

Article 3 of that directive, whether a qualification obtained in another Member State by a national of a Member State wishing to pursue a regulated profession in the host Member State can be regarded as a diploma within the meaning of that provision and, if so, to determine the extent to which the training courses whose successful completion leads to the award of those diplomas are similar with regard to both their duration and the matters covered. If it is apparent from that court's examination that both qualifications constitute diplomas within the meaning of that directive and that those diplomas are awarded on the completion of equivalent education or training, the directive precludes the authorities of the host Member State from making access by that national of a Member State to the profession of manager in the hospital public service subject to the condition that he complete the training given by the *École nationale de la santé publique* and pass the final examination at the end of that training.

2. Where a national of a Member State holds a diploma obtained in one Member State which is equivalent to the diploma required in another Member State in order to take up employment in the hospital public service, Community law precludes the authorities of the second Member State from making that national's access to the employment in question subject to his passing a competition such as the entrance examination of the *École nationale de la santé publique*.

(¹) OJ C 275 of 29.9.2001.

JUDGMENT OF THE COURT

(Fifth Chamber)

of 18 September 2003

In Joined Cases C-292/01 and C-293/01 (Reference for a preliminary ruling from the Consiglio di Stato): Albacom SpA (C-292/01), Infostrada SpA (C-293/01) v Ministero del Tesoro, del Bilancio e della Programmazione Economica, Ministero delle Comunicazioni (¹)

(Telecommunications services — General authorisations and individual licences — Directive 97/13/EC — Fees and charges for individual licences)

(2003/C 264/19)

(Language of the case: Italian)

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

In Joined Cases C-292/01 and C-293/01: Reference to the Court under Article 234 EC by the Consiglio di Stato (Italy)

for a preliminary ruling in the proceedings pending before that court between Albacom SpA (C-292/01), Infostrada SpA (C-293/01) and Ministero del Tesoro, del Bilancio e della Programmazione Economica, Ministero delle Comunicazioni, on the interpretation of Directive 97/13/EC of the European Parliament and of the Council of 10 April 1997 on a common framework for general authorisations and individual licences in the field of telecommunications services (OJ 1997 L 117, p. 15), the Court (Fifth Chamber), composed of: M. Wathelet, President of the Chamber, C.W.A. Timmermans, A. La Pergola, P. Jann and S. von Bahr (Rapporteur), Judges; D. Ruiz-Jarabo Colomer, Advocate General; R. Grass, Registrar, has given a judgment on 18 September 2003, in which it has ruled:

Directive 97/13/EC of the European Parliament and of the Council of 10 April 1997 on a common framework for general authorisations and individual licences in the field of telecommunications services and, in particular, Article 11 thereof, prohibit Member States from imposing financial charges other than and in addition to those allowed by the directive, such as the contested charge in the main proceedings, on undertakings which hold individual licences in the telecommunications sector solely because they hold such licences.

(¹) OJ C 275 of 29.9.2001 and OJ C 289 of 13.10.2001.

JUDGMENT OF THE COURT

(First Chamber)

of 11 September 2003

in Case C-331/01: Kingdom of Spain v Commission of the European Communities (¹)

(EAGGF — Clearance of accounts — Additional payments granted to producers of bovine animals in 1996 — Time-limits for notification of results of checks)

(2003/C 264/20)

(Language of the case: Spanish)

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

In Case C-331/01, Kingdom of Spain (Agent: initially by M. López-Monís Gallego and subsequently by L. Fraguas Gadea) v Commission of the European Communities (Agent: S. Pardo Quintillán): Application for the annulment of Commission Decision 2001/557/EC of 11 July 2001 excluding from Community financing certain expenditure incurred by