

COURT OF JUSTICE

JUDGMENT OF THE COURT

(First Chamber)

of 5 November 1991

in Case C-348/90 P: European Parliament v. Gabriella Virgili-Schettini ⁽¹⁾

(Official — Leave — Compensatory allowance for unused leave)

(91/C 309/03)

(Language of the case: French)

(Provisional translation; the definitive translation will be published in the Reports of Cases before the Court)

In Case C-348/90 P: European Parliament (Agents: J. Campinos, M. Peter and J. L. Rufas Quintana), appeal against the judgment of the Court of First Instance of the European Communities (Third Chamber) of 26 September 1990 in Case T-139/89 between Gabriella Virgili-Schettini and the European Parliament, seeking to have that judgment set aside, the other party to the proceedings being Gabriella Virgili-Schettini, represented by V. Elvinger, of the Luxembourg Bar, with an address for service in Luxembourg at his Chambers, 4 rue Tony Neuman, who contends that the Court should uphold the contested judgment and order the appellant to pay the costs, the Court of Justice (First Chamber), composed of Sir Gordon Slynn, President of the First Chamber, R. Joliet, G. C. Rodríguez Iglesias, Judges; C. O. Lenz, Advocate-General; D. Louterman, Principal Administrator, for the Registrar, gave a judgment on 5 November 1991, the operative part of which is as follows:

1. *the appeal is dismissed;*
2. *the Parliament is ordered to pay the costs.*

⁽¹⁾ OJ No C 12, 18. 1. 1991, p. 5.

JUDGMENT OF THE COURT

of 7 November 1991

in Case C-313/89: Commission of the European Communities v. Kingdom of Spain ⁽¹⁾

(Failure to fulfil obligations — Directive 80/155/EEC — Training of midwives)

(91/C 309/04)

(Language of the case: Spanish)

(Provisional translation; the definitive translation will be published in the Reports of Cases before the Court)

In Case C-313/89: Commission of the European Communities (Agent: Daniel Calleja y Crespo) against the Kingdom of Spain (Agents: initially Javier Conde de Saro, subsequently Carlos Bastarreche Sagües and Antonio Hierro Hernandez-Mora) — application for a declaration that by not taking within the period prescribed the measures necessary to comply with Council Directive 80/155/EEC of 21 January 1980 concerning the coordination of provisions laid down by law, regulation or administrative action relating to the taking up and pursuit of the activities of midwives, the Kingdom of Spain has failed to fulfil its obligations under the EEC Treaty — the Court, composed of O. Due, President, Sir Gordon Slynn, R. Joliet, F. A. Schockweiler and F. Grévisse (Presidents of Chambers), J. C. Moitinho de Almeida and G. C. Rodríguez Iglesias, Judges; C. O. Lenz, Advocate-General; D. Louterman, Principal Administrator, for the Registrar, gave a judgment on 7 November 1991, the operative part of which is as follows:

1. *by not taking within the period prescribed the measures necessary to comply with Council Directive 80/155/EEC of 21 January 1980 concerning the coordination of provisions laid down by law, regulation or*

⁽¹⁾ OJ No C 288, 16. 11. 1989.