

by the employer. That is so, however, only in so far, in particular, as the said exception in favour of male officials is construed as allowing those of them who take care of their children by themselves to have access to that nursery places scheme on the same conditions as female officials.

(<sup>1</sup>) OJ C 47 of 19.2.2000.

## JUDGMENT OF THE COURT

(Fifth Chamber)

7 March 2002

**in Case C-10/00: Commission of the European Communities v Italian Republic** (<sup>1</sup>)

*(Failure by a Member State to fulfil its obligations — Community own resources — Import from third countries of goods destined for San Marino)*

(2002/C 118/10)

*(Language of the case: Italian)*

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

In Case C-10/00, Commission of the European Communities (Agents: E. Traversa and H. P. Hartvig) v Italian Republic (Agent: U. Leanza, assisted by I. M. Braguglia): Application for a declaration that, by not making available to the Commission the sum of ITL 29 223 322 226 and by not paying default interest on that amount from 1 January 1996, the Italian Republic has failed to fulfil its obligations under the Community provisions relating to the Communities' own resources, the Court (Fifth Chamber), composed of: P. Jann, President of the Chamber, A. La Pergola and C.W.A. Timmermans (Rapporteur), Judges; F.G. Jacobs, Advocate General; L. Hewlett, Administrator, for the Registrar, has given a judgment on 7 March 2002, in which it:

1. Dismisses the application;
2. Orders the Commission of the European Communities to bear two thirds of the costs and the Italian Republic to bear one third of the costs.

(<sup>1</sup>) OJ C 79 of 18.3.2000.

## JUDGMENT OF THE COURT

19 March 2002

**in Case C-13/00: Commission of the European Communities v Republic of Ireland** (<sup>1</sup>)

*(Failure by a Member State to fulfil its obligations — Failure to adhere within the prescribed period to the Berne Convention for the Protection of Literary and Artistic Works (Paris Act of 24 July 1971) — Failure to fulfil obligations under Article 228(7) of the EC Treaty (now, after amendment, Article 300(7) EC) in conjunction with Article 5 of Protocol 28 to the EEA Agreement)*

(2002/C 118/11)

*(Language of the case: English)*

In Case C-13/00, Commission of the European Communities, represented by K. Banks and M. Desantes, acting as Agents, with an address for service in Luxembourg, v Republic of Ireland (Agent: initially M.A. Buckley, and, subsequently, D.J. O'Hagan), supported by United Kingdom of Great Britain and Northern Ireland (Agent: G. Amodeo, assisted by M. Hoskins, barrister): Application for a declaration that, by failing to obtain its adherence before 1 January 1995 to the Berne Convention for the Protection of Literary and Artistic Works (Paris Act of 24 July 1971), Ireland has failed to fulfil its obligations under Article 228(7) of the EC Treaty (now, after amendment, Article 300(7) EC) in conjunction with Article 5 of Protocol 28 to the Agreement on the European Economic Area of 2 May 1992 (OJ 1994 L 1, p. 3), the Court, composed of: G.C. Rodríguez Iglesias, President, P. Jann, F. Macken, N. Colneric and S. von Bahr (Presidents of Chambers), C. Gulmann, D.A.O. Edward, J.-P. Puissochet (Rapporteur), M. Wathelet, R. Schintgen, V. Skouris, J.N. Cunha Rodrigues and C.W.A. Timmermans, Judges; J. Mischo, Advocate General; R. Grass, Registrar, has given a judgment on 19 March 2002, in which it: