Case C-31/89

(Summary publication)

Commission of the European Communities

v

Kingdom of Spain

(Council Directive 83/183/EEC — National legislation which fails to comply with obligations under Community law)

Summary of the Judgment

Member States — Obligations — Implementation of directives — Failure to implement — Justification — Not permissible

(EEC Treaty, Art. 169)

According to well-established case-law, a Member State may not plead provisions, practices or circumstances existing in its internal legal system in order to justify a failure to comply with obligations and time-limits laid down in Community directives.

OPINION OF THE ADVOCATE GENERAL

Mr Advocate General Tesauro delivered his Opinion on 14 February 1990.* He proposed that the Court should uphold the application in the action brought against the Kingdom of Spain.

* Original language: Italian.