

2. Dismisses the remainder of the action;
3. Orders the Italian Republic and the Commission of the European Communities to bear their own costs.

(¹) OJ C 48 of 20.2.1999.

JUDGMENT OF THE COURT

of 6 June 2000

in Case C-35/98 (reference for a preliminary ruling from the Hoge Raad der Nederlanden): Staatssecretaris van Financiën v B.G.M. Verkooijen (¹)

(Free movement of capital — Direct taxation of share dividends — Exemption — Limitation to shares in companies whose seat is within national territory)

(2000/C 247/07)

(Language of the case: Dutch)

(Provisional translation; the definitive translation will be published in the European Court Reports)

In Case C-35/98: reference to the Court under Article 177 of the EC Treaty (now Article 234 EC) from the Hoge Raad der Nederlanden for a preliminary ruling in the proceedings pending before that court between Staatssecretaris van Financiën and B.G.M. Verkooijen — on the interpretation of Council Directive 88/361/EEC of 24 June 1988 for the implementation of Article 67 of the Treaty (OJ 1988 L 178, p. 5) and of Articles 6 and 52 of the EC Treaty (now, after amendment, Articles 12 EC and 43 EC) — the Court, composed of: G.C. Rodríguez Iglesias, President, J.C. Moitinho de Almeida, L. Sevón and R. Schintgen, Presidents of Chambers, P.J.G. Kapteyn, C. Gulmann, J.-P. Puissochet, P. Jann, H. Ragnemalm, M. Wathelet (Rapporteur) and F. Macken, Judges; A. La Pergola, Advocate General; D. Louterman-Hubeau, Principal Administrator, for the Registrar, has given a judgment on 6 June 2000, in which it has ruled:

Article 1(1) of Council Directive 88/361/EEC of 24 June 1988 for the implementation of Article 67 of the Treaty precludes a legislative provision of a Member State which, like the one at issue in the main proceedings, makes the grant of an exemption from the income tax payable on dividends paid to natural persons who are shareholders subject to the condition that those dividends are paid by a company whose seat is in that Member State.

The position is not in any way changed by the fact that the taxpayer applying for such a tax exemption is an ordinary shareholder or an employee who holds shares giving rise to the payment of dividends under an employees' savings plan.

(¹) OJ C 137 of 2.5.1998.

JUDGMENT OF THE COURT

of 6 June 2000

in Case C-281/98 (reference for a preliminary ruling from the Pretore di Bolzano): Roman Angonese v Cassa di Risparmio di Bolzano SpA (¹)

(Freedom of movement for persons — Access to employment — Certificate of bilingualism issued by a local authority — Article 48 of the EC Treaty (now, after amendment, Article 39 EC) — Council Regulation (EEC) No 1612/68)

(2000/C 247/08)

(Language of the case: Italian)

(Provisional translation; the definitive translation will be published in the European Court Reports)

In Case C-281/98: reference to the Court under Article 177 of the EC Treaty (now Article 234 EC) from the Pretore di Bolzano, Italy, for a preliminary ruling in the proceedings pending before that court between Roman Angonese and Cassa di Risparmio di Bolzano — on the interpretation of Article 48 of the EC Treaty (now, after amendment, Article 39 EC) and Articles 3(1) and 7(1) and (4) of Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community (Official Journal, English Special Edition 1968 (II), p. 475) — the Court, composed of: G.C. Rodríguez Iglesias, President, D.A.O. Edward, L. Sevón and R. Schintgen, Presidents of Chambers, P.J.G. Kapteyn, C. Gulmann, J.-P. Puissochet, G. Hirsch, P. Jann, H. Ragnemalm (Rapporteur) and M. Wathelet, Judges; N. Fennelly, Advocate General; L. Hewlett, Administrator, for the Registrar, has given a judgment on 6 June 2000, in which it has ruled:

Article 48 of the EC Treaty (now, after amendment, Article 39 EC) precludes an employer from requiring persons applying to take part in a recruitment competition to provide evidence of their linguistic knowledge exclusively by means of one particular diploma issued only in one particular province of a Member State.

(¹) OJ C 278 of 5.9.1998.