of French or German nationality the designation was to be made by another Member of the Court.

The Court of Justice approved the clauses referred to above subject however to certain observations relating to the Community provisions on the replacement of the President of the Court when he was unable to attend. Without expressly referring to the clause concerning the *nationality* of the President the Court took the view that in such cases the nationality of the Members of the Court should play no part as, in the terms of the Treaties themselves, their independence and impartiality is beyond doubt.

2. In addition the Court received a similar request made on 29 November 1977 by the Government of the Grand Duchy of Luxembourg acting jointly with the Government of the Federal Republic of Germany, relating to a *Germano-Luxembourg convention* laying down equality of treatment for a Luxembourg nuclear power station with German power stations for the reprocessing of irradiated fuels and the storage of radioactive waste.

The Court noted with satisfaction that for the first time the text conferring the power to appoint arbitrators on the President of the Court or, if he were unable to attend, the senior President of Chamber *made no mention of nationality*.

II — Decisions of national courts on Community law

The Court of Justice endeavours to obtain as full information as possible on decisions of national courts on Community law.¹

The tables below show the number of national decisions, with a break-down by Member States, delivered between *1 July 1976 and 30 June 1977* entered in the card-indexes maintained by the Library and Documentation Directorate of the Court. The decisions are included whether or not they were taken on the basis of a preliminary ruling by the Court.

A separate column headed 'Brussels Convention' contains the decisions on the Convention of 27 September 1968 on Jurisdiction and the Recognition of Judgments in Civil and Commercial Matters, known as the 'Brussels Convention', which has led to a considerable increase in the number of cases coming before the national courts.

It should be emphasized that the tables are only a guide as the card-indexes on which they are based are necessarily incomplete.

¹ The Library and Documentation Directorate of the Court of Justice of the European Communities, Boite Postale 1406, Luxembourg, would be grateful for a copy of any such decision.

General table, by Member States, of decisions on Community Law

Member States	Supreme Courts	Cases in previous column on: Brussels Convention	Courts of appeal or of first instance	Cases in previous column on: Brussels Convention	Total	Cases in previous column on: Brussels Convention
Belgium	3	—	77	55	80	55
Denmark	1	—	2	—	3	—
France	13	1	29	8	42	9
Federal Republic of Germany	52	2	91	35	143	37
Ireland	—	—	3	—	3	—
Italy	18	—	35	11	53	11
Luxembourg	—	—	3	—	3	—
Netherlands	7	2	39	9	46	11
United Kingdom	—	—	23	—	23	—
Total	94	5	302	118	396	123

Detailed table, broken down by Member State and by court, of decisions on Community law

Member States	Number	Courts giving judgment	
Belgium	80	<i>Supreme courts</i>	
		Cour de Cassation.....	3
		<i>Courts of appeal or first instance</i>	
		Cour d'appel de Mons.....	1
		Arbeidshof Antwerpen.....	1
		Cour du Travail de Bruxelles.....	2
		Cour du Travail de Mons.....	2
		Rechtbank van eerste aanleg Antwerpen.....	2
		Rechtbank van eerste aanleg Brugge.....	1
		Rechtbank van eerste aanleg Dendermonde.....	3
		Rechtbank van eerste aanleg Gent.....	1
		Rechtbank van eerste aanleg Kortrijk.....	2
		Rechtbank van eerste aanleg Leuven.....	1
		Rechtbank van eerste aanleg Veurne.....	1
		Tribunal de 1ère instance d'Arlon.....	1
		Tribunal de 1ère instance de Bruxelles.....	1
		Tribunal de 1ère instance de Charleroi.....	5
		Tribunal de 1ère instance de Mons.....	1
		Tribunal de 1ère instance de Tournai.....	2
		Arbeidsrechtbank Antwerpen.....	2
		Arbeidsrechtbank Hasselt.....	3
		Tribunal du travail de Bruxelles.....	3
		Tribunal du travail de Charleroi.....	4
		Tribunal du travail de Liège.....	1
		Rechtbank van Koophandel Antwerpen.....	6
		Rechtbank van Koophandel Brugge.....	1
		Rechtbank van Koophandel Brussel.....	1
		Rechtbank van Koophandel Kortrijk.....	1
		Rechtbank van Koophandel Oudenaarde.....	5
		Rechtbank van Koophandel Tongeren.....	3
		Rechtbank van Koophandel Turnhout.....	1
		Tribunal de commerce de Bruxelles.....	12
		Tribunal de commerce de Verviers.....	3
Correctionele Rechtbank Oudenaarde.....	1		
Tribunal correctionnel de Charleroi.....	1		
Tribunal correctionnel de Liège.....	1		
Vredegericht Antwerpen.....	1		
		77	
Denmark	3	<i>Supreme courts</i>	
		Folketingets Ombudsmand.....	1
		<i>Courts of appeal or first instance</i>	
		Sø og Handelsretten København.....	1
Østre Landsret.....	1		
		2	

Member States	Number	Courts giving judgment		
France	42	<i>Supreme courts</i>		
		Cour de cassation 8		
		Conseil d'État 4		
		Conseil constitutionnel 1		
		<u>13</u>		
		<i>Courts of appeal or first instance</i>		
		Cour d'appel d'Aix-en-Provence 4		
		Cour d'appel de Bastia 1		
		Cour d'appel de Colmar 1		
		Cour d'appel de Douai 1		
		Cour d'appel de Lyon 1		
		Cour d'appel de Nancy 1		
		Cour d'appel d'Orléans 2		
		Cour d'appel de Paris 5		
		Tribunal administratif de Châlons-sur-Marne 1		
		Tribunal administratif de Nancy 1		
		Tribunal administratif de Paris 2		
		Tribunal administratif de Rennes 2		
		Tribunal de grande instance de Strasbourg 1		
		Tribunal de grande instance de Paris 1		
		Tribunal d'instance de Bourg-en-Bresse 2		
		Tribunal d'instance de Lille 1		
		Tribunal d'instance de Marseille 1		
		Tribunal d'instance de Sète 1		
		<u>29</u>		
		Federal Republic of Germany	143	<i>Supreme courts</i>
				Bundesverfassungsgericht 1
				Bundesgerichtshof 8
				Bundesverwaltungsgericht 5
Bundesfinanzhof 33				
Bundessozialgericht 5				
<u>52</u>				

Member States	Number	Courts giving judgment
Federal Republic of Germany (<i>contd.</i>)		<i>Courts of appeal or first instance</i>
		Oberlandesgericht Bamberg 1
		Oberlandesgericht Celle 1
		Oberlandesgericht Düsseldorf 1
		Oberlandesgericht Frankfurt 2
		Oberlandesgericht Hamm 3
		Oberlandesgericht Karlsruhe 3
		Oberlandesgericht Koblenz 1
		Oberlandesgericht Köln 2
		Oberlandesgericht München 1
		Oberlandesgericht Stuttgart 1
		Finanzgericht Baden-Württemberg 3
		Finanzgericht Berlin 2
		Finanzgericht Bremen 1
		Finanzgericht Düsseldorf 3
		Finanzgericht Hamburg 17
		Finanzgericht Münster 2
		Finanzgericht Rheinland-Pfalz 1
		Hessisches Finanzgericht 7
		Landessozialgericht Nordrhein-Westfalen 2
		Landgericht Bayreuth 1
		Landgericht Dortmund 2
		Landgericht Frankfurt 1
		Landgericht Freiburg 1
		Landgericht Göttingen 1
		Landgericht Hamburg 7
		Landgericht Karlsruhe 1
		Landgericht Köln 2
		Landgericht Landshut 1
		Landgericht Mannheim 1
		Landgericht München 2
		Landgericht Offenburg 1
		Landgericht Oldenburg 1
		Landgericht Paderborn 1
		Landgericht Ulm 1
		Landgericht Wiesbaden 1
		Amtsgericht Reutlingen 2
		Amtsgericht Ulm 1
		Verwaltungsgericht Baden-Württemberg 1
		Verwaltungsgericht Frankfurt 2
		Verwaltungsgericht Koblenz 1
		Verwaltungsgericht Münster 1
Arbeitsgericht Bonn 1		
Arbeitsgericht Lörrach 1		
Sozialgericht Augsburg 1		
Sozialgericht Düsseldorf 1		
—		
91		

Member States	Number	Courts giving judgment	
Ireland	3	<i>Courts of appeal or first instance</i>	
		High Court, Dublin	2
		District Court Area of Cork City	1
			<u>3</u>
Italy	53	<i>Supreme courts</i>	
		Corte costituzionale	5
		Corte di cassazione	13
			<u>18</u>
		<i>Courts of appeal or first instance</i>	
		Corte d'appello di Bari	2
		Corte d'appello di Firenze	2
		Corte d'appello di Roma	1
		Corte d'appello di Torino	1
		Tribunale di Biella	1
		Tribunale di Catania	1
		Tribunale di Como	1
		Tribunale di Firenze	1
		Tribunale di Genova	4
		Tribunale di Milano	3
		Tribunale di Padova	1
		Tribunale di Roma	3
		Tribunale di Saluzzo	1
		Tribunale di Torino	1
		Tribunale di Trento	1
		Tribunale di Varese	1
		Tribunale amministrativo regionale di Lazio	1
		Pretura di Abbiategrasso	1
		Pretura di Alessandria	1
		Pretura di Cento	1
		Pretura di Lodi	1
		Pretura di Milano	1
Pretura di Padova	1		
Pretura di Recco	1		
Pretura di Susa	2		
	<u>35</u>		

Member States	Number	Courts giving judgment	
Luxembourg	3	<i>Courts of appeal or first instance</i>	
		Cour supérieure de justice (appel)	2
		Tribunal d'arrondissement de Luxembourg	1
			<u>3</u>
Netherlands	46	<i>Supreme courts</i>	
		Hoge Raad	4
		Raad van State	3
			<u>7</u>
		<i>Courts of appeal or first instance</i>	
		Centrale Raad van Beroep	9
		College van Beroep voor het Bedrijfsleven	5
		Gerechtshof Amsterdam	3
		Gerechtshof 's-Gravenhage	2
		Gerechtshof 's-Hertogenbosch	2
		Raad van Beroep Amsterdam	1
		Tariefcommissie	6
		Arrondissementsrechtbank Breda	2
		Arrondissementsrechtbank Dordrecht	1
		Arrondissementsrechtbank Leeuwarden	1
		Arrondissementsrechtbank Rotterdam	2
		Arrondissementsrechtbank 's-Gravenhage	3
		Arrondissementsrechtbank Utrecht	1
		Kantongerecht Rotterdam	1
			<u>39</u>
United Kingdom	23	<i>Courts of appeal or first instance</i>	
		Court of Appeal	6
		High Court of Justice	8
		Employment Appeal Tribunal	2
		National Insurance Commissioner	4
		Marlborough Street Magistrate's Court	1
		Parliamentary Commissioner for Administration	2
	<u>23</u>		

Among these decisions there are two delivered by British courts showing difficulties in the application of Community law in the United Kingdom which are worthy of special note:

**National Insurance Commissioner, Decision of 16 November 1976
(Brack – Not reported)**

The appeal lodged by Mr Brack, a British national, whose widow continued the case against the Insurance Officer, related to the latter's obligation to pay to the appellant cash sickness benefits. In the course of a journey to France Mr Brack fell seriously ill; his application for benefits was rejected on the grounds that under the National Insurance Act 1965 a person is disqualified from receiving any benefit during his absence from Great Britain. Mr Brack could therefore only claim the benefits pursuant to Article 22 of Regulation No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community whereby a worker whose condition necessitates immediate benefits during a stay in the territory of another Member State is entitled to cash benefits.

The National Insurance Commissioner experienced difficulties in determining the position of the appellant under Community law in view of certain features of the British social security scheme to which Mr Brack had paid contributions first as an employed person and subsequently as a self-employed person. The Commissioner was unsure whether persons in the appellant's position are 'workers' within the meaning of Regulation No 1408/71 and whether Article 22 is consequently applicable to them.

By decision of 12 February 1976 he referred the matter to the Court of Justice pursuant to Article 177 of the EEC Treaty for a preliminary ruling on that question in particular.

By judgment of 29 September 1976¹ the Court ruled that a person in the appellant's situation constitutes, as regards British legislation, a 'worker' within the meaning of Article 1 (a) (ii) of Regulation No 1408/71 for the purposes of the application of the first sentence of Article 22 (1) (ii) of that regulation. It based its decision on the particular nature of the British scheme which is applicable to all the working population and by virtue of which a person in Mr Brack's situation can only claim the full rate of cash sickness benefits by reason of both the contributions paid as an employed person and those paid as a self-employed person.

Following that judgment the National Insurance Commissioner, by decision of 16 November 1976, recognized that Mr Brack's widow was entitled to the cash sickness benefits under the British legislation during the period of Mr Brack's stay in France. As it is for the national judge to apply interpretative judgments of the Court of Justice to the particular case the National Insurance Commissioner considered that having regard to the facts of the case, the appellant clearly satisfied the conditions set out in the judgment of the Court and that therefore at the relevant time he was a 'worker'.

¹ Case 17/76, [1976] ECR 1429.

**High Court of Justice – Chancery Division – (Mr Justice Graham)
Maxim’s Ltd v Dye, 16 and 25 May and 1 June 1977¹**

The plaintiff, a company which runs the famous Maxim’s restaurant in Paris brought in the High Court an action to restrain the defendant company from trading. The latter company opened in Norwich, England, a restaurant also under the name of Maxim’s whose décor shows that it is seeking to make use of the world wide reputation enjoyed by Maxim’s restaurant in Paris. Mr Justice Graham delivered judgment in default against the defendant.

In the first part of his judgment he analysed the action solely from the point of view of English law and more particularly having regard to the principle in the Crazy Horse case.² He did not follow that precedent whereby a passing off action can only be brought by a plaintiff who carries on business in England. Contrary to that decision he held that the geographical extent of the reputation of a company is a question of fact and that the reputation is not necessarily limited to the country in which the undertaking is based.

Furthermore Mr Justice Graham examined the application of Community law to the case before him. He took the view that in any event the EEC Treaty prevented him from following the Crazy Horse judgment in that it allows discrimination between undertakings of different Member States as regards the protection of a commercial reputation.

Even if it relates to industrial property the discrimination would in the terms of Article 36 of the EEC Treaty constitute ‘a means of arbitrary discrimination or disguised restriction on trade between Member States’.

On the other hand the application of the principle laid down in the Crazy Horse case could distort competition and present an obstacle to fair competition thereby infringing the preamble to and Article 3 (f) of the EEC Treaty.

Finally the application of that principle would constitute a restriction on the freedom to provide services within the Community, within the meaning of Article 59 of the EEC Treaty.

¹ [1977] Fleet Street Patent Law Reports, 364.

² *Alain Bernardin et Cie v Pavilion Properties Ltd* ('Crazy Horse') [1967] R.P.C. 581.

After referring to the judgments of the Court of Justice in the *Van Binsbergen*¹ and *Coenen*² cases whereby, as from the end of the transitional period Article 59 which prohibits in particular restrictions on the grounds of nationality and of residence is directly applicable and creates rights in the individual which the national courts must enforce, Mr Justice Graham concluded that the conditions for the application of Article 59 were satisfied.

The denial of legal protection against damage to reputation and trade connexion to a person purely on the ground that his business is established exclusively in France and not in England is such as to make it more difficult for him to conduct his business and therefore prohibited by Article 59. There ought to be no requirement that he must trade in England in order to prevent his reputation there being tarnished or stolen. If, in fact, it is permissible for a third party to steal his reputation and start a business ahead of him under the same name in England it may be very difficult, if not impossible, for him to start trading in England when, as he may, he later decides to do so.

At the end of his judgment Mr Justice Graham envisaged the eventuality of reference to the Court of Justice of the question of Community law at issue in application of the procedure laid down by Article 177 of the EEC Treaty. He held that such a reference was not necessary as the action was resolved on arguments derived from English law alone. As the plaintiff had asked him not to refer the case to the European Court in order to save it additional expense he raised the problem which might face a judge in a case where, in his opinion, reference of a question of Community law is necessary but the parties are apprehensive about the costs of such a reference.

The power of the Court of Justice to grant legal aid³ does not resolve this dilemma as the question arises upon what principles will such aid be granted and whether in particular small companies to which the provisions of the Legal Aid Act 1974 are not applicable could benefit therefrom.

¹ Judgment of 3 December 1974, Case 33/74 *Van Binsbergen v Bestuur van de Bedrijfsvereniging voor de Metaalnijverheid* [1974] ECR 1299.

² Judgment of 26 November 1975, Case 39/75 *Coenen v Sociaal Economische Raad* [1975] ECR 1547.

³ Under the second paragraph of Article 104 of the Rules of Procedure the Court may, in the course of a reference for a preliminary ruling 'in special circumstances . . . grant, as legal aid, assistance for the purpose of facilitating the representation and attendance of a party'.

Composition of the Court of Justice of the European Communities for the judicial year 1977–1978 (order of precedence)

Hans KUTSCHER, President
Max SORENSEN, President of the Second Chamber
Gerhard REISCHL, First Advocate General
Giacinto BOSCO, President of the First Chamber
Andreas DONNER, Judge
Josse MERTENS DE WILMARS, Judge
Pierre PESCATORE, Judge
Henri MAYRAS, Advocate General
Jean-Pierre WARNER, Advocate General
Lord MACKENZIE STUART, Judge
Andreas O'KEEFFE, Judge
Francesco CAPOTORTI, Advocate General
Adolphe TOUFFAIT, Judge
Albert VAN HOUTTE, Registrar

Composition of the Chambers

First Chamber

President: G. BOSCO
Judges: A. M. DONNER
J. MERTENS DE WILMARS
A. O'KEEFFE
Advocates
General: H. MAYRAS
J.-P. WARNER

Second Chamber

President: M. SORENSEN
Judges: P. PESCATORE
Lord MACKENZIE STUART
A. TOUFFAIT
Advocates
General: G. REISCHL
F. CAPOTORTI

ANNEX II

Former Presidents of the Court of Justice

PILOTTI, Massimo (died on 29 April 1962)	President of the Court of Justice of the European Coal and Steel Community from 10 December 1952 to 6 October 1958
DONNER, Andreas Matthias	President of the Court of Justice of the European Communities from 7 October 1958 to 7 October 1964
HAMMES, Charles Léon (died on 9 December 1967)	President of the Court of Justice of the European Communities from 8 October 1964 to 7 October 1967
LECOURT, Robert	President of the Court of Justice of the European Communities from 8 October 1967 to 6 October 1976

Former Members of the Court of Justice

PILOTTI, Massimo (died 29 April 1962)	President and Judge at the Court of Justice from 10 December 1952 to 6 October 1958
SERRARENS, Petrus J. S. (died 26 August 1963)	Judge at the Court of Justice from 10 December 1952 to 6 October 1958
VAN KLEFFENS, Adrianus (died 2 August 1973)	Judge at the Court of Justice from 10 December 1952 to 6 October 1958
CATALANO, Nicola	Judge at the Court of Justice from 7 October 1958 to 7 March 1962
RUEFF, Jacques	Judge at the Court of Justice from 10 December 1952 to 17 May 1962
RIESE, Otto (died 4 June 1977)	Judge at the Court of Justice from 10 December 1952 to 5 February 1963
ROSSI, Rino (died 6 February 1974)	Judge at the Court of Justice from 7 October 1958 to 7 October 1964
LAGRANGE, Maurice	Advocate General at the Court of Justice from 10 December 1952 to 7 October 1964
DELVAUX, Louis (died 24 August 1976)	Judge at the Court of Justice from 10 December 1952 to 9 October 1967
HAMMES, Charles Léon (died 9 December 1967)	Judge at the Court of Justice from 10 December 1952 to 9 October 1967, President of the Court from 8 October 1964 to 7 October 1967

GAND, Joseph (died 4 October 1974)	Advocate General at the Court of Justice from 8 October 1964 to 6 October 1970
STRAUSS, Walter (died 1 January 1976)	Judge at the Court of Justice from 6 February 1963 to 27 October 1970
DUTHEILLET DE LAMOTHE, Alain (died 2 January 1972)	Advocate General at the Court of Justice from 7 October 1970 to 2 January 1972
ROEMER, Karl	Advocate General at the Court of Justice from 2 February 1953 to 8 October 1973
Ó DÁLAIGH, Cearbhall	Judge at the Court of Justice from 9 January 1973 to 11 December 1974
MONACO, Riccardo	Judge at the Court of Justice from 8 October 1964 to 2 February 1976
LECOURT, Robert	Judge at the Court of Justice from 18 May 1962 to 25 October 1976, President of the Court from 8 October 1967 to 6 October 1976
TRABUCCHI, Alberto	Judge at the Court of Justice from 8 March 1962 to 8 January 1973, Advocate General at the Court of Justice from 9 January 1973 to 6 October 1976

ANNEX III

Organization of public hearings of the Court

As a general rule, sessions of the Court are held on Tuesdays, Wednesdays and Thursdays every week, except during the Court's vacations (from 20 December to 6 January, the week preceding and two weeks following Easter, and 15 July to 15 September) and three weeks each year when the Court also does not sit (the week following Carnival Monday, the week following Whit Monday and the week of All Saints).

See also the full list of public holidays in Luxembourg set out below.

Visitors may attend public hearings of the Court or of the Chambers to the extent permitted by the seating capacity. No visitor may be present at cases heard *in camera* or during interlocutory proceedings.

Half an hour before the beginning of public hearings visitors who have indicated that they will be attending the hearing are supplied with relevant documents.

Public Holidays in Luxembourg

In addition to the Court's vacations mentioned above the Court of Justice is closed on the following days:

New Year's Day	1 January
Carnival Monday	variable
Easter Monday	variable
Ascension Day	variable
Whit Monday	variable
May Day	1 May
Luxembourg national holiday	23 June
Assumption	15 August
'Schobermesse' Monday	Last Monday of August or first Monday of September
All Saints' Day	1 November
All Souls' Day	2 November
Christmas Eve	24 December
Christmas Day	25 December
Boxing Day	26 December
New Year's Eve	31 December

Summary of types of procedure before the Court of Justice

It will be remembered that under the Treaties a case may be brought before the Court of Justice either by a national court with a view to determining the validity or interpretation of a provision of Community law, or directly by the Community institutions, Member States or private parties under the conditions laid down by the Treaties.

A – References for preliminary rulings

The national court submits to the Court of Justice questions relating to the validity or interpretation of a provision of Community law by means of a formal judicial document (decision, judgment or order) containing the wording of the question(s) which it wishes to refer to the Court of Justice. This document is sent by the registry of the national court to the Registry of the Court of Justice,¹ accompanied in appropriate cases by a file intended to inform the Court of Justice of the background and scope of the questions referred.

During a period of two months the Council, the Commission, the Member States and the parties to the national proceedings may submit observations or statements of case to the Court of Justice, after which they will be summoned to a hearing at which they may submit oral observations, through their agents in the case of the Council, the Commission and the Member States, through lawyers who are members of a Bar of a Member State or through university teachers who have a right of audience before the Court pursuant to Article 36 of the Rules of Procedure.

After the Advocate General has presented his opinion the judgment given by the Court of Justice is transmitted to the national court through the registries.

B – Direct actions

Actions are brought before the Court by an application addressed by a lawyer to the Registrar (Boîte Postale 1406, Luxembourg) by registered post.

Any lawyer who is a member of the Bar of one of the Member States or a professor holding a chair of law in a university of a Member State, where the law of such State authorizes him to plead before its own courts, is qualified to appear before the Court of Justice.

The application must contain:

- the name and permanent residence of the applicant;
- the name of the party against whom the application is made;
- the subject-matter of the dispute and the grounds on which the application is based;
- the form of order sought by the applicant;
- the nature of any evidence offered;
- an address for service in the place where the Court has its seat, with an indication of the name of a person who is authorized and has expressed willingness to accept service.

¹ Court of Justice of the European Communities, Kirchberg, Boîte Postale 1406, Luxembourg; Tel. 43031; Telegrams: CURIALUX; Telex: 2510 CURIA LU.

The application should be accompanied by the following documents:

the decision the annulment of which is sought, or, in the case of proceedings against an implied decision, documentary evidence of the date on which the request to the institution in question was lodged;

a certificate that the lawyer is entitled to practise before a court of a Member State;

where an applicant is a legal person governed by private law, the instrument or instruments constituting and regulating it, and proof that the authority granted to the applicant's lawyer has been properly conferred on him by someone authorized for the purpose.

The parties must choose an address for service in Luxembourg. In the case of the Governments of Member States, the address for service is normally that of their diplomatic representative accredited to the Government of the Grand Duchy. In the case of private parties (natural or legal persons) the address for service – which in fact is merely a 'letter box' – may be that of a Luxembourg lawyer or any person enjoying their confidence.

The application is notified to *defendants* by the Registry of the Court of Justice. It calls for a statement of defence to be put in by them; these documents may be supplemented by a reply on the part of the applicant and finally a rejoinder on the part of the defence.

The written procedure thus completed is followed by an oral hearing, at which the parties are represented by lawyers or agents (in the case of Community institutions or Member States).

After the opinion of the Advocate General has been heard, the judgment is given. It is served on the parties by the Registry.

Notes for the guidance of Counsel at oral hearings¹

1. *Estimates of time*

The Registrar of the Court always requests from Counsel an estimate in writing of the length of time for which they wish to address the Court. It is most important that this request be promptly complied with so that the Court may arrange its time-table. Moreover, the Court finds that Counsel frequently underestimate the time likely to be taken by their address – sometimes by as much as 100%. Mistaken estimates of this kind make it difficult for the Court to draw up a precise schedule of work and to fulfil all its commitments in an orderly manner. Counsel are accordingly asked to be as accurate as possible in their estimates, bearing in mind that they may have to speak more slowly before this Court than before a national court for the reasons set out in point 5 below.

2. *Length of address to the Court*

This inevitably must vary according to the complexity of the case but Counsel are requested to remember that:

- (a) the Members of the Court will have read the papers;
- (b) the essentials of the arguments presented to the Court will have been summarized in the Report for the Hearing;
- and
- (c) the object of the oral hearing is, for the most part, to enable Counsel to comment on matters which they were unable to treat in their written pleadings or observations.

Accordingly, the Court would be grateful if Counsel would keep the above considerations in mind. This should enable Counsel to limit their address to the essential minimum. Counsel are also requested to endeavour not to take up with their address the whole of the time fixed for the hearing, so that the Court may have the opportunity to ask questions.

3. *The Report for the Hearing*

As this document will normally form the first part of the Court's judgment Counsel are asked to read it with care and, if they find any inaccuracies, to inform the Registrar before the hearing. At the hearing they will be able to put forward any amendment which they propose for the drafting of the part of the judgment headed '*Facts and issues*'.

4. *Written texts*

If Counsel have prepared a written text of their address it assists the simultaneous translation if the interpreters can be given a copy some days before the hearing. Counsel are reminded that they are not obliged to follow strictly the written text but may modify it as they go. It goes without saying that this recommendation does not in any way affect Counsel's freedom to abridge, or supplement their prepared text (if any) or to put their points to the Court as they see fit.

5. *Simultaneous translation*

Only some Members of the Court in any given case will be able to listen directly to Counsel. The remainder will be listening to an interpreter. The interpreters are highly skilled but their task is a difficult one and Counsel are particularly asked, in the interest of justice, to speak *slowly*

¹ These notes are issued to Counsel before the hearing.

and into the microphone. Counsel are also asked so far as possible to simplify their presentation in order to avoid any ambiguities or mistranslations. A series of short sentences in place of one long and complicated sentence is always to be preferred. It is also helpful to the Court and eliminates misunderstanding if, in approaching any topic, Counsel first states very briefly the tenor of his argument, and, in an appropriate case, the number and nature of his supporting points, before developing the argument more fully.

6. *Citations*

Counsel are requested, when citing in argument a previous judgment of the Court, to indicate not merely the number of the case in point but also the names of the parties and the reference to it in the Reports of Cases before the Court (the ECR). In addition, when citing a passage from the Court's judgment or from the opinion of its Advocate General, Counsel should specify the number of the page on which the passage in question appears.

7. *Documents*

The Court wishes to point out that under Article 37 of the Rules of Procedure all documents relied on by the parties must be annexed to a pleading. Save in exceptional circumstances and with the agreement of the parties, the Court will not admit any documents produced after the close of pleadings, except those produced at its own request; this also applies to any documents submitted at the hearing.

Since all the oral arguments are recorded, the Court also does not allow notes of oral arguments to be lodged.

Visitors to the Court of Justice in 1977¹

Description	Belgium	Denmark	France	FR Germany	Ireland	Italy	Luxem- bourg	Nether- lands	UK	Third countries	Mixed	Total
National judges ²	12	—	46	75	4	2	—	—	22	21	324	506
Advocates, legal advisers and legal trainees	—	—	—	42	1	—	20	—	104	2	103	272
Teachers of Community law	—	—	—	—	—	24	—	—	—	1	18	43
Parliamentarians	—	47	—	138	—	15	—	—	—	5	—	205
Journalists	31	—	2	18	2	—	6	—	7	56	91	213
Students	330	197	200	632	55	70	145	436	272	273	225	2 835
Trade associations	65	—	50	137	20	—	—	33	—	46	23	374
Other	—	—	—	—	—	—	—	—	—	126	85	211
Total	438	244	298	1 042	82	111	171	469	405	530	869	4 659

¹ 251 individual or group visits of an average duration of one day each.

² This line shows the number of national judges of each Member State who visited the Court in national groups. The column headed 'Mixed' shows the total number of judges from *all the Member States* who took part in the *visits of judges* and the *judicial study visits* which, since 1967, have been organized annually by the Court of Justice. In 1977 the numbers taking part were as follows:

Belgium	21	Ireland	18
Denmark	15	Italy	54
France	54	Luxembourg	6
Federal Republic of Germany	54	Netherlands	21
		United Kingdom	54

This column includes the members of the delegations to the Court of Justice from the European Court of Human Rights and the European Commission of Human Rights in Strasbourg. The column headed 'Third countries' includes a delegation from the Swiss Tribunal Fédéral and a delegation of Greek judges.

Information and documentation on the Court of Justice and its work

COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES

Boîte Postale 1406, Luxembourg. Telephone 43031.

Telex (Registry): 2510 CURIA LU.

Telex (Information Office of the Court): 2771 CJ INFO LU.

Telegrams: CURIA Luxembourg.

Complete list of publications giving information on the Court:

I – Information on current cases (for general use)

1. Hearings of the Court

The calendar of public hearings is drawn up each week. It is sometimes necessary to alter it afterwards; it is therefore for information only. This calendar, in French, may be obtained free of charge on request from the Court Registry.

2. Proceedings of the Court of Justice of the European Communities

This weekly summary of the proceedings of the Court is published in the six official languages of the Community. It may be obtained free of charge from the Information Office; the language required should be stated. (Orders for the United States may be addressed to the Communities' information office in Washington or in New York.)

3. Judgments or orders of the Court and opinions of the Advocates General

The Court has felt obliged to discontinue as from 31 December 1977 the supply, free of charge, of offset copies of its judgments and of the opinions of the Advocates General as the cost of the labour involved, of copying and despatching them is high. However, as from the beginning of 1978, the Court will send these offset copies in one or more of the Community languages to anyone who can show that he is already a subscriber to the Reports of Cases before the Court and pays a separate subscription. Orders for these copies should be sent to the Internal Services Branch of the Court of Justice of the European Communities, Boîte Postale No 1406, Luxembourg.

The annual subscription for the offset copies for 1978 will be FB 1 500 for each Community language. The subscription for the following years will be adjusted according to any variation in costs.

Nevertheless the Court wishes to do all it can to help all persons who are interested in ascertaining the decisions of the Court quickly. For this purpose such persons may apply to have their names and addresses put on the distribution list for the Court's weekly publication 'Proceedings of the Court of Justice of the European Communities' (see I, 2 above) and the quarterly bulletin 'Information on the Court of Justice of the European Communities' (see II, 1 below), both of which are published by the Information Office of the Court. These publications are free of charge.

Anyone who is interested in a particular judgment or opinion of any of the Advocates General may apply for an offset copy, provided it is still available, on payment of a fixed charge of Bfrs 100 for each document. This service will cease once the judgment or opinion in question has been published in the relevant part of the Reports of Cases before the Court.

Anyone who wishes to have a complete set of the Court's cases is invited to become a regular subscriber to the Reports of Cases before the Court (see III below: Official publications).

II – Technical information and documentation

1. *Information on the Court of Justice of the European Communities*

This quarterly bulletin is published by the Information Office of the Court of Justice. It contains the title and a short summary of the more important cases brought before the Court of Justice and before national courts. It may be obtained free of charge from the Information Office of the Court.

2. *Annual synopsis of the activities of the Court*

In the six official languages and free of charge; this publication may be ordered from the Information Office of the Court.

3. *Collection of texts on the organization, powers and procedures of the Court (1975)*

Orders, indicating the language required, should be addressed to the Office for Official Publications of the European Communities, Boîte Postale 1003, Luxembourg, or to the booksellers whose addresses are listed below.

4. *Bibliography of European case-law (1965)*

One basic volume and six supplements. As from 1977 the publication is in the form of a bibliographical bulletin of cases on Community law.

On sale at the following addresses:

BELGIUM:	Éts Emile Bruylant, Rue de la Régence 67, 1000 Bruxelles.
DENMARK:	J. H. Schultz-Boghandel, Montergade 19, 1116 København K.
FRANCE:	Éditions A. Pedone, 13 rue soufflot, 75005 Paris.
FEDERAL REPUBLIC OF GERMANY:	Carl Heymann's Verlag, Gereonstrasse 18-32, 5 Köln 1.
IRELAND:	Messrs Greene & Co., Booksellers, 16 Clare Street, Dublin 2.
ITALY:	CEDAM-Casa Editrice Dott. A. Milani, Via Jappelli 5, 35100 Padova (M-64194).
LUXEMBOURG:	Office for Official Publications of the European Communities, Boîte Postale 1003, Luxembourg.
NETHERLANDS:	NV Martinus Nijhoff, Lange Voorhout 9, 's-Gravenhage.
UNITED KINGDOM:	Sweet & Maxwell, Spon (Booksellers) Limited, North Way, Andover, Hants SP10 5BE.
OTHER COUNTRIES:	Office for Official Publications of the European Communities, Boîte Postale 1003, Luxembourg.

5. *Synopsis of Case-Law on the EEC Convention of 27 September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters (the 'Brussels Convention')*

This Synopsis published by the Documentation Branch of the Court contains summaries of decisions by national courts on the Brussels Convention and judgments delivered by the Court of Justice in interpretation of the Convention.

It is hoped to publish it twice or thrice yearly. One issue appeared in 1977 (see also Annex VIII below).

Orders should be addressed to the Documentation Branch of the Court of Justice, Boîte Postale 1406, Luxembourg.

6. *Répertoire de la jurisprudence – Europäische Rechtsprechung* (published by H. J. Eversen and H. Sperl)

Extracts from cases relating to the Treaties establishing the European Communities published in German and French. Extracts from national judgments are also published in the original language.

The German and French versions are on sale at:

Carl Heymann's Verlag
Gereonstraße 18-32
D 5000 Köln 1 (Federal Republic of Germany).

Compendium of case-law relating to the European Communities (published by H. J. Eversen, H. Sperl and J. Usher)

In addition to the complete collection in French and German an English version is now available. The first two volumes of the English series for 1973 to 1975 are on sale at:

Elsevier – North Holland – Excerpta Medica,
P.O. Box 211
Amsterdam (Netherlands).

III – Official publications

The *Recueil de la Jurisprudence de la Cour* is the only authentic source for citations of judgments of the Court of Justice. The volumes for 1954 to 1972 are published in Dutch, French, German and Italian. As from 1973 they have also been published in Danish and English.

These reports, covering 25 years of case-law (1953 to 1977) are on sale at the same addresses as the publications mentioned under II, above. An English edition of the volumes for 1962 to 1972 is already available; the 1954-1961 volumes are at the printers. A Danish edition of the volumes for 1954 to 1970 is now available; the volumes for 1971 and 1972 are in preparation.

Directorate of Library and Documentation

This directorate includes the library as such and the documentation branch.

1. *The Library of the Court of Justice*

The library of the Court is primarily a working instrument for the members and the officials of the Court.

At present it contains approximately 30 000 bound volumes (books, series and bound journals), 5 600 unbound booklets and brochures and 231 current legal journals and law reports supplied on subscription.

It may be mentioned purely as a guide that in the course of 1977 new acquisitions amounted to 740 books, 280 booklets and 8 new subscriptions.

All these works may be consulted in the reading room of the library. They are lent only to the members and the officials of the Court. No loan to persons outside the institutions of the Community is permitted. Loan of works to officials of other Community institutions may be permitted through the library of the institution to which the official seeking to borrow a book belongs.

The library periodically publishes bibliographies or bibliographical bulletins. In 1977 the following appeared:

Bibliography of European case-law, supplement No 6.

Bibliographical bulletin of Community case-law, No 77/1 (as from 1977 this bulletin sets out in different form and continues the bibliography of European case-law).

These works of reference may be obtained from the Office for Official Publications of the European Communities, Boîte Postale 1003, Luxembourg.
(See also Annex VII above.)

2. *The Documentation Branch of the Court of Justice*

The primary task of this branch is to prepare summaries of judgments, to draw up the tables (indexes) for the Reports of Cases before the Court and, at the request of members of the Court, prepare documentation concerning Community law and comparative law for the purposes of preparatory enquiries.

The annual alphabetical index of subject-matter in the Reports of Cases before the Court appears approximately seven months after the last issue of the Reports of Cases before the Court for the preceding year. As an exception however the annual index for the 1976 reports will not appear until July 1978. A consolidated index for the *three* years 1973 to 1975 of the Reports of Cases before the Court will also appear in 1978.

In addition in 1977 the Documentation Branch published the first booklet of the 'Synopsis of Case-Law - The EEC Convention of 27 September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters'.
(See also Annex VII above.)

Finally, within the framework of cooperation between the institutions of the European Communities this branch is entrusted with the computerization of the case-law of the Court of Justice. This work is now in hand.

ANNEX IX

Language Directorate

The language service of the Court provides only a written translation service. At present the Court does not have its own interpreters; those which it needs in particular for oral translation of the submissions of the parties in the course of the public hearings are lent to it by the European Parliament.

At present the language service consists of some 50 legal translators and revisers; it has a total staff of 83. Its principle task is to translate into all the official languages of the Communities for publication in the Reports of Cases before the Court, the judgments of the Court and the opinions of the Advocates General. In addition it translates any documents in the case into the language or languages required by members of the Court.

In 1977 the language service translated approximately 38 000 pages as its current work; of these, 8 000 pages were translated into French and on average 6 000 pages into each of the other languages, Danish, Dutch, English, German and Italian.

In addition in 1977 the language service continued the complete translation into English and partial translation into Danish of the Reports of Cases before the Court for the years 1954 to 1972 which was started in 1973 after the accession to the Communities of Denmark, Ireland and the United Kingdom.

The complete translation of the reports into English was concluded in October 1977; only the indexes for some of the volumes of the reports remain to be completed. The total volume of the work was more than 19 000 pages, some 3 000 of which were translated in 1977. The reports for the years 1962 to 1972 have already appeared, while those for the years 1954 to 1961 are with the printers.

The partial translation of the reports into Danish is still under way. The reports for the years 1954 to 1970 consisting of some 2 800 pages have already appeared. The translation of the volumes for the years 1971 and 1972 which represent approximately 1 200 pages should be completed towards the end of 1978.

Information on Community law

The decisions of the Court were published during 1977 in *inter alia* the following journals:

<i>Belgium:</i>	Agence Europe Cahiers de Droit Européen Journal des Tribunaux Rechtskundig Weekblad Jurisprudence Commerciale de Belgique Revue belge de Droit International Revue de Droit Fiscal Tijdschrift voor Privaatrecht Info-Jura Europolitique
<i>Denmark:</i>	Ugeskrift for Retsvæsen Juristen & Økonomen Nordisk Tidsskrift for international Ret
<i>France:</i>	Annuaire français de droit international Droit rural Le Droit et les Affaires Droit social Gazette du Palais ¹ Jurisclasseur périodique (La semaine juridique) Recueil Dalloz Revue critique de droit international privé Revue internationale de la concurrence Revue trimestrielle de droit européen Sommaire de sécurité sociale La vie judiciaire Propriété industrielle, bulletin documentaire
<i>Federal Republic of Germany:</i>	Recht der Internationalen Wirtschaft (Außenwirtschaftsdienst des Betriebsberaters) ² Deutsches Verwaltungsblatt Europarecht Neue Juristische Wochenschrift Die öffentliche Verwaltung Vereinigte Wirtschaftsdienste (VWD) Wirtschaft und Wettbewerb Zeitschrift für das gesamte Handels- und Wirtschaftsrecht Europäische Grundrechte-Zeitschrift (EuGRZ)

¹ In collaboration with the Außenwirtschaftsdienst des Betriebsberaters.

² In collaboration with the Gazette du Palais.

- Italy:* Diritto dell'economia
Foro italiano
Foro padano
Rivista di diritto europeo
Rivista di diritto internazionale
Rivista di diritto internazionale privato e processuale
Il Diritto negli scambi internazionali
- Luxembourg:* Pasicrisie luxembourgeoise
- Netherlands:* Administratieve en Rechterlijke Beslissingen
Ars Aequi
Common Market Law Review
Nederlandse Jurisprudentie
Rechtspraak van de Week
Sociaal-economische Wetgeving
- United Kingdom:* Common Market Law Reports
The Times (European Law Reports)
'Europe' International Press Agency
European Report (Agra, Brussels)
F.T. European Law Newsletter
European Law Review
European Law Digest

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1000 BERLIN 19
Kaiserdamm 118
Federal Republic of Germany

75782 PARIS CEDEX 16
Rue des Belles Feuilles 61
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DUBLIN 2
29 Merrion Square
Ireland

II – Non-member countries

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Avenida Ricardo Lyon 1177
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OTTAWA ONT. KIR 7S8
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WASHINGTON DC 20037
2100 M Street, NW
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Chiyoda-Ku
Japan

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37-39 Rue de Vermont
Switzerland

ANKARA
13 Bogaz Sokak
Kavaklidere
Turkey



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