JUDGMENT OF THE COURT (Second Chamber)
25 May 1989 *

In Case 15/88

REFERENCE to the Court under Article 177 of the EEC Treaty, by the commissione tributaria di secondo grado (Tax Appeals Board), Bolzano, for a preliminary ruling in the proceedings pending before that court between

Maxi Di SpA

and

Ufficio del registro di Bolzano (Registration Office, Bolzano)

on the interpretation of Article 11 of Council Directive 69/335/EEC of 17 July 1969 concerning indirect taxes on the raising of capital (Official Journal, English Special Edition 1969 (II), p. 412),

THE COURT (Second Chamber),

composed of: T. F. O'Higgins, President of Chamber, G. F. Mancini and F. A. Schockweiler, Judges,

(the grounds of the judgment are not reproduced)

in answer to the question referred to it by the commissione tributaria di secondo grado di Bolzano, by order of 4 December 1987, rules as follows:

Article 11 of Directive 69/335 must be interpreted as meaning that a Member State is not permitted to charge capital companies, as defined in Article 3 thereof, tax of any kind other than the taxes and duties set out in Article 12 of the directive in respect of the issue of debentures, an operation covered by Article 11.

* Language of the case Italian