

## Public procurement Decisions of the Court of Justice of the European Communities

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Case number	Parties	Key words
C-241/06	Lämmerzahl GmbH v Freie Hansestadt Bremen	Preliminary reference – Public procurement – Community thresholds – Review of decisions in tender procedures – Principle of effectiveness – Time-limits – Incorrect choice of national tender procedure – General exclusion from the review procedures available under Community law
Judgment of the Court (Third Chamber) of 11 October 2007 Advocate General's Opinion Sharpston of 7 June 2007		
C-237/05	Commission of the European Communities v Hellenic Republic	Failure of a Member State to fulfil obligations – Directive 92/50/EEC – Public service contracts – Provision of assistance services to farmers for the year 2001 – Regulation (EEC) No 3508/92 – Implementation in Greek of the integrated administration and control system (IACS) – Absence of call for tenders – Application inadmissible
Judgment of the Court (Second Chamber) of 11 October 2007 Advocate General's Opinion Mengozzi of 15 February 2007		
C-492/06	Conorzio Elisoccorso San Raffaele v Elilombarda Srl, Azienda Ospedaliera Ospedale Niguarda Ca' Granda di Milano,	Marchés publics – Directive 89/665/CEE – Procédure de recours en matière de passation des marchés publics – Personnes auxquelles les procédures de recours peuvent être accessibles – Association momentanée soumissionnaire – Droit pour chacun des membres d'une association momentanée d'exercer un recours à titre individuel
Order of the Court (Sixth Chamber) of 4 October 2007		
T-211/07R	AWWW GmbH ArbeitsWelt-Working World v European Foundation for the Improvement of Living and Working Conditions (Eurofound).	Public procurement - Community tender procedure - Procedure for interim relief - Lack of urgency
Order of the Court of First Instance (judge hearing the application for interim measures) of 14 September 2007		
C-260/04	Commission of the European Communities v Italian Republic.	Failure to fulfil obligations - Freedom of establishment and freedom to provide services - Public service concessions - Renewal of 329 horse-race betting licences without inviting competing bids - Requirements of publication and transparency
Judgment of the Court (Fourth Chamber) of 13 September 2007 Opinion of Advocate General Sharpston delivered on 29 March 2007		
C-382/05	Commission of the European Communities v Italian Republic	Failure of a Member State to fulfil obligations - Public service contracts - Directive 92/50/EEC - Agreements concerning the treatment of municipal waste - Classification - Public contract - Service concession - Advertising measures
Judgment of the Court (Second Chamber) of 18 July 2007		
C-503/04	Commission of the European Communities v Federal Republic of Germany	Failure of a Member State to fulfil obligations - Judgment of the Court establishing the failure to fulfil obligations - Non-implementation - Article 228 EC - Measures necessary to comply with the judgment of the Court - Rescission of a contract
Judgment of the Court (Second Chamber) of 18 July 2007 Opinion of Advocate General Trstenjak delivered on 28 March 2007		
C-399/05	Commission of the European Communities v Hellenic Republic	Failure of a Member State to fulfil its obligations - Directive 93/38/EEC
Judgment of the Court (Third Chamber) of 18 July 2007		
T-250/05	Evropaïki Dynamiki - Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE v Commission of the European Communities.	Public service contracts - Community tendering procedure - Provision of services for the collection, production and dissemination of electronic publications, in particular the Supplement to the Official Journal of the European Union - Rejection of a tender - Equal

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Judgment of the Court of First Instance (Fourth Chamber) of 12 July 2007		treatment - Obligation to state reasons - No manifest error of assessment.
C-6/05	Medipac-Kazantzidis AE v Venizeleio-Pananeio (PE.S.Y. KRITIS).	Free movement of goods - Directive 93/42/EEC - Hospital purchase of medical devices bearing the CE marking - Protective measures - Public supply contract - Contract falling below the threshold of application of Directive 93/36/EEC - Principle of equal treatment and obligation of transparency.
Judgment of the Court (First Chamber) of 14 June 2007 Opinion of Advocate General Sharpston delivered on 21 November 2006		
C-195/04	Commission of the European Communities v Republic of Finland	Failure of a Member State to fulfil obligations - Public supply contract for catering equipment - Article 28 EC - Quantitative restrictions on imports - Measures having equivalent effect - Principle of non-discrimination - Obligation of transparency.
Judgment of the Court (Second Chamber) of 26 April 2007 Opinion of Advocate General Sharpston delivered on 18 January 2007		
C-295/05	Asociación Nacional de Empresas Forestales (Asemfo) v Transformación Agraria SA (Tragsa) and Administración del Estado	Reference for a preliminary ruling - Admissibility - Article 86(1) EC - No independent effect - Factors permitting material which enables the Court to give a useful answer to the questions referred - Directives 92/50/EEC, 93/36/EEC and 93/37/EEC - National legislation enabling a public undertaking to perform operations on the direct instructions of the public authorities without being subject to the general rules for the award of public procurement contracts - Internal management structure - Conditions - The public authority must exercise over a distinct entity a control similar to that which it exercises over its own departments - The distinct entity must carry out the essential part of its activities with the public authority or authorities which control it.
Judgment of the Court (Second Chamber) of 19 April 2007 Opinion of Mr Advocate General Geelhoed delivered on 28 September 2006		
T-195/05R	Deloitte Business Advisory NV v Commission of the European Communities	Public service contracts - Call for tenders for programme evaluation activities and other activities in the public health sector - Rejection of a tender - Conflict of interest
Judgment of the Court of First Instance (Fourth Chamber) of 18 April 2007		
C-220/05	Jean Auroux and Others v Commune de Roanne	Public procurement - Directive 93/37/EEC - Award without call for tenders - Contract for the implementation of a development project concluded between two contracting authorities - Definition of "public works contract" and "work" - Method of calculation of the value of the contract
Judgment of the Court (First Chamber) of 18 January 2007 Opinion of Advocate General Kokott delivered on 15 June 2006		
T-106/05	Evropaiki Dinamiki – Proigmena Sistimata Tilepikinonion Pliroforikis kai Tilematikis AE, established in Athens (Greece), represented by N. Korogiannakis, lawyer, applicant, v Commission of the European Communities, represented by C. Tufvesson and K. Kańska, acting as Agents	Public service contracts – Call for tenders concerning technical assistance to improve the information and communication technology system in the State Institute of Statistics of the Republic of Turkey – Application rejected – Period for bringing proceedings – Confirmatory act – Inadmissibility
Order of the Court of First Instance (Third Chamber) of 10 October 2006		
C-340/04	Carbotermo SpA and Consorzio Alisei v Comune di Busto Arsizio and AGESP SpA	Directive 93/36/EEC - Public supply contracts - Award of contract without a call for tenders - Award of the contract to an undertaking in which the contracting authority has a shareholding.
Judgment of the Court (First Chamber) of 11 May 2006 Opinion of Advocate General Stix-Hackl delivered on 12 January 2006		
C-410/04	Associazione Nazionale Autotrasporto Viaggiatori (ANAV) v Comune di Bari and AMTAB	Freedom to provide services - Local public transport service - Award with no call for tenders - Award by a public authority to an undertaking of which it owns the

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	Servizio SpA	share capital.
Judgment of the Court (First Chamber) of 6 April 2006 Opinion of Mr Advocate General Geelhoed delivered on 12 January 2006		
C-226/04 and C-228/04.	La Cascina Soc. coop. arl and Zilch Srl v Ministero della Difesa and Others (C-226/04) and Consorzio G. f. M. v Ministero della Difesa and La Cascina Soc. coop. arl (C-228/04)	Public service contracts - Directive 92/50/EEC - Article 29, first paragraph, subparagraphs (e) and (f) - Obligations of service providers - Payment of social security contributions and taxes.
Judgment of the Court (First Chamber) of 9 February 2006 Opinion of Mr Advocate General Poiars Maduro delivered on 8 September 2005		
C-331/04	ATI EAC Srl e Viaggi di Maio Snc, EAC Srl and Viaggi di Maio Snc v ACTV Venezia SpA, Provincia di Venezia and Comune di Venezia	Public service contracts - Directives 92/50/EEC and 93/38/EEC - Award criteria - The economically most advantageous tender - Observance of award criteria set out in the contract documents or the contract notice - Establishment of subheadings for one of the award criteria in the contract documents or the contract notice - Decision to apply weighting - Principles of equal treatment of tenderers and transparency.
Judgment of the Court (Second Chamber) of 24 November 2005 Opinion of Mr Advocate General Ruiz-Jarabo Colomer delivered on 8 September 2005		
C-29/04	Commission of the European Communities v Republic of Austria	Failure of a Member State to fulfil obligations - Articles 8, 11(1) and 15(2) of Directive 92/50/EEC - Procedure for the award of public service contracts - Contract relating to waste disposal - Absence of call for tenders
Judgment of the Court (First Chamber) of 10 November 2005 Opinion of Mr Advocate General Geelhoed delivered on 21 April 2005		
C-187/04 and C-188/04	Commission des Communautés européennes, représentée par M. K. Wiedner, en qualité d'agent, assisté de M <sup>e</sup> G. Bambara, avvocato, ayant élu domicile à Luxembourg, partie requérante, contre République italienne, représentée par M. I. M. Braguglia, en qualité d'agent, assisté de M. M. Fiorilli, avvocato dello Stato, ayant élu domicile à Luxembourg,	Manquement d'État – Directive 93/37/CEE – Marchés publics de travaux – Concessions de travaux publics – Règles de publicité
Arrêt de la Court (deuxième chambre) 27 octobre 2005		
C-234/03	Contse SA, Vivisol Srl and Oxigen Salud SA v Instituto Nacional de Gestión Sanitaria (Ingesa), formerly Instituto Nacional de la Salud (Insalud)	Freedom of establishment - Freedom to provide services - Directive 92/50/EEC - Public service contracts - Principle of non-discrimination - Health services of home respiratory treatments - Admission condition - Evaluation criteria.
Judgment of the Court (Third Chamber) of 27 October 2005		
C-525/03	Commission of the European Communities v Italian Republic	Failure of a Member State to fulfil obligations - National rules ceasing to have any legal effect before the expiry of the period laid down in the reasoned opinion - Inadmissibility of the action.
Judgment of the Court (Second Chamber) of 27 October 2005 Opinion of Mr Advocate General Jacobs delivered on 2 June 2005		
C-264/03	Commission of the European Communities v French Republic	Failure of a Member State to fulfil obligations - Public contracts - Directive 92/50/EEC - Procedures for the award of public service contracts - Freedom to provide services - Agency of delegated project contracting - Persons to whom the task of delegated project contracting may be entrusted - Exhaustive list of legal
Judgment of the Court (Third Chamber) of 20 October 2005 Opinion of Mr Advocate General Poiars Maduro delivered on 24 November 2004		

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		persons under French law
C-458/03	Parking Brixen GmbH v Gemeinde Brixen and Stadtwerke Brixen AG.	Public procurement - Procedures for the award of public contracts -Service concession - Management of public pay car parks
Judgment of the Court (First Chamber) of 13 October 2005 Opinion of Advocate General Kokott delivered on 1 March 2005		
T-140/05R	Adviesbureau Ehcon BV v Commission of the European Communities	Public service contracts – Invitation to tender – Rejection of a tender – Non-contractual liability – Limitation – Inadmissibility – Action manifestly unfounded
Order of the Court of First Instance (Third Chamber) of 14 September 2005		
C129/04	Espace Trianon SA and Société wallonne de location-financement SA (Sofibail) v Office communautaire et régional de la formation professionnelle et de l'emploi (FOREM)	Public procurement - Directive 89/665/EEC - Review procedures concerning the award of public contracts - Persons to whom review procedures must be available - Tender by a consortium - Prohibition against members of a consortium bringing an action individually - Meaning of "interest in obtaining a public contract".
Judgment of the Court (Second Chamber) of 8 September 2005 Opinion of Advocate General Stix-Hackl delivered on 15 March 2005		
C-231/03	Conorzio Aziende Metano (Coname) v Comune di Cingia de' Botti	Articles 43 EC, 49 EC and 81 EC — Concession for the management of a public gas-distribution service
Judgment of the Court (Grand Chamber) of 21 July 2005 Opinion of Advocate General Stix-Hackl delivered on 12 April 2005		
T-148/04	TQ3 Travel Solutions Belgium SA v Commission of the European Communities	Public service contracts - Community tendering procedure - Interim proceedings - Application for suspension of operation and interim measures - Urgency - None
Order of the President of the Court of First Instance of 27 July 2004		
C-462/03 and C-463/03	Strabag AG (C-462/03) and Kostmann GmbH (C-463/03) v Österreichische Bundesbahnen	Public procurement contracts - Directive 93/38/EEC - Water, energy, transport and telecommunications sectors - Concepts of "operation" and "provision" of networks providing a service to the public in the field of transport by railway - Railway infrastructure works.
Judgment of the Court (Second Chamber) of 16 June 2005		
T-125/05R	Umwelt- und Ingenieurtechnik GmbH Dresden v Commission of the European Communities.	Application for interim measures.
Order of the President of the Court of First Instance of 2 June 2005		
C15/04	Koppensteiner GmbH v Bundesimmobiliengesellschaft mbH	Public procurement - Directive 89/665/EEC - Review procedures concerning the award of public procurement contracts - Decision to withdraw an invitation to tender after the opening of tenders - Judicial review -Scope - Principle of effectiveness.
Judgment of the Court (Second Chamber) of 2 June 2005 Opinion of Advocate General Stix-Hackl delivered on 16		

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December 2004		
C-394/02	Commission of the European Communities v Hellenic Republic	Failure of a Member State to fulfil obligations - Directive 93/38/EEC - Public procurement in the water, energy, transport and telecommunications sectors - Contract for the construction of a conveyor-belt system for the thermal-electricity generation plant at Megalopolis - Failure to publish a contract notice - Technical reasons - Unforeseeable event - Extreme urgency
Judgment of the Court (First Chamber) of 2 June 2005 Opinion of Advocate General Jacobs delivered on 24 February 2005		
T-160/03	AFCon Management Consultants, Patrick Mc Mullin and Seamus O'Grady v Commission of the European Communities	Tacis Programme - Invitation to tender - Irregularities in the tendering procedure - Action for damages
Judgment of the Court of First Instance (Fifth Chamber) of 17 March 2005		
C-21/03 and C-34/03.	Fabricom SA v Belgian State	Public procurement - Works, supplies and services - Water, energy, transport and telecommunications sectors - Prohibition on participation in a procedure of submission of a tender by a person who has contributed to the development of the works, supplies or services concerned.
Judgment of the Court (Second Chamber) of 3 March 2005. Opinion of Mr Advocate General Léger delivered on 11 November 2004		
C-414/03	Kommission der Europäischen Gemeinschaften, vertreten durch K. Wiedner als Bevollmächtigten, Zustellungsanschrift in Luxemburg, Klägerin, Gegen Bundesrepublik Deutschland, vertreten durch W.-D. Plessing und M. Lumma als Bevollmächtigte, Beklagte, erlässt	Vertragsverletzung eines Mitgliedstaats – Artikel 8 der Richtlinie 92/50/EWG – Verfahren der Vergabe öffentlicher Dienstleistungsaufträge – Müllentsorgung im Land Niedersachsen
Urteil des Gerichtshofes (Vierte Kammer) 3 März 2005		
T-447/04 R	Capgemini Nederland BV v Commission of the European Communities.	Public contracts for services - Community tendering procedure - Interim proceedings - Prima facie case - Urgency
Order of the President of the Court of First Instance of 31 January 2005		
C-84/03	Commission of the European Communities v Kingdom of Spain.	Failure to fulfil obligations - Directives 93/36/EEC and 93/37/EEC - Public contracts - Award procedure for public supply and public works contracts - Scope - Definition of contracting authority - Inter-administrative cooperation agreements - Definition of contract - Use of the negotiated procedure in cases not provided for by the directive.
Judgment of the Court (Second Chamber) of 13 January 2005		
C-26/03	Stadt Halle and RPL Recyclingpark Lochau GmbH v Arbeitsgemeinschaft Thermische Restabfall- und Energieverwertungsanlage TREA Leuna.	Directive 92/50/EEC - Public service contracts - Award with no public call for tenders - Award of the contract to a semi-public undertaking - Judicial protection - Directive 89/665/EEC
Judgment of the Court (First Chamber) of 11 January 2005 Opinion of Advocate General Stix-Hackl delivered on 23 September 2004.		
C-126/3	Commission of the European Communities v Federal Republic of Germany	Failure of a Member State to fulfil its obligations - Directive 92/50/EEC - Public contracts - Waste transport services - Procedure without prior publication of a contract notice - Contract concluded by a contracting authority in relation to an economic activity subject to competition - Contract concluded by a
Judgment of the Court (First Chamber) of 18 November 2004 Opinion of Mr Advocate General Geelhoed delivered on 24 June 2004		

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		contracting authority in order to be able to submit an offer in a tender procedure - Proof of the service provider's capabilities - Possibility of relying on the capabilities of a third party - Subcontracting - Consequences of a judgment finding a failure to fulfil an obligation
T-303/04R T-303/04 R II	European Dynamics SA v Commission of the European Communities	Public service contracts – Community tender procedure – Interim measures – Application for suspension of operation – Urgency – None
Order of the President of the Court of First Instance of 10 November 2004 Order of the President of the Court of First Instance of 22 December 2004		
C-275/03	Commission des Communautés européennes, représentée par MM. A. Caeiros et K. Wiedner, en qualité d'agents, ayant élu domicile à Luxembourg, partie requérante, République portugaise, représentée par M. L. Fernandes et M <sup>me</sup> C. Gagliardi Graça, en qualité d'agents, partie défenderesse	Manquement d'État – Directive 89/665/CEE – Procédures de recours en matière de passation des marchés publics de fournitures et de travaux – Transposition incomplète
Arrêt de la Court (troisième chambre) 14 octobre 2004		
C-340/02	Commission of the European Communities v French Republic	Failure of a Member State to fulfil obligations - Directive 92/50/EEC - Procedure for the award of public service contracts - Assistance to the maître d'ouvrage for a sewage treatment plant - Award to the successful candidate in an earlier design contest without prior publication of a contract notice in the OJEC
Judgment of the Court (First Chamber) of 14 October 2004 Opinion of Mr Advocate General Geelhoed delivered on 11 March 2004.		
C-247/02	Sintesi SpA v Autorità per la Vigilanza sui Lavori Pubblici	Approximation of laws – Procedures for the award of public works contracts – Directive 93/37 – Award of contracts – Criteria for award – National rules which impose a requirement that the contracting authorities use only the criterion of the lowest price – Not permissible (Council Directive 93/37, Art. 30(1))
Judgment of the Court (Second Chamber) of 7 October 2004. Opinion of Advocate General Stix-Hackl delivered on 1 July 2004		
C-385/02	Commission of the European Communities v Italian Republic	1. Approximation of laws – Procedures for the award of public works contracts – Directive 93/37 – Derogations from common rules – Strict interpretation – Existence of exceptional circumstances – Burden of proof (Council Directive 93/37, Art. 7(3)) 2. Approximation of laws – Procedures for the award of public works contracts – Directive 93/37 – Derogations from common rules – Repetition of similar work awarded to the undertaking to which the original contract was awarded – Duration (Council Directive 93/37, Art. 7(3)(e)) 3. Actions for failure to fulfil obligations – Objective character – Excusable error – Not permissible (Art. 226 EC)
Judgment of the Court (Second Chamber) of 14 September 2004 Opinion of Advocate General Kokott delivered on 29 April 2004		
C-125/03	Kommission der Europäischen Gemeinschaften, vertreten durch K. Wiedner als Bevollmächtigten, Zustellungsanschrift in Luxemburg, Klägerin, gegen Bundesrepublik Deutschland, vertreten durch W.-D. Plessing und	Vertragsverletzung eines Mitgliedstaats – Zulässigkeit – Rechtsschutzbedürfnis – Richtlinie 92/50/EWG – Öffentliche Aufträge – Müllentsorgungsdienste – Verfahren ohne vorherige Vergabebekanntmachung

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	A. Tiemann, Bevollmächtigte, Beklagte, erlässt	
Urteil des Gerichtshofes (Erste Kammer) 9 September 2004		
C-212/02	Commission of the European Communities, represented by M. Nolin, acting as Agent, assisted by R. Roniger, Rechtsanwalt, with an address for service in Luxembourg, applicant, v Republic of Austria, represented by C. Pesendorfer and M. Fruhmann, acting as Agents, with an address for service in Luxembourg, defendant.	Application for a declaration that, inasmuch as the Landesvergabegesetze (regional public procurement laws) of the Länder of Salzburg, Styria, Lower Austria and Carinthia do not in all cases provide for a review procedure whereby an unsuccessful tenderer may have an award decision set aside, the Republic of Austria has failed to fulfil its obligations under Article 2(1)(a) and (b) of Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (OJ 1989 L 395, p. 33) and of Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ 1991 L 76, p. 14)
Judgment of the Court (Second Chamber) of 24 June 2004		
C-314/01	Siemens AG Österreich and ARGE Telekom & Partner v Hauptverband der Österreichischen Sozialversicherungsträger	Reference for a preliminary ruling: Bundesvergabeamt - Austria. Public contracts - Directive 89/665/EEC - Review procedures concerning the award of public contracts - Effects of a decision by the body responsible for review procedures annulling the decision by the contracting authority not to revoke the procedure by which a contract was awarded - Restriction on the use of subcontracting.
Judgment of the Court (Sixth Chamber) of 18 March 2004 Opinion of Mr Advocate General Geelhoed delivered on 20 November 2003		
C-230/02	Grossmann Air Service, Bedarfsluftfahrtunternehmen GmbH & Co. KG and Republik Österreich	Public procurement - Directive 89/665/EEC - Review procedures for the award of public contracts - Articles 1(3) and 2(1)(b) - Persons to whom review procedures must be available - Definition of interest in obtaining a public contract
Judgment of the Court (Sixth Chamber) of 12 February 2004 Opinion of Mr Advocate General Geelhoed delivered on 16 October 2003		
T-202/02	Makedoniko Metro and Michaniki AE v Commission of the European Communities	Public works contracts – Failure to institute infringement proceedings – Article 3 of Directive 89/665/EEC – Action for compensation – Inadmissibility
Order of the Court of First Instance (Fourth Chamber) of 14 January 2004		
C-448/01	EVN AG et Wienstrom GmbH v Republik Österreich	Directive 93/36/EEC - Public supply contracts - Concept of the most economically advantageous tender - Award criterion giving preference to electricity produced from renewable energy sources - Directive 89/665/EEC - Public procurement review proceedings - Unlawful decisions - Possibility of annulment only in the case of material influence on the outcome of the tender procedure - Illegality of an award criterion - Obligation to cancel the invitation to tender.
Judgment of the Court (Sixth Chamber) of 4 December 2003 Opinion of Mr Advocate General Mischo delivered on 27 February 2003		
C-252/01	Commission of the European Communities v Kingdom of Belgium	Failure by a Member State to fulfil its obligations - Procedures for the award of public service contracts - Directive 92/50/EEC - Renewal of a contract for

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Judgment of the Court (Sixth Chamber) of 16 October 2003 Opinion of Mr Advocate General Alber delivered on 3 April 2003		surveillance of the Belgian coast by aerial photography.
C-244/02	Kauppatalo Hansel Oy and Imatran kaupunki	Directive 93/36/EEC - Procedures for the award of public supply contracts - Incorrect assessment as regards the criterion for determining the most economically advantageous tender - Procurement procedure discontinued
Order of the Court (Second Chamber) 16 October 2003		
C-283/00	Commission of the European Communities against the Kingdom of Spain	Failure of a Member State to fulfill its obligations - Public procurement - Directive 93/37/EEC - Procedure for the award of public works contracts - State commercial company governed by private law - Company's object consisting of the implementation of a plan for repaying the costs of and establishing prisons - Concept of contracting authority
Judgment of the Court (Sixth Chamber) of 16 October 2003 Schlussanträge des Generalanwalts Siegbert Alber		
C-421/01	Traunfellner GmbH and Österreichische Autobahnen- und Schnellstraßen-Finanzierungs-AG (Asfinag)	Directive 93/37/EEC - Public works contracts - Concept of a variant - Conditions for consideration and assessment for the purpose of awarding a contract
Judgment of the Court (Sixth Chamber) 16 October 2003 Schlussanträge des Generalanwalts Siegbert Alber vom 10. April 2003		
C-249/01	Werner Hackermüller contre Bundesimmobiliengesellschaft mbH (BIG) et Wiener Entwicklungsgesellschaft mbH für den Donauraum AG (WED).	Public contracts - Directive 89/665/EEC - Review procedures concerning the award of public contracts - Article 1(3) - Persons to whom review procedures must be available
Judgment of the Court (Sixth Chamber) 19 June 2003 Conclusions de l'avocat général Mischo présentées le 25 février 2003		
C-315/01	Gesellschaft für Abfallentsorgungs-Technik GmbH (GAT) contre Österreichische Autobahnen und Schnellstraßen AG (ÖSAG).	Marchés publics - Directive 89/665/CEE - Procédures de recours en matière de passation de marchés publics - Pouvoir de l'instance responsable des procédures de recours d'examiner d'office toute violation - Directive 93/36/CEE - Procédures de passation des marchés publics de fournitures - Critères d'aptitude - Critères d'attribution
Arrêt de la Cour (sixième chambre) du 19 juin 2003 Conclusions de l'avocat général Geelhoed présentées le 10 octobre 2002		
C-410/01	Fritsch, Chiari & Partner, Ziviltechniker GmbH et autres contre Autobahnen- und Schnellstraßen-Finanzierungs-AG (Asfinag)	Public contracts - Directive 89/665/EEC - Review procedures concerning the award of public contracts - Article 1(3) - Persons to whom review procedures must be available - Definition of interest in obtaining a public contract
Judgment of the Court (Sixth Chamber) 19 June 2003 Conclusions de l'avocat Général M. Jean Mischo présentées le 25 février 2003		
C-18/01	Arkkitehtuuritoimisto Riitta Korhonen Oy, Arkkitehtitoimisto	Directive 92/50/EEC - Public service contracts - Definition of contracting authority - Body governed by

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	Pentti Toivanen Oy and Rakennuttajatoimisto Vilho Tervomaa v Varkauden Taitotalo Oy	public law - Company set up by a regional or local authority to promote the development of industrial or commercial activities on the territory of that authority
Judgment of the Court (Fifth Chamber) of 22 May 2003 Opinion of Mr Advocate General Alber delivered on 11 July 2002		
C-214/00	Commission des Communautés européennes contre Royaume d'Espagne	Manquement d'État - Directive 89/665/CEE - Procédures de recours en matière de marchés publics - Transposition - Notion de 'pouvoir adjudicateur' - Organisme de droit public - Actes susceptibles de recours - Mesures provisoires
Arrêt de la Cour (sixième chambre) du 15 mai 2003		
C-20/01 and C-28/01	Commission of the European Communities v Federal Republic of Germany	Failure by a Member State to fulfil its obligations - Admissibility - Legal interest in bringing proceedings - Directive 92/50/EEC - Procedures for the award of public service contracts - Negotiated procedure without prior publication of a contract notice - Conditions
Judgment of the Court (Fifth Chamber) of 10 April 2003		
C-424/01	CS Communications & Systems Austria GmbH v Allgemeine Unfallversicherungsanstalt	Public contracts - Directive 89/665/EEC - Review procedures for the award of public contracts - Action for annulment of a decision of the contracting authority - Application for interim measures - Duty or discretion of the body responsible for review procedures to take account of the prospects of success of the substantive claim - Article 104(3) of the Rules of Procedure - Question the answer to which does not admit of any reasonable doubt
Order of the Court (Fourth Chamber) of 9 April 2003		
C-327/00	Santex SpA v Unità Socio Sanitaria Locale n. 42 di Pavia, and Sca Mölnlycke SpA, Artsana SpA and Fater SpA	Directive 93/36/EEC - Public supply contracts - Directive 89/665/EEC - Review procedures applicable to public contracts - Limitation period - Principle of effectiveness
Judgment of the Court (Sixth Chamber) of 27 February 2003 Opinion of Mr Advocate General Alber delivered on 7 February 2002		
C-373/00	Adolf Truley GmbH v Bestattung Wien GmbH	Reference for a preliminary ruling: Vergabekontrollsenat des Landes Wien - Austria
Judgment of the Court (Fifth Chamber) of 27 February 2003 Schlussanträge des Generalanwalts Alber vom 21. März 2002		
T-4/01	Renco SpA v Council of the European Union	
Judgment of the Court of First Instance (Fifth Chamber) of 25 February 2003		
T-183/00	Strabag Benelux NV v Council of the European Union	
Judgment of the Court of First Instance (Fifth Chamber) of 25 February 2003		

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C-57/01	Makedoniko Metro and Michaniki AE v Elliniko Dimosio	Public works contracts - Rules for participating - Group of contractors submitting a tender - Change in the composition of the group - Prohibition laid down in the contract documents - Compatibility with Community law - Review procedures
Judgment of the Court (Sixth Chamber) of 23 January 2003		
C-470/99	Universale-Bau AG, Bietergemeinschaft: 1) Hinteregger & Söhne Bauges.m.b.H. Salzburg, 2) ÖSTÜ-STETTIN Hoch- und Tiefbau GmbH v Entsorgungsbetriebe Simmering GmbH	Directive 93/37/EEC - Public works contracts - Definition of 'contracting authority' - Body governed by public law - Restricted procedure - Rules for weighting of criteria for selecting candidates invited to tender - Advertisement - Directive 89/665/EEC - Review procedures relating to public procurement - Time-limits for review
Judgment of the Court (Sixth Chamber) of 12 December 2002 Schlussanträge des Generalanwalts Siegbert Alber vom 8. November 2001		
T-40/01	Scan Office Design SA v Commission of the European Communities	Public procurement - Supply of office furniture - Action for damages
Judgment of the Court of First Instance (Third Chamber) of 28 November 2002		
C-411/00	Felix Swoboda GmbH and Österreichische Nationalbank	Public service contracts - Directive 92/50/EEC - Scope <i>ratione materiae</i> - Moving offices of a central bank - Contract relating to both services listed in Annex I A to Directive 92/50 and services listed in Annex I B to that directive - Predominance in value terms of services listed in Annex I B)
Judgment of the Court (Fifth Chamber) 14 November 2002 Opinion of Mr Advocate General Mischo delivered on 18 April 2002		
T-211/02	Tideland Signal Ltd v Commission of the European Communities	Public procurement - Rejection of tender - Failure to exercise power to seek clarification of tender - Action for annulment - Expedited procedure
Judgment of the Court of First Instance (First Chamber) of 27 September 2002		
C-513/99	Concordia Bus Finland Oy Ab, formerly Stagecoach Finland Oy Ab v Helsingin kaupunki and HKL-Bussiliikenne	Public service contracts in the transport sector - Directives 92/50/EEC and 93/38/EEC - Contracting municipality which organises bus transport services and an economically independent entity of which participates in the tender procedure as a tenderer - Taking into account of criteria relating to the protection of the environment to determine the economically most advantageous tender - Whether permissible when the municipal entity which is tendering meets those criteria more easily
Judgment of the Court of 17 September 2002 Opinion of Mr Advocate General Mischo delivered on 13 December 2001		
C-92/00	HI Hospital Ingenieure Krankenhaustechnik Planungs-Gesellschaft m.b.H. gegen Magistrat der Stadt Wien - Wiener Krankenanstaltenverbund	Öffentliche Aufträge - Richtlinie 92/50 - Verfahren zur Vergabe öffentlicher Dienstleistungsaufträge - Widerruf einer Ausschreibung - Richtlinie 89/665 - Begriff 'rechtswidrige Entscheidung'
Judgment of the Court (Sixth Chamber) of 18 June 2002 Schlussanträge des Generalanwalts Antonio Tizzano vom 28.		

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T-169/00	Esedra SPRL v Commission of the European Communities	Public contract for the supply of services - Day nursery management services - Principle of non-discrimination - Contract notice - Contract documents - Reasons stated for decision not to award contract - Misuse of powers
Judgment of the Court of First Instance (Fifth Chamber) of 26 February 2002		
C-59/00	Bent Moustén Vestergaard and Spottrup Boligselskab	Interpretation of Articles 6 and 30 of the EC Treaty (now, after amendment, Articles 12 EC and 28 EC)
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Joined cases C-285/99 and C-286/99	Impresa Lombardini SpA - Impresa Generale di Costruzioni v ANAS - Ente nazionale per le strade and Società Italiana per Condotte d'Acqua SpA (C-285/99) and Impresa Ing. Mantovani SpA v ANAS - Ente nazionale per le strade and Ditta Paolo Bregoli (C-286/99)	Directive 93/37/EEC - Public works contracts - Award of contracts - Abnormally low tenders - Detailed rules for explanation and rejection applied in a Member State - Obligations of the awarding authority under Community law
Judgment of the Court (Sixth Chamber) of 27 November 2001 Opinion of Mr Advocate General Ruiz-Jarabo Colomer delivered on 5 June 2001		
C-19/00	SIAC Construction Ltd v County Council of the County of Mayo	Reference for a preliminary ruling: Supreme Court - Ireland. Public works contracts - Award to the most economically advantageous tender - Award criteria
Judgment of the Court (Fifth Chamber) of 18 October 2001 Opinion of Mr Advocate General Jacobs delivered on 10 May 2001		
C-399/98	Leopoldo Freyrie v Comune di Milano, and Pirelli SpA, Milano Centrale Servizi SpA and Fondazione Teatro alla Scala	Public works contracts - Directive 93/37/EEC - National legislation under which the holder of a building permit or approved development plan may execute infrastructure works directly, by way of set-off against a contribution - National legislation permitting the public authorities to negotiate directly with an individual the terms of administrative measures concerning him
Judgment of the Court (Sixth Chamber) of 12 July 2001 Opinion of Advocate General Léger delivered on 7 December 2000		
C-439/00	Commission of the European Communities v French Republic	Failure by Member State to fulfil its obligations - Directive 98/4/EC - Failure to transpose within the prescribed period
Judgment of the Court (Fourth Chamber) of 21 June 2001 Opinion of Mr Advocate General Mischo delivered on 2 May 2001		
C-223/99 and C-260/99	Agorí Srl and Excelsior Snc di Pedrotti Bruna & C. v Ente Autonomo Fiera Internazionale di Milano and Cifat Soc. coop. arl.	Public service contracts - Definition of contracting authorities - Body governed by public law
Judgment of the Court (Fifth Chamber) of 10 May 2001 Opinion of Mr Advocate General Alber delivered on 30 January 2001		

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C-97/00	Commission of the European Communities v French Republic	Failure of a Member State to fulfil its obligations - Failure to transpose Directive 97/52/EC
Judgment of the Court (Fourth Chamber) of 8 March 2001 Opinion of Mr Advocate General Mischo delivered on 14 December 2000		
C-237/99	Commission of the European Communities v French Republic	Failure by a Member State to fulfil obligations - Directive 93/37/EEC - Public works contracts - Concept of 'contracting authority'
Judgment of the Court (Fifth Chamber) of 1 February 2001 Opinion of Mr Advocate General Mischo delivered on 19 October 2000		
C-172/99	Oy Liikenne Ab v Pekka Liskojärvi and Pentti Juntunen	Directive 77/187/EEC - Safeguarding of employees' rights in the event of transfers of undertakings - Directive 92/50/EEC - Public service contracts - Non-maritime public transport services
Judgment of the Court (Sixth Chamber) of 25 January 2001 Opinion of Mr Advocate General Léger delivered on 12 October 2000		
C-94/99	ARGE Gewässerschutz v Bundesministerium für Land- und Forstwirtschaft	Public service contracts - Directive 92/50/EEC - Procedure for the award of public procurement contracts - Equal treatment of tenderers - Discrimination on grounds of nationality - Freedom to provide services
Judgment of the Court (Sixth Chamber) of 7 December 2000 Opinion of Mr Advocate General Léger delivered on 15 June 2000		
C-324/98	Telaustria Verlags GmbH and Telefonadress GmbH v Telekom Austria AG, joined party: Herold Business Data AG	Public service contracts - Directive 92/50/EEC - Public service contracts in the telecommunications sector - Directive 93/38/EEC - Public service concession
Judgment of the Court (Sixth Chamber) of 7 December 2000 Opinion of Mr Advocate General Fennelly delivered on 18 May 2000		
C-16/98	Commission of the European Communities v French Republic	Failure of a Member State to fulfil its obligations - Directive 93/38/EEC - Public works contracts in the water, energy, transport and telecommunications sectors - Electrification and street lighting works in the département of the Vendée - Definition of work
Judgment of the Court of 5 October 2000 Opinion of Mr Advocate General Jacobs delivered on 24 February 2000		
C-337/98	Commission of the European Communities v French Republic	Applicability <i>ratione temporis</i> - Rennes urban district light railway project - Contract awarded by negotiated procedure without a prior call for competition
Judgment of the Court of 5 October 2000 Opinion of Mr Advocate General Jacobs delivered on 23 March 2000		
C-380/98	The Queen v H.M. Treasury, ex parte The University of	Public contracts - Procedure for the award of public contracts for services, supplies and works - Contracting

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C-225/98	Commission of the European Communities v French Republic	Failure of a Member State to fulfil its obligations - Public works contracts - Directives 71/305/EEC, as amended by Directive 89/440/EEC, and 93/37/EEC - Construction and maintenance of school buildings by the Nord-Pas-de-Calais Region and the Département du Nord
Judgment of the Court of 26 September 2000 Schlussantraege des Generalanwalts Alber vom 14. Maerz 2000		
T-139/99	Alsace International Car Service (AICS) v European Parliament	Public services contract - Passenger transport by chauffeur-driven vehicles - Invitation to tender - Compliance with national law - Principles of sound administration and of the duty to cooperate in good faith - Rejection of a tender
Judgment of the Court of First Instance (Fifth Chamber) of 6 July 2000		
C-13/99	TEAM Srl v Commission of the European Communities	Appeal - PHARE programme - Decision to annul an invitation to tender and to issue a new invitation to tender - Action for damages - Categorisation of reparable damage - Causal link - Measures of organisation of procedure - Measures of inquiry
Judgment of the Court (Fifth Chamber) of 15 June 2000 Opinion of Mr Advocate General Jacobs delivered on 17 February 2000		
T-145/98	ADT Projekt Gesellschaft der Arbeitsgemeinschaft Deutscher Tierzüchter mbH v Commission of the European Communities	TACIS programme - Invitation to tender - Irregularities in the tendering procedure - Action for annulment - Action for damages - Admissibility
Judgment of the Court of First Instance (Third Chamber) of 24 February 2000		
T-5/99	Pantelis Andriotis v Commission of the European Communities and European Centre for the Development of Vocational Training (Cedefop)	CEDEFOP - Procedure awarding a public services procurement contract - Call for tenders for architect's services - No notice publishing the results of the award procedure - Legal interest in bringing proceedings - Manifestly inadmissible
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C-176/98	Holst Italia SpA v Comune di Cagliari, intervener: Ruhrwasser AG International Water Management	Directive 92/50/EEC - Public service contracts - Proof of standing of the service provider - Possibility of relying on the standing of another company
Judgment of the Court (Fifth Chamber) of 2 December 1999 Opinion of Mr Advocate General Léger delivered on 23 September 1999		
C-440/98	Radiotelevisione italiana Spa (RAI)	Article 177 of the EC Treaty (now Article 234 EC) - Definition of "court or tribunal of a Member State" - Community rules concerning public procurement
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C-107/98	Teckal Srl v Comune di Viano and Azienda Gas-Acqua	Public service and public supply contracts - Directives 92/50/EEC and 93/36/EEC - Award by a local authority

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	Consoziale (AGAC) di Reggio Emilia	of a contract for the supply of products and provision of specified services to a consortium of which it is a member
Judgment of the Court (Fifth Chamber) of 18 November 1999 Opinion of Mr Advocate General Alber delivered on 18 March 1999		
C-275/98	Unitron Scandinavia A/S and 3-S A/S, Danske Svineproducenters Serviceselskab v Ministeriet for Frdevarer, Landbrug og Fiskeri	Public supply contracts - Directive 93/36/EEC - Award of public supply contracts by a body other than a contracting authority
Judgment of the Court (First Chamber) of 18 November 1999 Opinion of Mr Advocate General Alber delivered on 8 July 1999		
C-328/96	Commission of the European Communities v Republic of Austria	Community law of conditions governing invitations to tender - Failure to publish a contract notice in the Official Journal of the European Communities
Judgment of the Court of 28 October 1999 Opinion of Mr Advocate General Alber delivered on 19 January 1999		
C-81/98	Alcatel Austria AG u. a., Siemens AG Osterreich und Sag-Schrack Anlagentechnik AG gegen Bundesministerium fuer Wissenschaft und Verkehr	Oeffentliches Auftragswesen - Vergabe oeffentlicher Liefer- und Bauauftraege - Nachpruefungsverfahren
Urteil des Gerichtshofes (Sechste Kammer) vom 28. Oktober 1999 Opinion of Mr Advocate General Mischo delivered on 10 June 1999		
Joined cases T-191/96 and T-106/97	CAS Succhi di Frutta SpA v Commission of the European Communities	Common agricultural policy - Food aid - Tendering procedure - Payment of successful tenderers in fruit other than those specified in the notice of invitation to tender
Judgment of the Court of First Instance (Second Chamber) of 14 October 1999		
C-27/98	Metalmecanica Fracasso SpA and Leitschutz Handels- und Montage GmbH v Amt der Salzburger Landesregierung fuer den Bundesminister fuer wirtschaftliche Angelegenheiten	Public works contract - Contract awarded to sole tenderer judged to be suitable
Judgment of the Court (Fourth Chamber) of 16 September 1999 Opinion of Mr Advocate General Saggio delivered on 25 March 1999		
C-108/98	RI.SAN. Srl v Comune di Ischia, Italia Lavoro SpA and Ischia Ambiente SpA	Freedom of establishment - Freedom to provide services - Organisation of urban waste collection service
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T-231/97	New Europe Consulting and Michael P. Brown v Commission of the European Communities	PHARE programme - Action for damages - Conditions - Principle of sound administration - Assessment of damage
Judgment of the Court of First Instance (Fourth Chamber) of 9 July 1999		
C-172/97	Commission of the European Communities v SIVU du plan d'eau de la Vallée du Lot and Hydro-Réalisations SARL	Arbitration clause - Non-performance of a contract
Judgment of the Court (Third Chamber) of 10 June 1999* Opinion of Mr Advocate General Alber delivered on 28 January 1999 Judgment of the Court (Third Chamber) of 2 October 2001** Opinion of Mr Advocate General Alber delivered on 15 February 2001		
C-225/97	Commission of the European Communities v French Republic	Failure of a Member State to fulfil obligations - Freedom to provide services - Public procurement procedures - Water, energy, transport and telecommunications sectors
Judgment of the Court (Sixth Chamber) of 19 May 1999 Opinion of Mr Advocate General La Pergola delivered on 19 January 1999		
C-258/97	Hospital Ingenieure Krankenhaustechnik Planungs-Gesellschaft mbH (HI) v Landeskrankenanstalten-Betriebsgesellschaft	Public service contracts - Effect of a directive not transposed into national law
Judgment of the Court (Sixth Chamber) of 4 March 1999 Opinion of Mr Advocate General Saggio delivered on 1 October 1998		
C-103/97	Josef Köllensperger GmbH & Co. KG and Atzwanger AG v Gemeindeverband Bezirkskrankenhaus Schwaz	National 'court or tribunal' within the meaning of Article 177 of the EC Treaty - Procedures for the award of public supply contracts and public works contracts - Body responsible for review procedures
Judgment of the Court (Sixth Chamber) of 4 February 1999 Opinion of Mr Advocate General Saggio delivered on 24 September 1998		
C-306/97	Connemara Machine Turf Co. Ltd v Coillte Teoranta	Public supply contracts - Definition of contracting authority
Judgment of the Court (Fifth Chamber) of 17 December 1998 Opinion of Mr Advocate General Alber delivered on 16 July 1998		
C-353/96	Commission of the European Communities v Ireland	Failure of a Member State to fulfil obligations - Public supply contracts - Review procedures - Definition of

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Judgment of the Court (Fifth Chamber) of 17 December 1998 Opinion of Mr Advocate General Alber delivered on 16 July 1998		contracting authority
T-203/96	Embassy Limousines & Services v European Parliament	Arbitration clause - Existence of a contract - Non-contractual liability - Withdrawal of an invitation to tender - Legitimate expectations - Assessment of damage
Judgment of the Court of First Instance (Fourth Chamber) of 17 December 1998		
C-360/96	Gemeente Arnhem and Gemeente Rheden v BFI Holding BV	Public service contracts - Meaning of contracting authority - Body governed by public law
Judgment of the Court of 10 November 1998 Opinion of Mr Advocate General La Pergola delivered on 19 February 1998		
T-13/96	TEAM Srl v Commission of the European Communities	PHARE programme - Decision to annul an invitation to tender and issue a new invitation to tender - Action for damages - Admissibility - Damage resulting from the loss suffered by a tenderer, from its loss of profit and from the harm caused to its image
Judgment of the Court of First Instance (Fourth Chamber) of 29 October 1998		
C-76/97	Walter Tögel v Niederösterreichische Gebietskrankenkasse	Public service contracts - Direct effect of a directive not transposed into national law - Classification of services for the transport of patients
Judgment of the Court (Sixth Chamber) of 24 September 1998 Opinion of Mr Advocate General Fennelly delivered on 2 April 1998		
C-111/97	EvoBus Austria GmbH v Niederösterreichische Verkehrsorganisations GmbH (Növog)	Public procurement in the water, energy, transport and telecommunications sectors - Effect of a directive which has not been transposed
Judgment of the Court (Sixth Chamber) of 24 September 1998 Opinion of Mr Advocate General Fennelly delivered on 2 April 1998		
C-323/96	Commission of the European Communities v Kingdom of Belgium	Failure by a Member State to fulfil obligations - Public works contracts - Directives 89/440/EEC and 93/37/EEC - Failure to publish a contract notice - Application of negotiated procedure without justification
Judgment of the Court (Sixth Chamber) of 17 September 1998 Opinion of Mr Advocate General Alber delivered on 19 March 1998		
T-111/96	ITT Promedia NV v Commission of the European Communities	Competition - Actions for annulment - Rejection of a complaint - Article 86 of the EC Treaty - Abuse of a dominant position - Actions before national courts - Right of access to the courts - Claim for performance of an agreement - Manifest error of assessment - Obligation to carry out an examination - Error of characterisation - Inadequate statement of reasons
Judgment of the Court of First Instance (Fourth Chamber, extended composition) of 17 July 1998		
C-44/96	Mannesmann Anlagenbau Austria AG and Others v Strohal Rotationsdruck GesmbH	Public procurement - Procedure for the award of public works contracts - State printing office - Subsidiary pursuing commercial activities

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Judgment of the Court of 15 January 1998 Opinion of Mr Advocate General Léger delivered on 16 September 1997		
C-341/96	Commission of the European Communities v Federal Republic of Germany	Failure of a Member State to fulfil its obligations - Directive 93/36/EEC - Failure to transpose within the prescribed period
Judgment of the Court (Sixth Chamber) of 16 December 1997 Opinion of Mr Advocate General Fennelly delivered on 23 October 1997		
C-304/96	Hera SpA v Unità sanitaria locale n° 3 - genovese (USL) and Impresa Romagnoli SpA	Directive 93/37/EEC - Public procurement - Abnormally low tenders
Judgment of the Court (Fourth Chamber) of 16 October 1997 Opinion of Mr Advocate General Lenz delivered on 29 May 1997		
T-83/97	Société anonyme de traverses en béton armé (Sateba) v Commission of the European Community	Public procurement - Complaint - Proceedings for a declaration of failure to fulfil obligations - Decision not to proceed - Application for annulment - Inadmissibility
Order of the Court of First Instance (First Chamber) of 29 September 1997		
C-54/96	Dorsch Consult Ingenieurgesellschaft mbH v Bundesbaugesellschaft Berlin mbH	Meaning of 'national court or tribunal' for the purposes of Article 177 of the Treaty - Procedures for the award of public service contracts - Directive 92/50/EEC - National review body
Judgment of the Court of 17 September 1997 Opinion of Mr Advocate General Tesauo delivered on 15 May 1997		
C-43/97	Commission of the European Communities v Italian Republic	Failure to fulfil obligations - Directive 93/36/EEC - Failure to transpose within the prescribed period
Judgment of the Court (Sixth Chamber) of 17 July 1997 Opinion of Mr Advocate General Lenz delivered on 12 June 1997		
C-311/96	Commission of the European Communities v French Republic	Failure of a Member State to fulfil its obligations - Directive 93/38/EEC - Failure to transpose within the prescribed period
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C-312/96	Commission of the European Communities v French Republic	Failure of a Member State to fulfil its obligations - Directive 93/36/EEC - Failure to transpose within the prescribed period
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C-395/95 P	Geotronics SA v Commission of	Admissibility - EEA Agreement - Product origin -

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Judgment of the Court of 22 April 1997 Opinion of Mr Advocate General Tesauro delivered on 30 January 1997		
C-236/95	Commission of the European Communities v Hellenic Republic	Failure by a Member State to fulfil its obligations - Failure to implement Directive 89/665/EEC within the prescribed period - Review procedures relating to public supply and public works contracts
Judgment of the Court (Fifth Chamber) of 19 September 1996 Opinion of Mr Advocate General Léger delivered on 20 June 1996		
C-19/95	San Marco Impex Italiana Srl v Commission of the European Communities	Appeal - Public works contract - Article 178 and the second paragraph of Article 215 of the Treaty
Order of the Court (First Chamber) of 17 September 1996		
T-19/95	Adia Interim SA v Commission of the European Communities	Public service contract - Agency staff - Tender vitiated by a calculation error - Statement of reasons of the decision rejecting the tender - No obligation for the contracting authority to contact the tenderer
Judgment of the Court of First Instance (Fourth Chamber) of 8 May 1996		
C-234/95	Commission of the European Communities v French Republic	Failure of a Member State to fulfil its obligations - Directive 92/50/EEC
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C-253/95	Commission of the European Communities v Federal Republic of Germany	Failure of a Member State to fulfil its obligations - Directive 92/50/EEC
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C-311/95	Commission of the European Communities v Hellenic Republic	Failure to fulfil obligations - Directive 92/50/EEC
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C-87/94	Commission of the European Communities v Kingdom of Belgium	Public contracts - Transport sector - Directive 90/531/EEC
Judgment of the Court (Fifth Chamber) of 25 April 1996 Order of the President of the Court of 22 April 1994 Advocat's opinion		
C-318/94	Commission of the European Communities v Federal Republic of Germany	Failure to fulfil obligations - Public works contracts - Failure to publish a tender notice
Judgment of the Court (Fifth Chamber) of 28 March 1996		
C-392/93	The Queen v H. M. Treasury, ex parte British Telecommunications plc	Reference for a preliminary ruling - Interpretation of Directive 90/531/EEC - Telecommunications - Transposition into national law - Obligation to pay

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C-360/93	European Parliament v Council of the European Union	Common commercial policy - Services - Government procurement
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T-126/95	Dumez v. Commission of the European Communities	Refusal by the commission to initiate treaty infringement proceedings - action for annulment - action for declaration of failure to act - inadmissible
Order of the Court of First Instance (Third Chamber) of 13 November 1995		
C-143/94	Furlanis Costruzioni Generali SpA v Azienda Nazionale Autonoma Strade (ANAS)	Council Directives 71/305/EEC and 89/440/EEC - Public contracts - Abnormally low tenders in relation to the transaction
Judgment of the Court (Fourth Chamber) of 26 October 1995		
T-185/94	Geotronics SA v Commission of the European Communities	PHARE Programme – Restricted invitation to tender - Action for annulment - Admissibility - EEA agreement - Action for damages
Judgment of the Court of First Instance (Fourth Chamber) of 26 October 1995		
C-433/93	Commission of the European Communities v Federal Republic of Germany	Actions against member states for failure to fulfil obligations - public works and public supply contracts
Judgment of the Court of 11 August 1995		
C-57/94	Commission of the European communities v Italian republic	Action for failure to fulfil obligations - public works contracts - failure to publish a notice of invitation to tender
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C-79/94	Framework Agreement for the Exclusive Supply of Dressing Material for Use in Greek Hospitals and by the Greek Army	Commission of the European Communities v Hellenic Republic
Judgment of the Court (Fifth Chamber) of 4 May 1995 Opinion of Mr Advocate General Lenz delivered on 16 February 1995		
C-324/93	The Queen v Secretary of State for home department, ex Parte Evans Medical Ltd and Macfarlan Smith Ltd	Free movement of goods - importation of a narcotic drug (diamorphine)
Judgment of the Court of 28 March 1995 Opinion of Mr Advocate General Fennelly delivered on 18 May 2000		
T-29/92	Vereniging van Samenwerkende Prijsregelende Organisaties in de Bouwnijverheid and others v Commission of the European	Competition - Non-existence of measures - Decisions of associations of undertakings - Complex rules - Infringement - Effect on trade between States -

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	Communities	Exemption - Fines
Judgment of the Court of First Instance (First Chamber) of 21 February 1995		
C-359/93	Commission of the European Communities v Kingdom of the Netherlands	Tender notices for public supply contracts - review procedure - notification - technical specifications
Judgment of the Court of 24 January 1995 Opinion of Mr Advocate General Tesauo delivered on 17 November 1994		
C-43/93	Raymond Vander Elst v Office des Migrations Internationales	Freedom to provide services - Nationals of a non-member country
Judgment of the Court of 9 August 1994		
C-328/92	Commission of the European Communities v Kingdom of Spain	Failure to fulfil obligations - Public supply contracts - Pharmaceutical products and specialities
Judgment of the Court of 3 May 1994 Opinion of Mr Advocate General Lenz delivered on 8 March 1994		
C-272/91	Commission of the European Communities v Italian Republic.	Concession for the lottery computerization system
Judgment of the Court of 26 April 1994 Opinion of Mr Advocate General Gulmann delivered on 14 July 1993		
C-331/92	Gestión Hotelera Internacional SA v Comunidad Autónoma de Canarias, Ayuntamiento de Las Palmas de Gran Canaria and Gran Casino de Las Palmas SA	Directive 71/305/CEE - Definition of "public works contracts".
Judgment of the Court (Sixth Chamber) of 19 April 1994 Opinion of Mr Advocate General Lenz delivered on 9 December 1993		
C-389/92	Ballast Nedam Groep NV v Belgian State	Freedom to provide services - Public works contracts - Registration of contractors - Relevant entity.
Judgment of the Court (Fifth Chamber) of 14 April 1994 Opinion of Mr Advocate General Gulmann delivered on 24 February 1994		
C-296/92	Commission of the European Communities v Italian Republic	Action for failure to fulfil obligations - Public works contracts - Inadmissibility
Judgment of the Court of 12 January 1994 Opinion of Mr Advocate General Gulmann delivered on 18 November 1993		
C-71/92	Commission of the European Communities v Kingdom of	Actions against Member States for failure to fulfil

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	Spain	obligations - Public works and supply contracts
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C-107/92	Commission of the European Communities v Italian Republic	Failure of a Member State to fulfil its obligations - Procedures for the award of public works contracts - Derogation
Judgment of the Court of 2 August 1993 Schlussantraege des Generalanwalts Gulmann vom 12. Mai 1993		
C-243/89	Commission of the European Communities v Kingdom of Denmark.	Award of a works contract - Bridge over the "Storebaelt".
Judgment of the Court of 22 June 1993 Opinion of Mr Advocate General Tesauro delivered on 17 November 1992		
C-360/89	Commission of the European Communities v Italian Republic	Freedom to provide services - Award of public works contracts
Judgment of the Court of 3 June 1992 Schlussantraege des Generalanwalts Lenz vom 26. Februar 1992		
C-362/90	Commission of the European Communities v Italian Republic	Failure of a Member State to fulfil obligations - Public supply contracts - Admissibility
Judgment of the Court of 31 March 1992 Opinion of Mr Advocate General Lenz delivered on 26 February 1992		
C-24/91	Commission of the European Communities v Kingdom of Spain	Directive 71/305/CEE - Awarding of public contracts - Advertising of contracts - Derogation in urgent cases
Judgment of the Court of 18 March 1992 Opinion of Mr Advocate General Lenz delivered on 6 February 1992		
C-247/89	Commission of the European Communities v Portuguese Republic	Failure to publish notice of a supply contract
Judgment of the Court of 11 July 1991 Schlussantraege des Generalanwalts Lenz vom 13. Maerz 1991		
C-351/88	Laboratori Bruneau Srl v Unif sanitaria locale RM/24 di Monterotondo	Public supply contracts - Reservation of 30% of such contracts to undertakings located in the Mezzogiorno
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C-295/89	Impresa Donà Alfonso di Donà Alfonso & Figli v Consorzio per lo sviluppo industriale del comune di Monfalcone, Regione Friuli-Venezia Giulia, Impresa Luigi Tacchino SpA and Impresa Carlutti Costruttori SRL	Public works contracts - Abnormally low tenders
Judgment of the Court (First Chamber) of 18 June 1991 Schlussantraege des Generalanwalts Lenz vom 30. April 1991		
C-263/85	Commission of the European Communities v Italian Republic	Failure of a Member State to fulfil its obligations - Measure having equivalent effect - Aid for the purchase of motor vehicles of domestic manufacture
Judgment of the Court of 16 May 1991		
C-292/89	The Queen v Immigration Appeal Tribunal, ex parte Gustaff Desiderius Antonissen	Free movement of workers - Right of residence - Seeking employment - Temporal limitation
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C-113/89	Rush Portuguesa Lda v Office national d'immigration	Act of Accession - Transitional period - Freedom of movement for workers - Freedom to provide services
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C-5/97	Ballast Nedam Groep NV v Belgische Staat	Freedom to provide services - Public-works contracts - Registration of contractors - Entity to be taken into account
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