

- (b) In an action in which claims for damages for breach of contractual and pre-contractual obligations, claims relating to unjust enrichment and claims for damages for tort or delict are put forward, does the first paragraph of Article 13 of the Convention give ancillary jurisdiction to hear the non-contractual claims because of their relationship to the contractual claims?

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**Reference for a preliminary ruling by the Tribunal de Première Instance (55th Criminal Chamber), Brussels, by judgment of that court of 11 March 1991 in the case of *Ministère Public v. Pierre Evrard***

(Case C-93/91)

(91/C 105/14)

Reference has been made to the Court of Justice of the European Communities by judgment of the Tribunal de Première Instance [Court of First Instance] (55th Criminal Chamber), Brussels, of 11 March 1991, which was received at the Court Registry on 15 March 1991, for a preliminary ruling in the case of *Ministère Public [Crown Prosecutor's Office] v. Pierre Evrard* on the following question:

- Must Articles 30 to 37 and 86 of the Treaty establishing the European Economic Community, together with Commission Directive 88/301/EEC of 16 May 1988 on competition in the markets in telecommunications terminal equipment<sup>(1)</sup>, be interpreted as prohibiting, in the field of radio communications, legal provisions such as the Law of 30 July 1979 and the Royal Decree of 15 October 1979 which impose penalties of periods of imprisonment or fines, or both, on persons who have:
1. kept, within the Kingdom of Belgium or on board a vessel, boat, aircraft or any other structure governed by Belgian law, a radio transmitter or receiver or set up or operated in such place a radio station or

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<sup>(1)</sup> OJ No L 131, 27. 5. 1988, p. 73.

network without having obtained the written, personal and revocable authorization of the Minister or State Secretary responsible for telephones and telecommunications; or,

2. offered for sale or hire a radio transmitter or receiver no specimen of which has been certified by the State Authority for Telephones and Telecommunications as complying with the technical requirements laid down by the Minister responsible,

despite the possible existence of an official certification obtained under a procedure established by another Member State of the European Community?

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**Reference for a preliminary ruling by the Tribunal Administratif de Paris (Seventh Section, First Chamber) by judgment of that court of 17 January 1991 in the case of *Hans-Otto Wagner GmbH v. Fonds d'Intervention et de Régularisation du Marché du Sucre***

(Case C-94/91)

(91/C 105/15)

Reference has been made to the Court of Justice of the European Communities by judgment of the Tribunal Administratif de Paris [Administrative Court, Paris] (Seventh Section, First Chamber) of 17 January 1991, which was received at the Court Registry on 18 March 1991, for a preliminary ruling in the case of *Hans-Otto Wagner GmbH v. Fonds d'Intervention et de Régularisation du Marché du Sucre*.

The Tribunal Administratif de Paris requests the Court of Justice to give a preliminary ruling on the validity of Note 2 to the 'Notice on import and export licences and advance-fixing certificates for agricultural products'<sup>(1)</sup>.

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<sup>(1)</sup> OJ No C 52, 11. 3. 1981.