

(b) Order the Kingdom of Belgium to bear the costs.

Contentions and main arguments adduced in support

The Commission states that the statistics of the Community's trade with non-member countries constitute an instrument which is necessary for the implementation of the common commercial policy and that the statistics of trade between Member States are necessary for the harmonious functioning of the common market. It considers that the delay in the transmission of the data which are essential for the drawing up of the statistics causes its officers difficulties in regard to the preparation and the monthly publication of the Community results. Continually increasing, this delay is even preventing the full quarterly and annual results from being prepared and published within a reasonable time, thereby causing doubt to be cast on their value.

Action brought on 21 December 1984 by the Commission of the European Communities against the Kingdom of Belgium

(Case 306/84)

(85/C 32/15)

An action against the Kingdom of Belgium was brought before the Court of Justice of the European Communities on 21 December 1984 by the Commission of the European Communities, represented by Mrs C. Durand, a member of its Legal Department, with an address for service in Luxembourg at the Chambers of Mr M. Beschel, Bâtiment Jean Monnet, Kirchberg.

The applicant claims that the Court should:

1. Declare that, by not adopting within the time prescribed all the provisions necessary for compliance with Council Directives 75/362/EEC and 75/363/EEC, the former concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services, the latter concerning the coordination of provisions laid down by law, regulation or administrative action, the Kingdom of Belgium has failed to fulfil its obligations under the Treaty and the said Directives;
2. Order the defendant to bear the costs.

Contentions and main arguments adduced in support:

- As regards Directive 75/362/EEC ⁽¹⁾ the Commission states that as far as it is aware the Kingdom of Belgium has not transposed into national law the provisions relating to the conditions under which specialist training courses previously completed may be taken into account; the provisions relating to use of academic title and to the requirement, when taking up the profession for the first time, of proof of good character or good repute or of a certificate of physical or mental health; the provisions relating to the time within which procedure for authorizing the taking up of the profession must be completed and those relating to the terms of the oath or solemn declaration;
- As regards the transposition of Directive 75/363/EEC ⁽¹⁾, the Commission considers that the Kingdom of Belgium must either adapt its specialist training programme in order to comply with the requirement of a minimum period of study of four years or request the removal of tropical medicine, as a recognized specialized subject in Belgium, from the list of the specialized subjects mentioned in Article 7 of Directive 75/362/EEC.

⁽¹⁾ OJ No L 167, 30. 6. 1975.

Action brought on 21 December 1984 by the Commission of the European Communities against the French Republic

(Case 307/84)

(85/C 32/16)

An action against the French Republic was brought before the Court of Justice of the European Communities on 21 December 1984 by the Commission of the European Communities, represented by its Legal Adviser, J. Griesmar, with an address for service in Luxembourg at the office of M. Beschel, Jean Monnet Building, Kirchberg.

The applicant claims that the Court should:

- (a) Declare that by requiring French nationality for appointment to an establishment in permanent employment as a nurse in a public hospital the French Republic has failed to fulfil one of its obligations under the EEC Treaty;