

## JUDGMENT OF THE COURT

(Grand Chamber)

of 26 April 2005

in Case C-494/01: Commission of the European Communities v Ireland <sup>(1)</sup>

*(Failure of a Member State to fulfil obligations — Environment — Waste management — Directive 75/442/EEC, as amended by Directive 91/156/EC — Articles 4, 5, 8, 9, 10, 12, 13 and 14)*

(2005/C 143/02)

(Language of the case: English)

In Case C-494/01, action under Article 226 EC for failure to fulfil obligations, brought on 20 December 2001, Commission of the European Communities (Agents: R. Wainwright and X. Lewis) v Ireland (Agent: D. O'Hagan, assisted by P. Charleton SC and A. Collins BL) — the Court (Grand Chamber), composed of V. Skouris, President, P. Jann (Rapporteur), C.W.A. Timmermans and A. Rosas, Presidents of Chambers, J. P. Puissechet, R. Schintgen, N. Colneric, S. von Bahr, J.N. Cunha Rodrigues, M. Ilešič, J. Malenovský, U. Löhmus and E. Levits, Judges; L.A. Geelhoed, Advocate General; L. Hewlett, Principal Administrator, for the Registrar, gave a judgment on 26 April 2005, in which it:

1. Declares that, by failing to take all the measures necessary to ensure a correct implementation of the provisions of Articles 4, 5, 8, 9, 10, 12, 13 and 14 of Council Directive 75/442/EEC of 15 July 1975 on waste, as amended by Council Directive 91/156/EEC of 18 March 1991, Ireland has failed to comply with its obligations under those provisions;
2. Declares that, by failing to respond to a request for information dated 20 September 1999 in relation to waste operations at Fermoy, County Cork, Ireland has failed to fulfil the obligations which it has pursuant to Article 10 EC;
3. Orders Ireland to pay the costs.

<sup>(1)</sup> OJ C 56 of 02.03.2002.

## JUDGMENT OF THE COURT

(First Chamber)

of 17 March 2005

in Case C-294/02: Commission of the European Communities v AMI Semiconductor Belgium BVBA and Others <sup>(1)</sup>

*(Arbitration clause — Designation of the Court of First Instance — Jurisdiction of the Court of Justice — Parties in liquidation — Capacity to be parties to legal proceedings — Regulation (EC) No 1346/2000 — Insolvency proceedings — Recovery of advances — Reimbursement under a clause of the contract — Joint and several liability — Recovery of sums paid but not due)*

(2005/C 143/03)

(Language of the case: German)

In Case C-294/02, Commission of the European Communities (Agent: M G. Wilms, assisted by R. Karpenstein) v AMI Semiconductor Belgium BVBA, formerly Alcatel Microelectronics NV, established in Oudenaarde (Belgium), (Rechtsanwälte: M. Hallweger and R. Lutz), A-Consult EDV-Beratungsgesellschaft mbH (in liquidation), established in Vienna (Austria), (Rechtsanwalt: E. Roehlich), Intracom SA Hellenic Telecommunications & Electronic Industry, established in Athens (Greece), (avocats: M. Lienemeyer, U. Zinsmeister and D. Waelbroeck), ISION Sales + Services GmbH & Co. KG (in liquidation), established in Hamburg (Germany), (Rechtsanwälte: H. Fialski and T. Delhey), Euram-Kamino GmbH, established in Hallbergmoos (Germany), (Rechtsanwälte: M. Hallweger and R. Lutz), HSH Nordbank AG, formerly Landesbank Kiel Girozentrale, established in Kiel (Germany), (Rechtsanwälte: B. Treibmann and E. Meincke), and InterTeam GmbH (in liquidation), established in Itzehoe (Germany), (Rechtsanwälte: M. Hallweger and R. Lutz) — application under Article 238 EC brought on 12 August 2002 — the Court (First Chamber), composed of P. Jann, President of the Chamber, R. Silva de Lapuerta, K. Lenaerts, S. von Bahr and K. Schiemann (Rapporteur), Judges; J. Kokott, Advocate General; M.-F. Contet, Principal Administrator, for the Registrar, gave a judgment on 17 March 2005, in which it:

1. Dismisses the application;