

Council Directive 75/442/EEC of 15 July 1975 on waste (OJ 1975 L 194, p. 39), as amended by Council Directive 91/156/EEC of 18 March 1991 (OJ 1991 L 78, p. 32), Article 6 of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste (OJ 1991 L 377, p. 20), and Article 14 of European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste (OJ 1994 L 365, p. 10), the Court (Second Chamber), composed of: N. Colneric, President of the Chamber, R. Schintgen and V. Skouris (Rapporteur), Judges, Advocate General: J. Mischo, Registrar: H. von Holstein, Deputy Registrar, has given a judgment on 24 January 2002, in which it has ruled:

1. Declares that, by not forwarding to the Commission information concerning plans for the management and disposal of waste and hazardous waste in respect of the regions of Sicily and Basilicata, or information concerning plans for the management of packaging and packaging waste in respect of all the Italian regions, the Italian Republic has failed to fulfil its obligations under Article 7 of Council Directive 75/442/EEC of 15 July 1975 on waste, as amended by Council Directive 91/156/EEC of 18 March 1991, Article 6 of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste, and Article 14 of European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste;
2. Orders the Italian Republic to pay the costs.

(¹) OJ C 34 of 5.2.2000.

JUDGMENT OF THE COURT

(Sixth Chamber)

of 6 December 2001

in Case C-472/99 (reference for a preliminary ruling from the Landesgericht für Zivilrechtssachen Wien): Clean Car Autoservice GmbH v Stadt Wien, Republik Österreich⁽¹⁾

(Article 234 EC — Costs of the parties to the main proceedings — Article 104(5) of the Rules of Procedure of the Court)

(2002/C 84/23)

(Language of the case: German)

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

In Case C-472/99: reference to the Court under Article 234 EC from the Landesgericht für Zivilrechtssachen Wien

(Regional Civil Court, Vienna) (Austria) for a preliminary ruling in the proceedings pending before that court between Clean Car Autoservice GmbH and Stadt Wien, Republik Österreich — on the interpretation of the first subparagraph of Article 104(5) of the Rules of Procedure of the Court of Justice, in codified version 1999/C 65/01 of 6 March 1999 (OJ 1999 C 65, p. 1) — the Court (Sixth Chamber), composed of: N. Colneric, President of the Second Chamber, acting as President of the Sixth Chamber, C. Gulmann, J.-P. Puissochet, R. Schintgen (Rapporteur) and V. Skouris, Judges; L.A. Geelhoed, Advocate General; H.A. Rühl, Principal Administrator, for the Registrar, has given a judgment on 6 December 2001, in which it has ruled:

Article 104(5) of the Rules of Procedure of the Court of Justice, in codified version 1999/C 65/01 of 6 March 1999, is to be interpreted as meaning that payment of the costs incurred by the parties to the main proceedings for the purposes of the procedure under Article 234 EC for obtaining a preliminary ruling is governed by the domestic law rules applicable to the proceedings before the national court, provided that those rules are not less favourable than those applicable to similar procedural steps which may be taken in such proceedings in accordance with national law.

(¹) OJ C 47 of 19.2.2000.

JUDGMENT OF THE COURT

(Sixth Chamber)

10 January 2002

In Case C-480/99 P: Gerry Plant and Others v Commission of the European Communities⁽¹⁾

(Appeal — Action for annulment under Article 33 of the ECSC Treaty — Admissibility — Audi alteram partem rule in judicial proceedings)

(2002/C 84/24)

(Language of the case: English)

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

In Case C-480/99 P, Gerry Plant and Others (agents: B. Hewson, barrister, instructed by T. Graham, solicitor): Appeal against