

Judgment of the Court (Sixth Chamber) of 18 July 2007 — Republic of Poland v European Parliament and Council of the European Union

(Case C-460/05) ⁽¹⁾

(Directive 2005/36/EC — Recognition of professional qualifications — Nurses responsible for general care — Midwives — Specific provisions applicable to Polish qualifications — Validity — Duty to give reasons — Introduced by Act of Accession)

(2007/C 211/09)

Language of the case: Polish

Parties

Applicant: Republic of Poland (represented by: J. Pietras, M. Szpunar and M. Brzezińska, Agents)

Defendants: European Parliament (represented by: U. Rösslein and A. Padowska, acting as Agents) and Council of the European Union (represented by: M.C. Giorgi Fort, R. Szostak and F. Florindo Gijón, acting as Agents)

Intervener in support of the form of order sought by the defendant: Commission of the European Communities (represented by: H. Stølvbæk and A. Stobiecka-Kuik, acting as Agents)

Re:

Annulment of Articles 33(2) and 43(3) of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ 2005 L 255, p. 22) — Special rules for the recognition of the acquired rights of nurses responsible for general care and midwives who have Polish qualifications

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Republic of Poland to pay the costs;
3. Orders the Commission of the European Communities to bear its own costs.

⁽¹⁾ OJ C 60, 11.3.2006.

Judgment of the Court (Third Chamber) of 18 July 2007 (reference for a preliminary ruling from the Østre Landsret, Denmark) — Olicom A/S v Skatteministeriet

(Case C-142/06) ⁽¹⁾

(Common Customs Tariff — Tariff headings — Classification in the combined nomenclature — Automatic data processing machines — Combined network/modem cards — Definition of ‘specific function’)

(2007/C 211/10)

Language of the case: Danish

Referring court

Østre Landsret

Parties to the main proceedings

Applicant: Olicom A/S

Defendant: Skatteministeriet

Re:

Reference for a preliminary ruling — Østre Landsret — Interpretation of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ 1987 L 256, p. 1), as amended by Commission Regulation No 3009/95 of 22 December 1995 (OJ L 1995 L 319, p. 1) — Headings 8471 (automatic data-processing machines) and 8517 (telecommunication apparatus) — Network cards with double function, access to local area network and the Internet — Specific function

Operative part of the judgment

Combined cards designed to be inserted into portable computers must, after 1 January 1996, be classified as data-processing machines under heading 8471 of the Combined Nomenclature of the Common Customs Tariff, contained in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended by Commission Regulation (EC) No 3009/95 of 22 December 1995.

⁽¹⁾ OJ C 143, 17.6.2006.