

Commission has not found it to be incompatible with the common market.

⁽¹⁾ OJ No C 316, 3. 12. 1992.

⁽²⁾ OJ No L 302, 15. 11. 1985, p. 23.

JUDGMENT OF THE COURT

of 15 March 1994

in Case C-45/93: Commission of the European Communities v. Kingdom of Spain ⁽¹⁾

(Failure to fulfil obligations — Articles 7 and 59 of the EEC Treaty — Discrimination — Museum admission)

(94/C 120/05)

(Language of the case: Spanish)

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

In Case C-45/93: Commission of the European Communities (Agent: Blanca Rodríguez Galindo) v. Kingdom of Spain (Agents: Alberto José Navarro González and Gloria Calvo Díaz, Abogado del Estado) — application for a declaration that, by applying a system whereby solely Spanish citizens, foreigners resident in Spain and nationals of other Member States of the EEC under 21 years of age benefit from free admission to national museums, while nationals of other Member States more than 21 years of age are required to pay an entrance fee, the Kingdom of Spain has failed to fulfil its obligations under Articles 7 and 59 of the EEC Treaty — the Court, composed of: G. F. Mancini, President of Chambers, for the President, J. C. Moitinho de Almeida (Rapporteur) and D. A. O. Edward (Presidents of Chambers), R. Joliet, F. A. Schockweiler, G. C. Rodríguez Iglesias, F. Grévisse, M. Zuleeg and J. L. Murray, Judges, Advocate-General: C. Gulmann, Registrar: J.-G. Giraud, gave a judgment on 15 March 1994, the operative part of which is as follows:

1. *by applying a system whereby Spanish citizens, foreigners resident in Spain and nationals of other Member States of the EEC under 21 years of age benefit from free admission to national museums, while nationals of other Member States more than 21 years of age are required to pay an entrance fee, the Kingdom of Spain has failed to fulfill its obligations under Articles 7 and 59 of the EEC Treaty;*
2. *the Kingdom of Spain is ordered to pay the costs.*

⁽¹⁾ OJ No C 75, 17. 3. 1993.

JUDGMENT OF THE COURT

of 22 March 1994

in Case C-375/92: Commission of the European Communities v. Kingdom of Spain ⁽¹⁾

(Failure of a Member State to fulfil its obligations — Freedom to provide services — Tourist guides — Professional qualification required by national rules)

(94/C 120/06)

(Language of the case: Spanish)

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

In Case C-375/92: Commission of the European Communities (Agents: Rafael Pellicer and subsequently María Blanca Rodríguez Galindo) v. Kingdom of Spain (Agents: Alberto José Navarro González and Miguel Bravo-Ferrer Delgado, State Attorney) — application for a declaration by the Court that by restricting access to the profession of tourist guide and guide-interpreter to persons who have passed examinations open solely to Spanish citizens; by failing to establish a procedure for examining qualifications acquired by a Community national who holds a diploma as tourist guide or guide-interpreter issued in another Member State and comparing them with those required by Spain, thus enabling the diploma issued by that other Member State to be recognized, or the holder of the diploma to be tested solely on matters which he has not studied; by requiring possession of a licence as evidence of having acquired training confirmed by passing an examination as a condition for working as a tourist guide and guide-interpreter travelling with a group of tourists from another Member State when that work is performed in Spain, within a particular geographical area, and consists of accompanying those tourists to places which are not museums or historical monuments where a guide with special qualifications is required; and, finally, by failing to communicate to the Commission the information requested concerning the rules applied by the Autonomous Communities regarding the activities of tourist guide and guide-interpreter, the Kingdom of Spain has failed to fulfil its obligations under Articles 5, 48, 52 and 59 of the EEC Treaty — the Court, composed of O. Due, President, G. f. Mancini, J. C. Moitinho de Almeida and M. Díez de Velasco (Presidents of Chambers), C. N. Kakouris, F. A. Schockweiler, M. Zuleeg, P. J. G. Kapteyn (Rapporteur) and J. L. Murray, Judges; C. O. Lenz, Advocate-General: H. von Holstein, Deputy Registrar, for the Registrar, gave a judgment on 22 March 1994, the operative part of which is as follows:

1. *by making access to the profession of tourist guide and guide-interpreter subject to the possession of Spanish nationality;*

- by failing to establish a procedure for examining qualifications acquired by a Community national who holds a diploma as tourist guide or guide-interpreter issued in another Member State and comparing them with those required by Spain,
- by making the provision of services by tourist guides travelling with a group of tourists from another Member State, where those services consist in guiding such tourists in places other than museums or historical monuments which may be visited only with a specialized professional guide, subject to possession of a licence which requires specific training evidenced by a diploma, and
- by failing to provide to the Commission the information requested concerning the regulations of the Autonomous Communities regarding the activities of tourist guide and guide-interpreter,

the Kingdom of Spain has failed to fulfil its obligations under Articles 48, 52, 59 and 5 of the EEC Treaty;

2. *the Kingdom of Spain is ordered to pay the costs.*

⁽¹⁾ OJ No C 324, 10. 12. 1992.

JUDGMENT OF THE COURT

of 23 March 1994

in Case C-268/93: Commission of the European Communities v. Kingdom of Spain ⁽¹⁾

(Failure of a Member State to fulfil obligations — Failure to implement a directive)

(94/C 120/07)

(Language of the case: Spanish)

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

In Case C-268/93: Commission of the European Communities (Agents: Blanca Rodriguez Galindo) against the Kingdom of Spain (Agents: Alberto Navarro González and Miguel Bravo-Ferrer Delgado, Abogado del Estado) — application for a declaration that by failing to give notice to the Commission of the laws, regulations and administrative provisions needed to give effect to Council Directive 88/320/EEC of 9 June 1988 on the inspection and verification of Good Laboratory Practice (GLP) ⁽²⁾, or by failing to adopt the measures needed to give effect to it, the Kingdom of Spain has failed to fulfil its obligations under the EEC Treaty — the Court, composed of: G. F. Mancini,

President of Chamber, acting as President, J. C. Moitinho de Almeida and D. A. O. Edward (Presidents of Chambers), R. Joliet, F. A. Schockweiler, G. C. Rodriguez Iglesias, F. Grévisse, M. Zuleeg (Rapporteur) and J. L. Murray, Judges; M. Darmon, Advocate-General; R. Grass, Registrar, gave a judgment on 23 March 1994, the operative part of which is as follows:

1. *by failing to adopt within the time allowed all the laws, regulations and administrative provisions needed to give effect to Council Directive 88/320/EEC of 9 June 1988 on the inspection and verification of Good Laboratory Practice, the Kingdom of Spain has failed to fulfil its obligations under the EEC Treaty;*
2. *the Kingdom of Spain is ordered to pay the costs.*

⁽¹⁾ OJ No C 153, 4. 6. 1993.

⁽²⁾ OJ No L 145, 11. 6. 1988, p. 35.

JUDGMENT OF THE COURT

of 24 March 1994

in Case C-2/92 (reference for a preliminary ruling made by the High Court of Justice, Queen's Bench Division): *The Queen v. Ministry of Agriculture, Fisheries and Food, ex parte Dennis Clifford Bostock* ⁽¹⁾

(Additional levy on milk — Expiry of a lease of a holding — Transfer of the reference quantity to the landlord — No obligation to compensate the outgoing tenant)

(94/C 120/08)

(Language of the case: English)

In Case C-2/92: reference to the Court under Article 177 of the EEC Treaty by the High Court of Justice, Queen's Bench Division, for a preliminary ruling in the proceedings pending before that court between The Queen and the Ministry of Agriculture, fisheries and Food, *ex parte* Dennis Clifford Bostock — on the interpretation of the Community rules on the system of additional levies on milk established by Council Regulation (EEC) No 856/84 of 31 March 1984 amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products ⁽²⁾, Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector ⁽³⁾ and Commission Regulation (EEC) No 1371/84 of 16 May 1984 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68 ⁽⁴⁾, and of the general principles of Community law — the Court,