

JUDGMENT OF THE COURT**(First Chamber)****of 14 October 2004****in Case C-173/02: Kingdom of Spain v Commission of the European Communities ⁽¹⁾****(Regulation (EEC) No 3950/92 — Common organisation of the market for milk and milk products — Commission decision prohibiting aid to acquire milk quotas)**

(2004/C 300/12)

(Language of the case: Spanish)

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

In Case C-173/02: application for annulment under Article 230 EC, brought on 13 May 2002 between Kingdom of Spain (Agent: S. Ortiz Vaamonde) and Commission of the European Communities (Agent: J.L. Buendía Sierra) — the Court (First Chamber), composed of: P. Jann (Rapporteur), President of the Chamber, A. Rosas and S. von Bahr, Judges; F.G. Jacobs, Advocate General; R. Grass, Registrar, has given a judgment on 14 October 2004, in which it:

1. *Dismisses the application;*
2. *Orders the Kingdom of Spain to pay the costs.*

⁽¹⁾ OJ C 169 du 13.7.2002.

JUDGMENT OF THE COURT**(sitting as a full Court)****of 19 October 2004****in Case C-200/02 (reference for a preliminary ruling from the Immigration Appellate Authority): Kunqian Catherine Zhu, Man Lavette Chen v Secretary of State for the Home Department ⁽¹⁾****(Right of residence — Child with the nationality of one Member State but residing in another Member State — Parents nationals of a non-member country — Mother's right to reside in the other Member State)**

(2004/C 300/13)

(Language of the case: English)

In Case C-200/02: reference for a preliminary ruling under Article 234 EC from the Immigration Appellate Authority (United Kingdom), made by decision of 27 May 2002, received at the Court on 30 May 2002, in the proceedings between Kunqian Catherine Zhu, Man Lavette Chen and Secretary of

State for the Home Department — the Court (sitting as a full Court), composed of: V. Skouris, President, P. Jann, C.W.A. Timmermans, A. Rosas, R. Silva de Lapuerta and K. Lenaerts, Presidents of Chambers, C. Gulmann, R. Schintgen, N. Colneric, S. von Bahr and J.N. Cunha Rodrigues (Rapporteur), Judges; A. Tizzano, Advocate General; L. Hewlett, Principal Administrator, for the Registrar, has given a judgment on 19 October 2004, in which it has ruled:

In circumstances like those of the main proceedings, Article 18 EC and Council Directive 90/364/EEC of 28 June 1990 on the right of residence confer on a young minor who is a national of a Member State, is covered by appropriate sickness insurance and is in the care of a parent who is a third-country national having sufficient resources for that minor not to become a burden on the public finances of the host Member State, a right to reside for an indefinite period in that State. In such circumstances, those same provisions allow a parent who is that minor's primary carer to reside with the child in the host Member State.

⁽¹⁾ OJ C 180 du 27.7.2002.

JUDGMENT OF THE COURT**(sitting as a full Court)****of 12 October 2004****in Case C-222/02 (reference for a preliminary ruling from the Bundesgerichtshof): Peter Paul, Cornelia Sonnen-Lütte, Christel Mörkens v Bundesrepublik Deutschland ⁽¹⁾****(Credit institutions — Deposit-guarantee schemes — Directive 94/19/EC — Directives 77/780/EEC, 89/299/EEC and 89/646/EEC — Supervisory measures by the competent authority for the purposes of protecting depositors — Liability of the supervisory authorities for losses resulting from defective supervision)**

(2004/C 300/14)

(Language of the case: German)

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

In Case C-222/02: reference for a preliminary ruling under Article 234 EC from the Bundesgerichtshof (Germany), made by decision of 16 May 2002, received at the Court on 17 June 2002, in the proceedings between Peter Paul, Cornelia Sonnen-Lütte, Christel Mörkens and Bundesrepublik Deutschland — the Court (sitting as a full Court), composed of: V. Skouris, President, P. Jann, C.W.A. Timmermans, A. Rosas, Presidents of Chambers, C. Gulmann (Rapporteur), J.-P. Puissechot, R. Schintgen, F. Macken, N. Colneric, S. von Bahr and J.N. Cunha Rodrigues, Judges; C. Stix-Hackl, Advocate General; M.-F. Contet, Principal Administrator, for the Registrar, has given a judgment on 12 October 2004, in which it has ruled: