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# EU News: Click & Read

132 - April 2019

European Documentation Centre

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This newsletter contains a selection of recent official documents of the European Union. It features information of particular interest to Swiss readers and aims to provide universities, cantonal and federal administrations, lawyers, trading enterprises and financial businesses with information about the latest legal developments in the European Union. Written in English or French, the newsletter offers links to documents in one of those languages.

We hope you will find this issue both useful and a pleasure to read.

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## Highlights

COMMISSION RECOMMENDATION (EU) 2019/534 of 26 March 2019 **Cybersecurity of 5G networks**  
[OJ of the EU, L 88/42 of 29 March 2019](#)

Case C-558/17 P: JUDGMENT OF THE COURT (Third Chamber) of 4 April 2019 - OZ, residing in Luxembourg (Luxembourg) v European Investment Bank (EIB) - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Civil service — Staff of the European Investment Bank (EIB) — Sexual harassment — Investigation carried out in the context of the 'Dignity at work' programme — Rejection of a complaint alleging harassment — Application for annulment of the decision of the President of the EIB rejecting the complaint — **Compensation for damage**  
[CURIA – Judgment of the Court of Justice in Case C-558/17 of 4 April 2019](#)

Case C-266/18: JUDGMENT OF THE COURT (First Chamber) of 3 April 2019 - Aqua Med sp. z o.o. v Irena Skóra - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Okręgowy w Poznaniu (Regional Court, Poznań, Poland) - Reference for a preliminary ruling — **Consumer protection** — Directive 93/13/EEC — **Unfair terms in consumer contracts** — Article 1(2) — Scope of the directive — **Contractual term conferring territorial jurisdiction on the court determined pursuant to the general rules** — Article 6(1) — **Review of unfairness of the court's own motion** — Article 7(1) — Obligations and powers of the national court  
[CURIA – Judgment of the Court of Justice in Case C-266/18 of 3 April 2019](#)

EUROPEAN DATA PROTECTION SUPERVISOR DECISION of 2 April 2019 on **internal rules concerning restrictions of certain rights of data subjects** in relation to the **processing of personal data in the framework of activities carried out by the European Data Protection Supervisor**  
[OJ of the EU, L 99/1 of 10 April 2019](#)

Case C-129/18: JUDGMENT OF THE COURT (Grand Chamber) of 26 March 2019 - SM v Entry Clearance Officer, UK Visa Section, Coram Children's Legal Centre (CCLC) and AIRE Centre - REQUEST for a preliminary ruling under Article 267 TFEU from the Supreme Court of the United Kingdom - Reference for a preliminary ruling — **Citizenship of the European Union** — **Right of citizens of the Union and their family members to move and reside freely within the territory of the Member States** — Directive 2004/38/EC — Family members of a citizen of the Union — Article 2(2)(c) — 'Direct descendant' — **Child in permanent legal guardianship under the Algerian kafala (provision of care) system** — Article 3(2)(a) — **Other family members** — **Article 7 and Article 24(2) of the Charter of Fundamental Rights of the European Union** — **Family life** — **Best interests of the child**  
[CURIA – Judgment of the Court of Justice in Case C-129/18 of 26 March 2019](#)

Case C-603/17: JUDGMENT OF THE COURT (First Chamber) of 11 April 2019 - Peter Bosworth and Colin Hurley v Arcadia Petroleum Limited and Others - REQUEST for a preliminary ruling under Article 267 TFEU from the Supreme Court of the United Kingdom - Reference for a preliminary ruling — **Area of freedom, security and justice** — **Judicial cooperation in civil matters** — **Lugano II Convention** — **Jurisdiction and recognition and enforcement of judgments in civil and commercial matters** — Title II, Section 5 (Articles 18 to 21) — **Jurisdiction over individual contracts of employment**  
[CURIA – Judgment of the Court of Justice in Case C-603/17 of 11 April 2019](#)

## 1. EU-Swiss Relations

### Community Legislation

**REGULATION (EU) 2019/496 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Council Regulation (EC) No 428/2009 by granting a **Union general export authorisation for the export of certain dual-use items from the Union to the United Kingdom**  
[OJ of the EU, L 85/20 of 27 March 2019](#)

## 2. External Relations / Foreign Policy

### International Agreements

**COUNCIL DECISION (EU) 2019/593** of 8 April 2019 on the **conclusion**, on behalf of the **European Union, of the Agreement establishing the EU-LAC International Foundation**  
[OJ of the EU, L 103/1 of 12 April 2019](#)

**AGREEMENT ESTABLISHING THE EU-LAC INTERNATIONAL FOUNDATION**  
[OJ of the EU, L 103/3 of 12 April 2019](#)

**COUNCIL DECISION (EU) 2019/572** of 8 April 2019 on the **conclusion**, on behalf of the **European Union**, of an **amendment to the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety**  
[OJ of the EU, L 100/1 of 11 April 2019](#)

### Community Legislation

**REGULATION (EU) 2019/592 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 10 April 2019 **amending** Regulation (EU) 2018/1806 **listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, as regards the withdrawal of the United Kingdom from the Union**  
[OJ of the EU, L 103/1 of 12 April 2019](#)

**REGULATION (EU) 2019/496 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Council Regulation (EC) No 428/2009 by granting a **Union general export authorisation for the export of certain dual-use items from the Union to the United Kingdom**  
[OJ of the EU, L 85/20 of 27 March 2019](#)

**COMMISSION DELEGATED REGULATION (EU) 2019/505** of 19 December 2018 **amending** Annex I to Regulation (EC) No 184/2005 of the European Parliament and of the Council, as regards the **geographical breakdown levels** (Text with EEA relevance)  
[OJ of the EU, L 85/1 of 27 March 2019](#)

### Case Law

**Case C-680/17: OPINION OF ADVOCATE GENERAL SHARPSTON** of 28 March 2019 - **Sumanan Vethanayagam, Sobitha Sumanan and Kamalaranee Vethanayagam v Minister van Buitenlandse Zaken** - Request for a preliminary ruling from the Rechtbank Den Haag, zittingsplaats Utrecht (District Court, The Hague, sitting in Utrecht) (Netherlands) - Reference for a preliminary ruling — **Area of freedom, security and justice — Visa Code — Article 32 — Refusal to issue a Schengen visa — Right to appeal — Standing — Article 8 — Representation agreements — Competent authority — Member State that has taken the final decision to refuse a visa**  
[CURIA – Opinion of Advocate General in Case C-680/17 of 28 March 2019](#)

### 3. Agriculture and Fisheries / Maritime Affairs

#### Community Legislation

**Directive (EU) 2019/633 of the European Parliament and of the Council** of 17 April 2019 on **unfair trading practices in business-to-business relationships in the agricultural and food supply chain**

[OJ of the EU, L 111/59 of 25 April 2019](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2019/595** of 11 April 2019 **amending** Regulation (EC) No 1635/2006 laying down **detailed rules for the application of Council Regulation (EEC) No 737/90 by reason of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)

[OJ of the EU, L 103/22 of 12 April 2019](#)

**REGULATION (EU) 2019/519 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 19 March 2019 **amending** Regulation (EU) No 167/2013 on the **approval and market surveillance of agricultural and forestry vehicles** (Text with EEA relevance)

[OJ of the EU, L 91/42 of 29 March 2019](#)

**REGULATION (EU) 2019/498 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EU) 2017/2403 as regards **fishing authorisations for Union fishing vessels in United Kingdom waters and fishing operations of United Kingdom fishing vessels in Union waters**

[OJ of the EU, L 85/25 of 27 March 2019](#)

**REGULATION (EU) 2019/497 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EU) No 508/2014 as regards **certain rules relating to the European Maritime and Fisheries Fund following the withdrawal of the United Kingdom from the Union**

[OJ of the EU, L 85/22 of 27 March 2019](#)

#### Case Law

**Affaire C-686/17: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE** du 4 avril 2019 - **Zentrale zur Bekämpfung unlauteren Wettbewerbs Frankfurt am Main eV contre Prime Champ Deutschland Pilzkulturen GmbH** - demande de décision préjudicielle formée par le Bundesgerichtshof (Cour fédérale de justice, Allemagne) - Renvoi préjudiciel – **Organisation commune des marchés – Fruits et légumes – Champignons de couche – Normes de commercialisation – Indication du pays d'origine – Notion de "pays d'origine" – Pays de récolte** – Règlement (CE) n° 1234/2007 – Article 113 bis, paragraphe 1 – Règlement (UE) n° 1308/2013 – Article 76, paragraphe 1 – Définitions relatives à l'origine non préférentielle des marchandises – Règlement (CE) n° 2913/92 – Article 23, paragraphes 1 et 2 – Règlement (CE) n° 952/2013 – Article 60, paragraphe 1 – Règlement délégué (UE) 2015/2446 – Article 31, sous b) – Étapes de la production effectuées dans un autre État membre – **Étiquetage des denrées alimentaires – Interdiction d'un étiquetage de nature à induire en erreur** – Directive 2000/13/CE – Article 2, paragraphe 1, sous a), i) – Règlement (UE) n° 1169/2011 – Article 7, paragraphe 1, sous a) – Article 1er, paragraphe 4 – Article 2, paragraphe 3 – **Mentions explicatives**  
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-686/17 du 4 avril 2019](#)

### 4. Audiovisual and Media and Information Society

#### Community Legislation

**COMMISSION RECOMMENDATION (EU) 2019/553** of 3 April 2019 on **cybersecurity in the energy sector** (notified under document C(2019) 2400)

[OJ of the EU, L 96/50 of 5 April 2019](#)

**REGULATION (EU) 2019/517 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 19 March 2019 on the **implementation and functioning of the .eu top-level domain name** and amending and repealing Regulation (EC) No 733/2002 and repealing Commission Regulation (EC) No 874/2004 (Text with EEA relevance)

[OJ of the EU, L 91/25 of 29 March 2019](#)

**COMMISSION RECOMMENDATION (EU) 2019/534** of 26 March 2019 **Cybersecurity of 5G networks**

[OJ of the EU, L 88/42 of 29 March 2019](#)

**REGULATION (EU) 2019/495 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EU) No 1316/2013 with regard to the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)

[OJ of the EU, L 85/16 of 27 March 2019](#)

## Case Law

**Affaire C-543/17: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 11 avril 2019 - Commission européenne contre Royaume de Belgique - Manquement d'État** – Article 258 TFUE – Directive 2014/61/UE – **Coût du déploiement de réseaux de communications électroniques à haut débit** – Article 260, paragraphe 3, TFUE – **Obligation de communiquer des mesures de transposition d'une directive – Sanctions pécuniaires** – Demande de condamnation au paiement d'une astreinte journalière

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-543/17 du 11 avril 2019](#)

## 5. Competition

### Case Law

**Case C-709/17 P: OPINION OF ADVOCATE GENERAL PITRUZZELLA of 10 April 2019 - European Commission v Kolachi Raj Industrial (Private) Ltd - Appeal** — **Dumping** — Implementing Regulation (EU) 2015/776 — **Importation of bicycles consigned from Cambodia, Pakistan and the Philippines — Extension to those imports of the definitive anti-dumping duty imposed on imports of bicycles originating in China** — Regulation (EC) No 1225/2009 — Article 13 — **Circumvention — Assembly operations — Direct and indirect provenance of the parts concerned — Rules governing proof of circumvention**

[CURIA – Opinion of Advocate General in Case C-709/17 of 10 April 2019](#)

**Affaire C-251/18: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. GIOVANNI PITRUZZELLA du 9 avril 2019 - Trace Sport contre Inspecteur van de Belastingdienst/Douane, kantoor Eindhoven** - demande de décision préjudicielle formée par le rechtbank Noord-Holland (tribunal de la province de Hollande du Nord, Pays-Bas) - Renvoi préjudiciel – **Politique commerciale – Droits antidumping** – Importation de bicyclettes expédiées, notamment, du Sri Lanka – **Extension du droit antidumping définitif institué sur les importations de bicyclettes originaires de la République populaire de Chine** – Règlement d'exécution (UE) n° 501/2013 – **Validité – Recevabilité du renvoi préjudiciel – Application de la jurisprudence TWD**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-251/18 du 9 avril 2019](#)

**Case C-617/17: JUDGMENT OF THE COURT (Fourth Chamber) of 3 April 2019 - Powszechny Zakład Ubezpieczeń na Życie S.A. v Prezes Urzędu Ochrony Konkurencji i Konsumentów and others** - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Najwyższy (Supreme Court, Poland) - Reference for a preliminary ruling — **Competition** — Article 82 EC — **Abuse of a dominant position** — Regulation (EC) No 1/2003 — Article 3(1) — **Application of national competition law** — Decision of a national competition authority to impose one fine on the basis of national law and another on the basis of EU law — **Charter of Fundamental Rights of the European Union — Article 50 — Principle of ne bis in idem** — Whether applicable

[CURIA – Judgment of the Court of Justice in Case C-617/17 of 3 April 2019](#)

**Case C-654/17 P: OPINION OF ADVOCATE GENERAL TANCHEV of 3 April 2019 - Bayerische Motoren Werke AG and Freistaat Sachsen v European Commission - Appeal — **Regional aid to large investment projects** — Aid granted by Germany for a project by BMW for the manufacturing of electric cars in Leipzig — **Decision declaring the aid measure incompatible in part with the internal market** — **Proportionality of the aid** — Regulation (EC) No 800/2008 — Intervention before the General Court**

[CURIA – Opinion of Advocate General in Case C-654/17 of 3 April 2019](#)

**Case C-637/17: JUDGMENT OF THE COURT (Second Chamber) of 28 March 2019 - Cogeco Communications Inc., v Sport TV Portugal SA, Controlinveste-SGPS SA and NOS-SGPS SA - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Judicial da Comarca de Lisboa (District Court, Lisbon, Portugal) - Reference for a preliminary ruling — Article 102 TFEU — **Principles of equivalence and effectiveness** — Directive 2014/104/EU — Article 9(1) — Article 10(2) to (4) — Articles 21 and 22 — **Actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union** — **Effects of national decisions** — **Limitation periods** — Transposition — Temporal application**

[CURIA – Judgment of the Court of Justice in Case C-637/17 of 28 March 2019](#)

**Case C-405/16 P: JUDGMENT OF THE COURT (Third Chamber) of 28 March 2019 - Federal Republic of Germany v European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **State aid** — **Aid granted by certain provisions of the amended German law concerning renewable energy sources (EEG 2012)** — Aid supporting renewable electricity and reduced EEG surcharge for energy-intensive users — **Decision declaring the aid partially incompatible with the internal market** — **Concept of State aid** — **Advantage** — **State resources** — **Public control of resources** — Measure which can be assimilated to a levy on electricity consumption**

[CURIA – Judgment of the Court of Justice in Case C-405/16 of 28 March 2019](#)

**Case C-144/18 P: JUDGMENT OF THE COURT (Eighth Chamber) of 28 March 2019 - River Kwai International Food Industry Co. Ltd, established in Kaeng Sian (Thailand) v Association européenne des transformateurs de maïs doux (AETMD), established in Paris (France) Council of the European Union and European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Dumping** — **Definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand** — Interim review pursuant to Article 11(3) of Regulation (EC) No 1225/2009**

[CURIA – Judgment of the Court of Justice in Case C-144/18 of 28 March 2019](#)

**Case C-237/17 P: JUDGMENT OF THE COURT (Fourth Chamber) of 27 March 2019 - Canadian Solar Emea GmbH, established in Munich (Germany), Canadian Solar Manufacturing (Changshu) Inc., established in Changshu (China), Canadian Solar Manufacturing (Luoyang) Inc., established in Luoyang (China), Csi Cells Co. Ltd, established in Suzhou (China), Csi Solar Power Group Co. Ltd, formerly Csi Solar Power (China) Inc., established in Suzhou v Council of the European Union and European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Subsidies** — Imports of crystalline silicon photovoltaic modules and key components (cells) originating in or consigned from China — **Definitive countervailing duty** — Regulation (EC) No 597/2009**

[CURIA – Judgment of the Court of Justice in Case C-237/17 of 27 March 2019](#)

**Case C-236/17 P: JUDGMENT OF THE COURT (Fourth Chamber) of 27 March 2019 - Canadian Solar Emea GmbH, established in Munich (Germany), Canadian Solar Manufacturing (Changshu) Inc., established in Changshu (China), Canadian Solar Manufacturing (Luoyang) Inc., established in Luoyang (China), Csi Cells Co. Ltd, established in Suzhou (China) and Csi Solar Power Group Co. Ltd, formerly Csi Solar Power (China) Inc., established in Suzhou v Council of the European Union and European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Dumping** — Imports of crystalline silicon photovoltaic modules and key components (cells) originating in or consigned from China — **Definitive anti-dumping duty** — Regulation (EC) No 1225/2009 — Article 3(7) — Article 9(4) — **Temporal scope of Regulation (EU) No 1168/2012****

[CURIA – Judgment of the Court of Justice in Case C-236/17 of 27 March 2019](#)

## 6. Customs

### Community Legislation

**Regulation (EU) 2019/632 of the European Parliament and of the Council** of 17 April 2019 **amending** Regulation (EU) No 952/2013 to **prolong the transitional use of means other than the electronic data-processing techniques provided for in the Union Customs Code**  
[OJ of the EU, L 111/54 of 25 April 2019](#)

### Case Law

**Affaire C-288/18: ARRÊT DE LA COUR (dixième chambre) du 11 avril 2019 - X BV contre Staatssecretaris van Financiën** - ayant pour objet une demande de décision préjudicielle au titre de l'article 267 TFUE, introduite par le Hoge Raad der Nederlanden (Cour suprême des Pays-Bas) - Renvoi préjudiciel – **Tarif douanier commun – Classement des marchandises – Nomenclature combinée** – Sous-positions 8528 51 00 et 8528 59 40 – Moniteurs à écran plat à cristaux liquides pouvant afficher des signaux provenant de systèmes automatiques de traitement de l'information – **Accord sur le commerce des produits des technologies de l'information**  
[CURIA – Arrêt de la Cour de Justice dans l'affaire C-288/18 du 11 avril 2019](#)

**Case C-249/18: OPINION OF ADVOCATE GENERAL SHARPSTON of 26 March 2019 - Staatssecretaris van Financiën v CEVA Freight Holland BV** - Request for a preliminary ruling from the Hoge Raad der Nederlanden (Supreme Court, Netherlands) - Reference for a preliminary ruling — **Customs Union — Community Customs Code** — Article 78 — **Post clearance examination of declarations** — Customs duties imposed on imported goods following review by customs authorities — **Amendment by declarant of value of goods entered in customs declaration** — Article 221 determination of expiry of limitation period  
[CURIA – Opinion of Advocate General in Case C-249/18 of 26 March 2019](#)

## 7. Economic and Monetary Affairs, Taxation, Enterprise

### International Agreements

**COMMISSION DECISION (EU) 2019/527** of 27 March 2019 **amending** the Annex to the **Monetary Agreement between the European Union and the Principality of Andorra**  
[OJ of the EU, L 86/97 of 28 March 2019](#)

**COMMISSION DECISION (EU) 2019/526** of 27 March 2019 **amending** the Annex to the **Monetary Agreement between the European Union and the Republic of San Marino**  
[OJ of the EU, L 86/77 of 28 March 2019](#)

**COMMISSION DECISION (EU) 2019/511** of 26 March 2019 **amending** the Annex to the **Monetary Agreement between the European Union and the Vatican City State**  
[OJ of the EU, L 85/24 of 27 March 2019](#)

**COMMISSION DECISION (EU) 2019/512** of 26 March 2019 **updating** Annex A to the **Monetary Agreement between the European Union and the Principality of Monaco**  
[OJ of the EU, L 85/31 of 27 March 2019](#)

### Community Legislation

**Regulation (EU) 2019/630 of the European Parliament and of the Council** of 17 April 2019 **amending** Regulation (EU) No 575/2013 as regards **minimum loss coverage for non-performing exposures** (Text with EEA relevance.)  
[OJ of the EU, L 111/4 of 25 April 2019](#)

**COMMISSION DELEGATED REGULATION (EU) 2019/564** of 28 March 2019 **amending** Delegated Regulation (EU) 2016/2251 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards **the date until which counterparties may continue to apply their risk-management procedures for certain OTC derivative contracts not cleared by a CCP** (Text with EEA relevance)  
[OJ of the EU, L 99/3 of 10 April 2019](#)

**COMMISSION DELEGATED REGULATION (EU) 2019/565** of 28 March 2019 **amending** Delegated Regulation (EU) 2015/2205, Delegated Regulation (EU) 2016/592 and Delegated Regulation (EU) 2016/1178 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards **the date at which the clearing obligation takes effect for certain types of contracts** (Text with EEA relevance)  
[OJ of the EU, L 99/6 of 10 April 2019](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2019/545** of 3 April 2019 **amending** Implementing Decision (EU) 2018/2030 **determining, for a limited period of time, that the regulatory framework applicable to central securities depositories of the United Kingdom of Great Britain and Northern Ireland is equivalent** in accordance with Regulation (EU) No 909/2014 of the European Parliament and of the Council (Text with EEA relevance)  
[OJ of the EU, L 95/11 of 4 April 2019](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2019/544** of 3 April 2019 **amending** Implementing Decision (EU) 2018/2031 **determining, for a limited period of time, that the regulatory framework applicable to central counterparties in the United Kingdom of Great Britain and Northern Ireland is equivalent**, in accordance with Regulation (EU) No 648/2012 of the European Parliament and of the Council (Text with EEA relevance)  
[OJ of the EU, L 95/9 of 4 April 2019](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2019/541** of 1 April 2019 on the **equivalence of the legal and supervisory framework** applicable to approved **exchanges and recognised market operators in Singapore** in accordance with Regulation (EU) No 600/2014 of the European Parliament and of the Council (notified under document C(2019) 2349) (Text with EEA relevance)  
[OJ of the EU, L 93/18 of 2 April 2019](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2019/536** of 29 March 2019 **amending** Implementing Decision 2014/908/EU as regards the **lists of third countries and territories whose supervisory and regulatory requirements are considered equivalent for the purposes of the treatment of exposures** in accordance with Regulation (EU) No 575/2013 of the European Parliament and of the Council (Text with EEA relevance)  
[OJ of the EU, L 92/3 of 1 April 2019](#)

**Commission Implementing Regulation (EU) 2019/439** of 15 February 2019 **amending** Implementing Regulation (EU) 2016/2070 as regards **benchmark portfolios, reporting templates and reporting instructions** to be applied in the Union for the reporting referred to in Article 78(2) of Directive 2013/36/EU of the European Parliament and of the Council (Text with EEA relevance.)  
[OJ of the EU, L 90/1 of 29 March 2019](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2019/532** of 28 March 2019 **amending** Implementing Regulation (EU) 2015/2378 as regards the **standard forms, including linguistic arrangements, for the mandatory automatic exchange of information on reportable cross-border arrangements**  
[OJ of the EU, L 88/25 of 29 March 2019](#)

**EUROPEAN SECURITIES AND MARKETS AUTHORITY DECISION (EU) 2019/509** of 22 March 2019 **renewing the temporary prohibition on the marketing, distribution or sale of binary options to retail clients**  
[OJ of the EU, L 85/19 of 27 March 2019](#)

## Case Law

**Case C-638/17: JUDGMENT OF THE COURT (Fifth Chamber) of 11 April 2019 - Valstybinė mokesčių inspekcija prie Lietuvos Respublikos finansų ministerijos v 'Skonis ir kvapas' UAB** - REQUEST for a preliminary ruling under Article 267 TFEU from the Lietuvos vyriausiasis administracinis teismas (Supreme Administrative Court of Lithuania) - Reference for a preliminary ruling — **Structure and rates of excise duty applied to manufactured tobacco** — Directive 2011/64/EU — Article 4(1)(a) — **Concept of 'cigars or cigarillos'** — **Rolls of tobacco with an outer wrapper of natural tobacco which is partially covered by an additional paper layer**  
[CURIA – Judgment of the Court of Justice in Case C-638/17 of 11 April 2019](#)

**Case C-691/17: JUDGMENT OF THE COURT (Tenth Chamber) of 11 April 2019 - PORR Építési Kft. v Nemzeti Adó-és Vámhivatal Fellebbviteli Igazgatósága** - REQUEST for a preliminary ruling under Article 267 TFEU from the Fővárosi Közigazgatási és Munkaügyi Bíróság (Administrative and Labour Court, Budapest, Hungary) - Reference for a preliminary ruling — **Taxation — Common system of value added tax** — Directive 2006/112/EC — **Right to deduct value added tax (VAT) paid as input tax** — Article 199(1)(a) — **Reverse charge procedure — Undue payment of the tax by the recipient of services to the suppliers on the basis of an invoice drawn up incorrectly according to the rules on ordinary taxation** — Tax authority's decision holding that the recipient of services has an outstanding tax liability and refusing a claim for deduction — **No examination by the tax authority of the possibility of reimbursement of the tax**  
[CURIA – Judgment of the Court of Justice in Case C-691/17 of 11 April 2019](#)

**Case C-295/18: JUDGMENT OF THE COURT (Tenth Chamber) of 11 April 2019 - Mediterranean Shipping Company (Portugal) — Agentes de Navegação SA v Banco Comercial Português SA and Caixa Geral de Depósitos SA** - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal da Relação do Porto (Court of Appeal, Oporto, Portugal) - Reference for a preliminary ruling — **Payment services in the internal market** — Directive 2007/64/EC — Articles 2 and 58 — **Scope — Payment service user — Meaning — Execution of a direct-debit payment order issued by a third party in respect of an account of which that party is not the holder** — No authorisation from the holder of the debited account — **Unauthorised payment transactions**  
[CURIA – Judgment of the Court of Justice in Case C-295/18 of 11 April 2019](#)

**Joined Cases C-663/17 P, C-665/17 P and C-669/17 P: OPINION OF ADVOCATE GENERAL KOKOTT of 11 April 2019 - European Central Bank v Trasta Komerbanka AS and Ivan Fursin and Others (C-663/17 P) - European Commission v Trasta Komerbanka AS and Ivan Fursin and Others (C-665/17 P) - Trasta Komerbanka AS and Ivan Fursin and Others v European Central Bank (C-669/17 P)** - Appeal — **Action for annulment — Plea of inadmissibility** — Regulation No 1024/2013/EU — **Prudential supervision of credit institutions — Withdrawal of a credit institution's authorisation by the European Central Bank** — Automatic liquidation of the credit institution concerned under national law — **Legal standing of the credit institution in liquidation, represented by the former board of directors — Legal standing of shareholders**  
[CURIA – Opinion of Advocate General in Case C-663/17 of 11 April 2019](#)

**Case C-214/18: JUDGMENT OF THE COURT (Eighth Chamber) of 10 April 2019 - H. W. v PSM 'K' and Aleksandra Treder, court enforcement officer at the Sąd Rejonowy w Sopocie (District Court, Sopot)** - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Rejonowy w Sopocie Wydział I Cywilny (District Court, Sopot, Civil Division I, Poland) - Reference for a preliminary ruling — Directive 2006/112/EC — **Value added tax (VAT) — Court enforcement officer — Enforcement — Fees laid down by law** — Administrative practice of the competent national authorities considering those fees to be inclusive of VAT — **Principles of neutrality and proportionality**  
[CURIA – Judgment of the Court of Justice in Case C-214/18 of 10 April 2019](#)

**Case C-291/18: OPINION OF ADVOCATE GENERAL HOGAN of 10 April 2019 - Grup Servicii Petroliere SA v Agenția Națională de Administrare Fiscală — Direcția Generală de Soluționare a Contestațiilor and Agenția Națională de Administrare Fiscală — Direcția Generală de Administrare a Marilor Contribuabili** - Request for a preliminary ruling from the Curtea de Apel București (Court of Appeal, Bucharest, Romania) - Reference for a preliminary ruling — **Value added tax (VAT)** — Directive 2006/112/EC — Article 148(a) and (c) — **Exemption — Supply of offshore jackup drilling rigs** — Vessel — Definition — **Condition relating to navigation on the high seas**  
[CURIA – Opinion of Advocate General in Case C-291/18 of 10 April 2019](#)



**Case C-275/18: JUDGMENT OF THE COURT (Third Chamber) of 28 March 2019 - Milan Vinš v Odvolací finanční ředitelství** - REQUEST for a preliminary ruling under Article 267 TFEU from the Nejvyšší správní soud (Supreme Administrative Court, Czech Republic) - Reference for a preliminary ruling — **Common system of value added tax** — Directive 2006/112/EC — Article 131 and Article 146(1)(a) — **Exemption for supplies of goods dispatched or transported to a destination outside the European Union** — **Condition of exemption laid down by national law** — Placing of goods under a particular customs procedure — **Proof of placing of goods under the export procedure**

[CURIA – Judgment of the Court of Justice in Case C-275/18 of 28 March 2019](#)

**Case C-201/18: JUDGMENT OF THE COURT (Seventh Chamber) of 27 March 2019 - Mydibel SA v État belge** - REQUEST for a preliminary ruling under Article 267 TFEU from the cour d’appel de Mons (Court of Appeal, Mons, Belgium) - Reference for a preliminary ruling — Value added tax (VAT) — Directive 2006/112/EC — **Harmonisation of fiscal legislation** — **Deduction of input tax** — **Immovable property acquired as capital goods** — Sale and lease back — **Adjustment of deductions of VAT** — **Principle of VAT neutrality** — **Principle of equal treatment**

[CURIA – Judgment of the Court of Justice in Case C-201/18 of 27 March 2019](#)

## 8. Education, Training, Youth, Culture, Research and Innovation

### Community Legislation

**COMMISSION DELEGATED DECISION (EU) 2019/608** of 16 January 2019 **amending** Annex V to Directive 2005/36/EC of the European Parliament and of the Council as regards the **evidence of formal qualifications and titles of training courses** (notified under document C(2019) 78) (Text with EEA relevance)

[OJ of the EU, L 104/1 of 15 April 2019](#)

**REGULATION (EU) 2019/499 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **laying down provisions for the continuation** of ongoing **learning mobility activities under the Erasmus+ programme** established by Regulation (EU) No 1288/2013, in the **context of the withdrawal of the United Kingdom from the Union**

[OJ of the EU, L 85/32 of 27 March 2019](#)

## 9. Employment and Social Affairs

### Community Legislation

**REGULATION (EU) 2019/500 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **establishing** contingency **measures in the field of social security** coordination following the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)

[OJ of the EU, L 85/35 of 27 March 2019](#)

### Case Law

**Case C-483/17: JUDGMENT OF THE COURT (Third Chamber) of 11 April 2019 - Neculai Tarola v Minister for Social Protection** - REQUEST for a preliminary ruling under Article 267 TFEU from the Court of Appeal (Ireland) - Reference for a preliminary ruling — **Citizenship of the Union** — **Freedom of movement for persons** — Directive 2004/38/EC — **Right of free movement and residence within the territory of the Member States** — Article 7(1)(a) — **Employees and self-employed persons** — Article 7(3)(c) — **Right of residence for more than three months** — **National of a Member State who has worked in an employed capacity in another Member State for a period of two weeks** — **Involuntary unemployment** — Retention of the status of worker for no less than six months — Entitlement to jobseeker’s allowance

[CURIA – Judgment of the Court of Justice in Case C-483/17 of 11 April 2019](#)

**Case C-254/18: JUDGMENT OF THE COURT (Second Chamber) of 11 April 2019 - Syndicat des cadres de la sécurité intérieure v Premier ministre, Ministre de l'Intérieur and Ministre de l'Action et des Comptes publics** - REQUEST for a preliminary ruling under Article 267 TFEU from the Conseil d'État (Council of State, France) - Reference for a preliminary ruling — Directive 2003/88/EC — **Organisation of working time — Protection of the safety and health of workers — Maximum weekly working time** — Reference period — Rolling or fixed nature — **Derogation — Police officers**

[CURIA – Judgment of the Court of Justice in Case C-254/18 of 11 April 2019](#)

**Affaires jointes C-29/18, C-30/18 et C-44/18: ARRÊT DE LA COUR (deuxième chambre) du 11 avril 2019 - Cobra Servicios Auxiliares SA contre José David Sánchez Iglesias (C-29/18), José Ramón Fiuza Asorey (C-30/18), Jesús Valiño Lopez (C-44/18), FOGASA (C-29/18 et C-44/18) et Incatema SL** - ayant pour objet trois demandes de décision préjudicielle au titre de l'article 267 TFUE, introduites par le Tribunal Superior de Justicia de Galicia (Cour supérieure de justice de Galice, Espagne) - Renvoi préjudiciel – **Politique sociale** – Directive 1999/70/CE – Accord-cadre CES, UNICE et CEEP sur le travail à durée déterminée – Clause 4 – **Principe de non-discrimination – Notion de “conditions d'emploi” – Comparabilité des situations – Justification – Notion de “raisons objectives”** – Indemnité en cas de résiliation d'un contrat de travail à durée indéterminée pour un motif objectif – **Indemnité moindre versée à l'échéance d'un contrat de travail “pour tâche occasionnelle”**

[CURIA – Arrêt de la Cour de Justice dans l'affaire C-29/18 du 11 avril 2019](#)

**Case C-558/17 P: JUDGMENT OF THE COURT (Third Chamber) of 4 April 2019 - OZ, residing in Luxembourg (Luxembourg) v European Investment Bank (EIB)** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Civil service — Staff of the European Investment Bank (EIB) — Sexual harassment — Investigation carried out in the context of the ‘Dignity at work’ programme — Rejection of a complaint alleging harassment** — Application for annulment of the decision of the President of the EIB rejecting the complaint — **Compensation for damage**

[CURIA – Judgment of the Court of Justice in Case C-558/17 of 4 April 2019](#)

**Affaire C-699/17: ARRÊT DE LA COUR (neuvième chambre) du 4 avril 2019 - Allianz Vorsorgekasse AG contre Bundestheater-Holding GmbH, Burgtheater GmbH, Wiener Staatsoper GmbH, Volksoper Wien GmbH, ART for ART Theaterservice GmbH et fair-finance Vorsorgekasse AG** - ayant pour objet une demande de décision préjudicielle au titre de l'article 267 TFUE, introduite par le Verwaltungsgerichtshof (Cour administrative, Autriche) - Renvoi préjudiciel – **Marchés publics – Conclusion de conventions d'affiliation à une caisse de prévoyance professionnelle chargée de la gestion de contributions de solidarité professionnelle** – Conclusion nécessitant l'accord des employés ou de leur représentation – Directive 2014/24/UE – Articles 49 et 56 TFUE – **Principes d'égalité de traitement et de non-discrimination – Obligation de transparence**

[CURIA – Arrêt de la Cour de Justice dans l'affaire C-699/17 du 4 avril 2019](#)

**Case C-139/18 P: JUDGMENT OF THE COURT (First Chamber) of 3 April 2019 - CJ v European Centre for Disease Prevention and Control (ECDC)** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Civil service — Member of the contract staff** — European Centre for Disease Prevention and Control (ECDC) — Appraisal report — 2011 Appraisal exercise — **Application for annulment of the decision closing the appraisal report**

[CURIA – Judgment of the Court of Justice in Case C-139/18 of 3 April 2019](#)

**Case C-171/18: OPINION OF ADVOCATE GENERAL TANCHEV of 28 March 2019 - Safeway Ltd v Andrew Richard Newton and Safeway Pension Trustees Ltd** - Request for a preliminary ruling from the Court of Appeal (United Kingdom) - **Article 157 TFEU and equal pay for male and female workers — Implementation of the Barber ruling on equal pay with respect to pensionable age — Determination of the date of closing the Barber ‘window’** — Scope of the prohibition under EU law on retroactive levelling down of pensionable age while the Barber window is open — **Absence of a time limit under Member State law for bringing proceedings to enforce unequal treatment with respect to pensionable age** — Remedial autonomy of Member State law and the right to an effective remedy under Article 47 of the Charter

[CURIA – Opinion of Advocate General in Case C-171/18 of 28 March 2019](#)

**Affaire C-716/17: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 27 mars 2019 – A - demande de décision préjudicielle formée par l'Østre Landsret (cour d'appel de la région Est, Danemark) - Renvoi préjudiciel – **Travailleurs – Restrictions à la libre circulation – Ouverture d'une procédure d'assainissement de dettes – Condition de résidence – Admissibilité****

CURIA – Conclusions de l'Avocat Général dans l'affaire C-716/17 du 27 mars 2019

**Case C-621/16 P: JUDGMENT OF THE COURT (Grand Chamber) of 26 March 2019 - European Commission v Italian Republic, Kingdom of Spain and Republic of Lithuania - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Rules on languages — Open competition for the recruitment of administrators — Notice of competition** — Administrators (AD 5) — **Administrators (AD 6) in the field of data protection — Knowledge of languages — Restriction of the choice of language 2 of the competitions to English, French and German** — Language of communication with the European Personnel Selection Office (EPSO) — Regulation No 1 — **Staff Regulations — Discrimination based on language — Justification — Interests of the service — Judicial review****

CURIA – Judgment of the Court of Justice in Case C-621/16 of 26 March 2019

**Case C-377/16: JUDGMENT OF THE COURT (Grand Chamber) of 26 March 2019 - Kingdom of Spain v European Parliament - ACTION for annulment under Article 263 TFEU - Actions for annulment — **Rules on languages — Selection procedure for contract staff — Call for expressions of interest** — Drivers — Function group I — **Knowledge of languages — Restriction of the choice of language 2 of the selection procedure to English, French and German — Language of communication** — Regulation No 1 — Staff Regulations — Conditions of Employment of Other Servants — **Discrimination based on language — Justification — Interests of the service****

CURIA – Judgment of the Court of Justice in Case C-377/16 of 26 March 2019

**Affaires jointes C-95/18 et C-96/18: CONCLUSIONS DE L'AVOCAT GÉNÉRAL MME ELEANOR SHARPSTON du 26 mars 2019 - Sociale Verzekeringsbank v F. van den Berg, H.D. Giesen (C-95/18) et C.E. Franzen (C-96/18) - demandes de décision préjudicielle formées par le Hoge Raad der Nederlanden (Cour suprême des Pays-Bas) - Renvoi préjudiciel – **Sécurité sociale des travailleurs migrants – Règlement (CEE) no 1408/71 – Article 13, paragraphe 2 – Activités professionnelles mineures ne dépassant pas un certain seuil en termes d'heures ou de revenus dans un État membre autre que l'État membre de résidence** – Législation applicable – Refus de l'octroi des allocations familiales et réduction de la pension de vieillesse par l'État membre de résidence – Restriction à la libre circulation des travailleurs – Article 17 – **Accord entre deux États membres prévoyant, dans l'intérêt de certaines catégories de personnes ou de certaines personnes, une exception aux dispositions de l'article 13****

CURIA – Conclusions de l'Avocat Général dans l'affaire C-95/18 du 26 mars 2019

## 10. Energy and Environment

**COUNCIL DECISION (EU) 2019/642** of 13 April 2019 **amending** Decision (EU) 2019/274 on the signing, on behalf of the European Union and of the European Atomic Energy Community, of the **Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community** (Text with EEA relevance)

OJ of the EU, L 110/1 of 25 April 2019

**Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community**

OJ of the EU, C 144/1 of 25 April 2019

### Community Legislation

**Regulation (EU) 2019/631 of the European Parliament and of the Council** of 17 April 2019 **setting CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles**, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (Text with EEA relevance.)

OJ of the EU, L 111/13 of 25 April 2019

**COMMISSION REGULATION (EU) 2019/636** of 23 April 2019 **amending** Annexes IV and V to Regulation (EC) No 850/2004 of the European Parliament and of the Council on **persistent organic pollutants**  
[OJ of the EU, L 109/6 of 24 April 2019](#)

**COMMISSION RECOMMENDATION (EU) 2019/553** of 3 April 2019 on **cybersecurity in the energy sector** (notified under document C(2019) 2400)  
[OJ of the EU, L 96/50 of 5 April 2019](#)

**DECISION (EU) 2019/504 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 19 March 2019 on **amending** Directive 2012/27/EU on **energy efficiency** and Regulation (EU) 2018/1999 on the **Governance of the Energy Union and Climate Action**, by reason of the **withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)  
[OJ of the EU, L 85/66 of 27 March 2019](#)

**REGULATION (EU) 2019/495 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EU) No 1316/2013 with regard to the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)  
[OJ of the EU, L 85/16 of 27 March 2019](#)

## Case Law

**Joined Cases C-473/17 and C-546/17: JUDGMENT OF THE COURT (First Chamber) of 11 April 2019 - Repsol Butano SA (C-473/17) and DISA Gas SAU (C-546/17) v Administración del Estado, Redexis Gas SL and Repsol Butano SA (C-546/17)** - TWO REQUESTS for a preliminary ruling under Article 267 TFEU from the Tribunal Supremo (Supreme Court, Spain) - Reference for a preliminary ruling — **Energy — Liquefied petroleum gas (LPG) sector — Consumer protection — Requirement of general economic interest — Maximum price of a bottle of gas** — Home delivery obligation — Article 106 TFEU — Directives 2003/55/EC, 2009/73/EC and 2006/123/EC — Interpretation of the judgment of 20 April 2010, Federutility and Others (C-265/08, EU:C:2010:205) — **Principle of proportionality**  
[CURIA – Judgment of the Court of Justice in Case C-473/17 of 11 April 2019](#)

**Case C-60/18: JUDGMENT OF THE COURT (Second Chamber) of 28 March 2019 - Tallinna Vesi AS v Keskkonnaamet and Keskkonnaministeerium** - REQUEST for a preliminary ruling under Article 267 TFEU from the Tallinna Ringkonnakohus (Court of Appeal, Tallinn, Estonia) - Reference for a preliminary ruling — **Environment — Waste — Directive 2008/98/EC — Re-use and recovery of waste — Specific end-of-waste criteria for sewage sludge which has undergone recovery treatment** — No defined criteria at European Union or national level  
[CURIA – Judgment of the Court of Justice in Case C-60/18 of 28 March 2019](#)

**Joined Cases C-487/17 to C-489/17: JUDGMENT OF THE COURT (Tenth Chamber) of 28 March 2019 - Alfonso Verlezza, Riccardo Traversa, Irene Cocco, Francesco Rando, Carmelina Scaglione, Francesco Rizzi, Antonio Giuliano, Enrico Giuliano, Refecta Srl, E. Giovi Srl, Vetreco Srl, SE.IN Srl (C-487/17), Carmelina Scaglione (C-488/17) and MAD Srl (C-489/17) v Procuratore della Repubblica presso il Tribunale di Roma and Procuratore generale della Repubblica presso la Corte suprema di cassazione** - REQUESTS for a preliminary ruling under Article 267 TFEU from the Corte suprema di cassazione (Supreme Court of Cassation, Italy) - Reference for a preliminary ruling — **Environment — Directive 2008/98/EC and Decision 2000/532/EC — Waste — Classification as hazardous waste — Waste which may be assigned codes for both hazardous waste and non-hazardous waste**  
[CURIA – Judgment of the Court of Justice in Case C-487/17 of 28 March 2019](#)

**Case C-427/17: JUDGMENT OF THE COURT (Tenth Chamber) of 28 March 2019 - European Commission v Ireland** - ACTION under Article 258 TFEU for failure to fulfil obligations, brought on 14 July 2017 - **Failure of a Member State to fulfil obligations** — Directive 91/271/EEC — **Collection and treatment of urban waste water — Exceptional circumstances** — Best technical knowledge not entailing excessive costs — **Principle that the costs should be proportionate — Burden of proof — Means of proof**  
[CURIA – Judgment of the Court of Justice in Case C-427/17 of 28 March 2019](#)

**Case C-197/18: OPINION OF ADVOCATE GENERAL KOKOTT of 28 March 2019 - Wasserleitungsverband Nördliches Burgenland, Robert Prandl and Gemeinde Zillingdorf v Bundesministerin für Nachhaltigkeit und Tourismus, formerly Bundesminister für Land und Forstwirtschaft, Umwelt und Wasserwirtschaft** - Request for a preliminary ruling from the Verwaltungsgericht Wien (Administrative Court, Vienna, Austria) - Reference for a preliminary ruling — **Environment** — Directive 91/676/EEC — **Protection of waters against pollution caused by nitrates from agricultural sources** — **Risk of limit values and/or alert thresholds being exceeded** — Obligation to establish an action programme — Direct effect — **Rights of persons concerned**  
[CURIA – Opinion of Advocate General in Case C-197/18 of 28 March 2019](#)

## 11. Food Safety, Public Health and Consumers

### Case Law

**Joined Cases C-473/17 and C-546/17: JUDGMENT OF THE COURT (First Chamber) of 11 April 2019 - Repsol Butano SA (C-473/17) and DISA Gas SAU (C-546/17) v Administración del Estado, Redexis Gas SL and Repsol Butano SA (C-546/17)** - TWO REQUESTS for a preliminary ruling under Article 267 TFEU from the Tribunal Supremo (Supreme Court, Spain) - Reference for a preliminary ruling — **Energy** — **Liquefied petroleum gas (LPG) sector** — **Consumer protection** — **Requirement of general economic interest** — **Maximum price of a bottle of gas** — Home delivery obligation — Article 106 TFEU — Directives 2003/55/EC, 2009/73/EC and 2006/123/EC — Interpretation of the judgment of 20 April 2010, *Federutility and Others* (C-265/08, EU:C:2010:205) — **Principle of proportionality**  
[CURIA – Judgment of the Court of Justice in Case C-473/17 of 11 April 2019](#)

**Case C-208/18: OPINION OF ADVOCATE GENERAL TANCHEV of 11 April 2019 - Jana Petruchová v FIBO Group Holdings Limited** - Request for a preliminary ruling from the Nejvyšší soud (Supreme Court, Czech Republic) - **Judicial cooperation in civil matters** — Regulation (EU) No 1215/2012 — **Jurisdiction over consumer contracts** — **‘Consumer’** — **Natural person engaged in the trade of foreign currencies on the international exchange market through a brokerage company** — Consistency with the notion of consumer under Regulation (EC) No 593/2008 — **Retail client within the meaning of Directive 2004/39/EC**  
[CURIA – Opinion of Advocate General in Case C-208/18 of 11 April 2019](#)

**Affaire C-686/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE du 4 avril 2019 - Zentrale zur Bekämpfung unlauteren Wettbewerbs Frankfurt am Main eV contre Prime Champ Deutschland Pilzkulturen GmbH** - demande de décision préjudicielle formée par le Bundesgerichtshof (Cour fédérale de justice, Allemagne) - Renvoi préjudiciel — **Organisation commune des marchés** — **Fruits et légumes** — **Champignons de couche** — **Normes de commercialisation** — **Indication du pays d’origine** — **Notion de “pays d’origine”** — **Pays de récolte** — Règlement (CE) n° 1234/2007 — Article 113 bis, paragraphe 1 — Règlement (UE) n° 1308/2013 — Article 76, paragraphe 1 — Définitions relatives à l’origine non préférentielle des marchandises — Règlement (CE) n° 2913/92 — Article 23, paragraphes 1 et 2 — Règlement (CE) n° 952/2013 — Article 60, paragraphe 1 — Règlement délégué (UE) 2015/2446 — Article 31, sous b) — Étapes de la production effectuées dans un autre État membre — **Étiquetage des denrées alimentaires** — **Interdiction d’un étiquetage de nature à induire en erreur** — Directive 2000/13/CE — Article 2, paragraphe 1, sous a), i) — Règlement (UE) n° 1169/2011 — Article 7, paragraphe 1, sous a) — Article 1er, paragraphe 4 — Article 2, paragraphe 3 — **Mentions explicatives**  
[CURIA – Conclusions de l’Avocat Général dans l’affaire C-686/17 du 4 avril 2019](#)

**Case C-266/18: JUDGMENT OF THE COURT (First Chamber) of 3 April 2019 - Aqua Med sp. z o.o. v Irena Skóra** - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Okręgowy w Poznaniu (Regional Court, Poznań, Poland) - Reference for a preliminary ruling — **Consumer protection** — Directive 93/13/EEC — **Unfair terms in consumer contracts** — Article 1(2) — Scope of the directive — **Contractual term conferring territorial jurisdiction on the court determined pursuant to the general rules** — Article 6(1) — **Review of unfairness of the court’s own motion** — Article 7(1) — Obligations and powers of the national court  
[CURIA – Judgment of the Court of Justice in Case C-266/18 of 3 April 2019](#)

**Affaire C-143/18: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. GIOVANNI PITRUZZELLA du 28 mars 2019 - Antonio Romano et Lidia Romano contre DSL Bank – un établissement de la DB Privat- und Firmenkundenbank DSL AG, anciennement DSL Bank – une unité opérationnelle de la Deutsche Postbank AG - demande de décision préjudicielle formée par le Landgericht Bonn (tribunal régional de Bonn, Allemagne) - Renvoi préjudiciel – **Protection des consommateurs** – Directive 2002/65/CE – **Contrat de crédit à la consommation à distance – Harmonisation des législations nationales – Droit de rétractation – Exercice du droit de rétractation après l'exécution intégrale du contrat par les deux parties à la demande expresse du consommateur** – Communication au consommateur des informations sur le droit de rétractation – **Notion de “consommateur” aux fins des obligations d'information et du droit de rétractation** – Restitution des prestations perçues par le professionnel**

CURIA – Conclusions de l'Avocat Général dans l'affaire C-143/18 du 28 mars 2019

**Case C-569/17: OPINION OF ADVOCATE GENERAL TANCHEV of 28 March 2019 - European Commission v Kingdom of Spain - Failure of a Member State to fulfil obligations – Article 258 TFEU – Directive 2014/17/EU – **Mortgage credit** – Article 260(3) TFEU – **Failure to notify measures transposing a directive adopted under a legislative procedure – Financial penalties – Penalty payment****

CURIA – Opinion of Advocate General in Case C-569/17 of 28 March 2019

**Case C-681/17: JUDGMENT OF THE COURT (Sixth Chamber) of 27 March 2019 - slewo – schlafen leben wohnen GmbH v Sascha Ledowski - REQUEST for a preliminary ruling under Article 267 TFEU from the Bundesgerichtshof (Federal Court of Justice, Germany) - Reference for a preliminary ruling – **Consumer protection** – Directive 2011/83/EU – Article 6(1)(k) and Article 16(e) – **Distance contract – Right of withdrawal** – Exceptions – **Concept of ‘sealed goods which are not suitable for return due to health protection or hygiene reasons and which have been unsealed by the consumer after delivery’** – Mattress whose protective seal has been removed by the consumer after delivery**

CURIA – Judgment of the Court of Justice in Case C-681/17 of 27 March 2019

**Case C-680/16 P: JUDGMENT OF THE COURT (Fourth Chamber) of 27 March 2019 - Dr. August Wolff GmbH & Co. KG Arzneimittel, established in Bielefeld (Germany) and Remedia d.o.o., established in Zagreb (Croatia) v European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal – **Medicinal products for human use** – Directive 2001/83/EC – Article 30(1) – **Committee for Medicinal Products for Human Use – Referral of a matter to the committee subject to the absence of a previous national decision** – Active substance estradiol – **Decision of the European Commission ordering the Member States to revoke or vary marketing authorisations for medicinal products with 0.01% estradiol by weight for topical use****

CURIA – Judgment of the Court of Justice in Case C-680/16 of 27 March 2019

**Joined Cases C-70/17 and C-179/17: JUDGMENT OF THE COURT (Grand Chamber) of 26 March 2019 - Abanca Corporación Bancaria SA v Alberto García Salamanca Santos (C-70/17) - Bankia SA v Alfonso Antonio Lau Mendoza and Verónica Yuliana Rodríguez Ramírez (C-179/17) - REQUESTS for a preliminary ruling under Article 267 TFEU from the Tribunal Supremo (Supreme Court, Spain), made by decision of 8 February 2017, received at the Court on 9 February 2017, and from the Juzgado de Primera Instancia no 1 de Barcelona (Court of First Instance No 1, Barcelona, Spain) - Reference for a preliminary ruling – **Consumer protection** – Directive 93/13/EEC – Articles 6 and 7 – **Unfair terms in consumer contracts – Accelerated repayment clause of a mortgage loan contract – Declaration that the clause is unfair in part** – Powers of the national court when dealing with a term regarded as ‘unfair’ – **Replacement of the unfair term with a provision of national law****

CURIA – Judgment of the Court of Justice in Case C-70/17 of 26 March 2019

## 12. Human Rights

### Community Legislation

**EUROPEAN DATA PROTECTION SUPERVISOR DECISION of 2 April 2019 on **internal rules concerning restrictions of certain rights of data subjects** in relation to the **processing of personal data in the framework of activities carried out by the European Data Protection Supervisor****

OJ of the EU, L1 99/1 of 10 April 2019

## Case Law

**Case C-619/18: OPINION OF ADVOCATE GENERAL TANCHEV of 11 April 2019 - European Commission v Republic of Poland - Failure of a Member State to fulfil obligations** — Article 258 TFEU — Article 7 TEU — Rule of law — Article 19(1) TEU — **Principle of effective judicial protection** — **Principles of independence and irremovability of judges** — **Charter of Fundamental Rights of the European Union** — Articles 47 and 51 — **National measures lowering the retirement age of Supreme Court judges in office** — **Absence of a transitional period** — National measures granting the President of the Republic discretion to extend the active mandate of Supreme Court judges

[CURIA – Opinion of Advocate General in Case C-619/18 of 11 April 2019](#)

**Affaire C-324/17: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. YVES BOT du 11 avril 2019 - Procédure pénale contre Ivan Gavanozov** - demande de décision préjudicielle formée par le Spetsializiran nakazatelen sad (tribunal pénal spécialisé, Bulgarie) - Renvoi préjudiciel — **Coopération judiciaire en matière pénale** — Directive 2014/41/UE — **Décision judiciaire d'enquête européenne** — Procédures et garanties dans l'État membre d'émission — Motifs de fond à l'origine de l'émission de la décision d'enquête européenne — **Absence de voies de recours dans l'État membre d'émission** — **Autonomie procédurale** — **Principes d'équivalence et d'effectivité** — **Charte des droits fondamentaux de l'Union européenne** — Article 47 — Article 14 de la directive 2014/41 — **Notion de "personne concernée"** — **Personne visée par une accusation pénale et mesures de collecte de preuve appliquées vis-à-vis d'une personne tierce**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-324/17 du 11 avril 2019](#)

**Case C-617/17: JUDGMENT OF THE COURT (Fourth Chamber) of 3 April 2019 - Powszechny Zakład Ubezpieczeń na Życie S.A. v Prezes Urzędu Ochrony Konkurencji i Konsumentów and others** - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Najwyższy (Supreme Court, Poland) - Reference for a preliminary ruling — **Competition** — Article 82 EC — **Abuse of a dominant position** — Regulation (EC) No 1/2003 — Article 3(1) — **Application of national competition law** — Decision of a national competition authority to impose one fine on the basis of national law and another on the basis of EU law — **Charter of Fundamental Rights of the European Union** — **Article 50** — **Principle of ne bis in idem** — Whether applicable

[CURIA – Judgment of the Court of Justice in Case C-617/17 of 3 April 2019](#)

**Joined Cases C-582/17 and C-583/17: JUDGMENT OF THE COURT (Grand Chamber) of 2 April 2019 - Staatssecretaris van Veiligheid en Justitie v H. (C-582/17) and R. (C-583/17)** - TWO REQUESTS for a preliminary ruling under Article 267 TFEU from the Raad van State (Council of State, Netherlands) - Reference for a preliminary ruling — **Determination of the Member State responsible for examining an application for international protection** — Regulation (EU) No 604/2013 — Article 18(1)(b) to (d) — Article 23(1) — Article 24(1) — **Take back procedure** — **Criteria for determining responsibility** — **New application lodged in another Member State** — Article 20(5) — **Ongoing determination process** — **Withdrawal of the application** — Article 27 — **Remedies**

[CURIA – Judgment of the Court of Justice in Case C-582/17 of 2 April 2019](#)

**Case C-129/18: JUDGMENT OF THE COURT (Grand Chamber) of 26 March 2019 - SM v Entry Clearance Officer, UK Visa Section, Coram Children's Legal Centre (CCLC) and AIRE Centre** - REQUEST for a preliminary ruling under Article 267 TFEU from the Supreme Court of the United Kingdom - Reference for a preliminary ruling — **Citizenship of the European Union** — **Right of citizens of the Union and their family members to move and reside freely within the territory of the Member States** — Directive 2004/38/EC — Family members of a citizen of the Union — Article 2(2)(c) — 'Direct descendant' — **Child in permanent legal guardianship under the Algerian kafala (provision of care) system** — Article 3(2)(a) — **Other family members** — **Article 7 and Article 24(2) of the Charter of Fundamental Rights of the European Union** — **Family life** — **Best interests of the child**

[CURIA – Judgment of the Court of Justice in Case C-129/18 of 26 March 2019](#)

## 13. Internal Market and Single Market

### Community Legislation

**REGULATION (EU) 2019/515 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 19 March 2019 on the **mutual recognition of goods lawfully marketed in another Member State** and repealing Regulation (EC) No 764/2008 (Text with EEA relevance)  
[OJ of the EU, L 91/1 of 29 March 2019](#)

### Case Law

**Case C-483/17: JUDGMENT OF THE COURT (Third Chamber) of 11 April 2019 - Neculai Tarola v Minister for Social Protection** - REQUEST for a preliminary ruling under Article 267 TFEU from the Court of Appeal (Ireland) - Reference for a preliminary ruling — **Citizenship of the Union — Freedom of movement for persons** — Directive 2004/38/EC — **Right of free movement and residence within the territory of the Member States** — Article 7(1)(a) — **Employees and self-employed persons** — Article 7(3)(c) — **Right of residence for more than three months — National of a Member State who has worked in an employed capacity in another Member State for a period of two weeks — Involuntary unemployment** — Retention of the status of worker for no less than six months — Entitlement to jobseeker’s allowance  
[CURIA – Judgment of the Court of Justice in Case C-483/17 of 11 April 2019](#)

**Case C-295/18: JUDGMENT OF THE COURT (Tenth Chamber) of 11 April 2019 - Mediterranean Shipping Company (Portugal) — Agentes de Navegação SA v Banco Comercial Português SA and Caixa Geral de Depósitos SA** - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal da Relação do Porto (Court of Appeal, Oporto, Portugal) - Reference for a preliminary ruling — **Payment services in the internal market** — Directive 2007/64/EC — Articles 2 and 58 — **Scope — Payment service user — Meaning — Execution of a direct-debit payment order issued by a third party in respect of an account of which that party is not the holder** — No authorisation from the holder of the debited account — **Unauthorised payment transactions**  
[CURIA – Judgment of the Court of Justice in Case C-295/18 of 11 April 2019](#)

**Affaire C-699/17: ARRÊT DE LA COUR (neuvième chambre) du 4 avril 2019 - Allianz Vorsorgekasse AG contre Bundestheater-Holding GmbH, Burgtheater GmbH, Wiener Staatsoper GmbH, Volksoper Wien GmbH, ART for ART Theaterservice GmbH et fair-finance Vorsorgekasse AG** - ayant pour objet une demande de décision préjudicielle au titre de l’article 267 TFUE, introduite par le Verwaltungsgerichtshof (Cour administrative, Autriche) - Renvoi préjudiciel — **Marchés publics – Conclusion de conventions d’affiliation à une caisse de prévoyance professionnelle chargée de la gestion de contributions de solidarité professionnelle** – Conclusion nécessitant l’accord des employés ou de leur représentation – Directive 2014/24/UE – Articles 49 et 56 TFUE – **Principes d’égalité de traitement et de non-discrimination – Obligation de transparence**  
[CURIA – Arrêt de la Cour de Justice dans l’affaire C-699/17 du 4 avril 2019](#)

**Case C-654/17 P: OPINION OF ADVOCATE GENERAL TANCHEV of 3 April 2019 - Bayerische Motoren Werke AG and Freistaat Sachsen v European Commission** - Appeal — **Regional aid to large investment projects** — Aid granted by Germany for a project by BMW for the manufacturing of electric cars in Leipzig — **Decision declaring the aid measure incompatible in part with the internal market — Proportionality of the aid** — Regulation (EC) No 800/2008 — Intervention before the General Court  
[CURIA – Opinion of Advocate General in Case C-654/17 of 3 April 2019](#)

**Case C-405/16 P: JUDGMENT OF THE COURT (Third Chamber) of 28 March 2019 - Federal Republic of Germany v European Commission** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **State aid — Aid granted by certain provisions of the amended German law concerning renewable energy sources (EEG 2012)** — Aid supporting renewable electricity and reduced EEG surcharge for energy-intensive users — **Decision declaring the aid partially incompatible with the internal market — Concept of State aid — Advantage — State resources — Public control of resources** — Measure which can be assimilated to a levy on electricity consumption  
[CURIA – Judgment of the Court of Justice in Case C-405/16 of 28 March 2019](#)



**Case C-101/18: JUDGMENT OF THE COURT (Tenth Chamber) of 28 March 2019 - Idi Srl v Agenzia Regionale Campania Difesa Suolo (Arcadis) and Regione Campania** - REQUEST for a preliminary ruling under Article 267 TFEU from the Consiglio di Stato (Council of State, Italy) - Reference for a preliminary ruling — **Coordination of procedures for the award of public works contracts, public supply contracts and public service contracts** — Directive 2004/18/EC — Article 45(2), first subparagraph, point (b) — **Personal situation of the candidate or tenderer** — Possibility for the Member States to exclude from participation in a public contract any operator subject to a procedure for an arrangement with creditors — **National legislation providing for the exclusion of persons subject to an ‘ongoing’ procedure for a declaration of admission to an arrangement with creditors, except where the insolvency plan provides for the continuation of the business** — Operator having filed an application for an arrangement with creditors, reserving the possibility to submit a plan providing for the continuation of the business

[CURIA – Judgment of the Court of Justice in Case C-101/18 of 28 March 2019](#)

**Affaire C-545/17: ARRÊT DE LA COUR (quatrième chambre) du 27 mars 2019 - Mariusz Pawlak contre Prezes Kasy Rolniczego Ubezpieczenia Społecznego** - ayant pour objet une demande de décision préjudicielle au titre de l’article 267 TFUE, introduite par le Sąd Najwyższy (Cour suprême, Pologne) - Renvoi préjudiciel – **Marché intérieur des services postaux** – Directives 97/67/CE et 2008/6/CE – Article 7, paragraphe 1 – **Notion de “droits exclusifs ou spéciaux pour la mise en place et la prestation de services postaux”** – Article 8 – **Droit des États membres d’organiser le service d’envois recommandés utilisé dans le cadre de procédures judiciaires** – Délai de dépôt d’un acte de procédure devant une juridiction – **Interprétation conforme du droit national avec le droit de l’Union – Limites** – Effet direct invoqué par une émanation d’un État membre dans le cadre d’un litige l’opposant à un particulier

[CURIA – Arrêt de la Cour de Justice dans l’affaire C-545/17 du 27 mars 2019](#)

## 14. Intellectual Property

### Case Law

**Affaire C-690/17: ARRÊT DE LA COUR (cinquième chambre) du 11 avril 2019 - ÖKO-Test Verlag GmbH contre Dr. Rudolf Liebe Nachf. GmbH & Co. KG** - ayant pour objet une demande de décision préjudicielle au titre de l’article 267 TFUE, introduite par l’Oberlandesgericht Düsseldorf (tribunal régional supérieur de Düsseldorf, Allemagne) - Renvoi préjudiciel – **Propriété intellectuelle – Marques** – Règlement (CE) no 207/2009 – Article 9, paragraphe 1 – Directive 2008/95/CE – Article 5, paragraphes 1 et 2 – **Droits conférés par la marque – Marque individuelle constituée d’un label de test**

[CURIA – Arrêt de la Cour de Justice dans l’affaire C-690/17 du 11 avril 2019](#)

**Affaire C-688/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. GIOVANNI PITRUZZELLA du 11 avril 2019 - Bayer Pharma AG contre Richter Gedeon Vegyészeti Gyár Nyrt. et Exeltis Magyarország Gyógyszerkereskedelmi Kft.** - demande de décision préjudicielle formée par la Fővárosi Törvényszék (cour de Budapest-Capitale, Hongrie) - Renvoi préjudiciel – **Propriété intellectuelle – Brevets** – Directive 2004/48/CE – **Notion de “dédommagement approprié”** – Préjudice causé par des mesures provisoires demandées en vue de la protection d’un brevet annulé ultérieurement – **Mise sur le marché de produits sans attendre l’annulation d’un brevet**

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-688/17 du 11 avril 2019](#)

**Case C-282/18 P: JUDGMENT OF THE COURT (Sixth Chamber) of 10 April 2019 - The Green Effort Limited, established in London (United Kingdom) v European Union Intellectual Property Office (EUIPO) and Fédération internationale de l’automobile (FIA), established in Vernier (Switzerland)** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **EU trade mark — Appeals procedure — Time limits — Electronic notification — Calculation of time limits**

[CURIA – Judgment of the Court of Justice in Case C-282/18 of 10 April 2019](#)

**Case C-104/18 P: OPINION OF ADVOCATE GENERAL KOKOTT of 4 April 2019 - Koton Mağazacılık Tekstil Sanayi ve Ticaret AŞ v European Union Intellectual Property Office (EUIPO) and Joaquín Nadal Esteban** - Appeal — **EU trade mark** — Regulation No 207/2009 — **Invalidity proceedings** — Figurative mark with the word elements STYLO & KOTON — **Rejection of the application for a declaration of invalidity — Bad faith**

[CURIA – Opinion of Advocate General in Case C-104/18 of 4 April 2019](#)

**Case C-172/18: OPINION OF ADVOCATE GENERAL SZPUNAR of 28 March 2019 - AMS Neve Ltd, Barnett Waddingham Trustees and Mark Crabtree v Heritage Audio SL and Pedro Rodríguez Arribas** - Request for a preliminary ruling from the Court of Appeal (England & Wales) (Civil Division) (United Kingdom) - Reference for a preliminary ruling — **EU trade mark — Jurisdiction — Action for infringement — Territory where the act of infringement has been committed or threatened** — Advertisements and offers for sale on a website  
[CURIA – Opinion of Advocate General in Case C-172/18 of 28 March 2019](#)

**Case C-578/17: JUDGMENT OF THE COURT (Fourth Chamber) of 27 March 2019 - Oy Hartwall Ab v Patentti- ja rekisterihallitus** - REQUEST for a preliminary ruling under Article 267 TFEU from the Korkein hallinto-oikeus (Supreme Administrative Court, Finland) - Reference for a preliminary ruling — **Approximation of laws — Trade marks — Directive 2008/95/EC — Articles 2 and 3(1)(b) — Refusal to register or invalidity — Assessment of distinctive character by reference to the actual situation — Classification of a trade mark — Effect — Colour mark or figurative mark** — Graphic representation of a mark submitted as a figurative mark — Conditions for registration — **Insufficiently clear and precise graphic representation**  
[CURIA – Judgment of the Court of Justice in Case C-578/17 of 27 March 2019](#)

## 15. Justice, Freedom and Security (incl. Judicial Cooperation)

### Community Legislation

**COUNCIL DECISION (CFSP) 2019/538** of 1 April 2019 in **support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW)** in the framework of the implementation of the **EU Strategy against Proliferation of Weapons of Mass Destruction**  
[OJ of the EU, L 93/3 of 2 April 2019](#)

**COMMISSION DIRECTIVE (EU) 2019/514** of 14 March 2019 **amending** Directive 2009/43/EC of the European Parliament and of the Council as regards the **list of defence-related products** (Text with EEA relevance)  
[OJ of the EU, L 89/1 of 29 March 2019](#)

### Case Law

**Case C-603/17: JUDGMENT OF THE COURT (First Chamber) of 11 April 2019 - Peter Bosworth and Colin Hurley v Arcadia Petroleum Limited and Others** - REQUEST for a preliminary ruling under Article 267 TFEU from the Supreme Court of the United Kingdom - Reference for a preliminary ruling — **Area of freedom, security and justice — Judicial cooperation in civil matters — Lugano II Convention — Jurisdiction and recognition and enforcement of judgments in civil and commercial matters** — Title II, Section 5 (Articles 18 to 21) — **Jurisdiction over individual contracts of employment**  
[CURIA – Judgment of the Court of Justice in Case C-603/17 of 11 April 2019](#)

**Case C-464/18: JUDGMENT OF THE COURT (Sixth Chamber) of 11 April 2019 - ZX v Ryanair DAC** - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Mercantil de Girona (Commercial Court No 1, Girona, Spain) - Reference for a preliminary ruling — **Judicial cooperation in civil matters** — Regulation (EU) No 1215/2012 — **Determination of the court having jurisdiction to hear an application for compensation in respect of a delayed flight** — Article 7(5) — **Operations of a branch** — Article 26 — **Implied prorogation — Requirement that the defendant enter an appearance**  
[CURIA – Judgment of the Court of Justice in Case C-464/18 of 11 April 2019](#)

**Case C-619/18: OPINION OF ADVOCATE GENERAL TANCHEV of 11 April 2019 - European Commission v Republic of Poland - Failure of a Member State to fulfil obligations** — Article 258 TFEU — Article 7 TEU — Rule of law — Article 19(1) TEU — **Principle of effective judicial protection — Principles of independence and irremovability of judges — Charter of Fundamental Rights of the European Union** — Articles 47 and 51 — **National measures lowering the retirement age of Supreme Court judges in office — Absence of a transitional period** — National measures granting the President of the Republic discretion to extend the active mandate of Supreme Court judges  
[CURIA – Opinion of Advocate General in Case C-619/18 of 11 April 2019](#)

**Case C-482/17: OPINION OF ADVOCATE GENERAL SHARPSTON of 11 April 2019 - Czech Republic v European Parliament and Council of the European Union - Action for annulment** — Directive (EU) 2017/853 of the European Parliament and of the Council amending Directive 91/477/EEC on **control of the acquisition and possession of weapons** — **Breach of the principles of conferral, proportionality, legal certainty and non-discrimination** — **Interinstitutional Agreement on Better Law-Making** — Impact assessments

[CURIA – Opinion of Advocate General in Case C-482/17 of 11 April 2019](#)

**Case C-208/18: OPINION OF ADVOCATE GENERAL TANCHEV of 11 April 2019 - Jana Petruchová v FIBO Group Holdings Limited** - Request for a preliminary ruling from the Nejvyšší soud (Supreme Court, Czech Republic) - **Judicial cooperation in civil matters** — Regulation (EU) No 1215/2012 — **Jurisdiction over consumer contracts** — **‘Consumer’** — **Natural person engaged in the trade of foreign currencies on the international exchange market through a brokerage company** — Consistency with the notion of consumer under Regulation (EC) No 593/2008 — **Retail client within the meaning of Directive 2004/39/EC**

[CURIA – Opinion of Advocate General in Case C-208/18 of 11 April 2019](#)

**Affaire C-324/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. YVES BOT du 11 avril 2019 - Procédure pénale contre Ivan Gavanozov** - demande de décision préjudicielle formée par le Spetsializiran nakazatelen sad (tribunal pénal spécialisé, Bulgarie) - Renvoi préjudiciel – **Coopération judiciaire en matière pénale** – Directive 2014/41/UE – **Décision judiciaire d’enquête européenne** – Procédures et garanties dans l’État membre d’émission – Motifs de fond à l’origine de l’émission de la décision d’enquête européenne – **Absence de voies de recours dans l’État membre d’émission** – **Autonomie procédurale** – **Principes d’équivalence et d’effectivité** – **Charte des droits fondamentaux de l’Union européenne** – Article 47 – Article 14 de la directive 2014/41 – **Notion de “personne concernée”** – **Personne visée par une accusation pénale et mesures de collecte de preuve appliquées vis-à-vis d’une personne tierce**

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-324/17 du 11 avril 2019](#)

**Affaire C-19/18 P: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. GIOVANNI PITRUZZELLA du 11 avril 2019 - VG, venant aux droits de MS contre Commission européenne** - Pourvoi – **Droit institutionnel** – **Recours en indemnité à l’encontre de la Commission** – **Réparation du préjudice moral prétendument subi par la partie requérante** – Fautes de la Commission dans le traitement d’une plainte formulée à l’encontre de la partie requérante – **Décision de la Commission d’évincer la partie requérante du réseau de conférenciers Team Europe** – **Lettre d’entente et d’adhésion** - **Notion de “contexte contractuel”** – **Responsabilité extracontractuelle de l’Union** – **Obligation de motivation**

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-19/18 du 11 avril 2019](#)

**Affaire C-47/18: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. YVES BOT du 4 avril 2019 - Skarb Panstwa Rzeczypospolitej Polskiej – Generalny Dyrektor Dróg Krajowych i Autostrad contre Stephan Riel, en qualité d’administrateur judiciaire de Alpine Bau GmbH** - demande de décision préjudicielle formée par l’Oberlandesgericht Wien (tribunal régional supérieur de Vienne, Autriche) - Renvoi préjudiciel – Règlement (UE) no 1215/2012 – **Compétence judiciaire en matière civile et commerciale** – Champ d’application – Article 1er, paragraphe 2, sous b) – **Faillites, concordats et autres procédures analogues** – **Action visant à faire constater l’existence d’une créance aux fins de son enregistrement dans le cadre d’une procédure d’insolvabilité** – Procédures d’insolvabilité – Règlement (CE) no 1346/2000 – Article 41 – **Contenu de la production d’une créance** – **Exigences maximales** – **Déclaration incomplète** – Indication manquante déduite des pièces justificatives – **Conditions d’application de la loi de l’État membre d’ouverture de la procédure principale d’insolvabilité**

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-47/18 du 4 avril 2019](#)

**Case C-722/17: OPINION OF ADVOCATE GENERAL TANCHEV of 3 April 2019 - Norbert Reitbauer, Dolinschek GmbH, B.T.S. Trendfloor Raumausstattungs-GmbH, Elektrounternehmen K. Maschke GmbH, Klaus Egger and Architekt DI Klaus Egger Ziviltechniker GmbH v Enrico Casamassima** - Request for a preliminary ruling from the Bezirksgericht Villach (District Court, Villach, Austria) - Reference for a preliminary ruling — **Area of freedom, security and justice** — Regulation (EU) No 1215/2012 — **Jurisdiction and the recognition and enforcement of judgments in civil and commercial matters** — **Special jurisdiction** — Article 24(1) and (5) — **Distribution of proceeds from a judicially ordered auction** — **Opposition proceedings** — Article 7(1)(a) — **Concept of ‘matters relating to a contract’** — **Actio pauliana**

[CURIA – Opinion of Advocate General in Case C-722/17 of 3 April 2019](#)

**Joined Cases C-582/17 and C-583/17: JUDGMENT OF THE COURT (Grand Chamber) of 2 April 2019 - Staatssecretaris van Veiligheid en Justitie v H. (C-582/17) and R. (C-583/17)** - TWO REQUESTS for a preliminary ruling under Article 267 TFEU from the Raad van State (Council of State, Netherlands) - Reference for a preliminary ruling — **Determination of the Member State responsible for examining an application for international protection** — Regulation (EU) No 604/2013 — Article 18(1)(b) to (d) — Article 23(1) — Article 24(1) — **Take back procedure** — **Criteria for determining responsibility** — **New application lodged in another Member State** — Article 20(5) — **Ongoing determination process** — **Withdrawal of the application** — Article 27 — **Remedies**

[CURIA – Judgment of the Court of Justice in Case C-582/17 of 2 April 2019](#)

**Case C-680/17: OPINION OF ADVOCATE GENERAL SHARPSTON of 28 March 2019 - Sumanan Vethanayagam, Sobitha Sumanan and Kamalaranee Vethanayagam v Minister van Buitenlandse Zaken** - Request for a preliminary ruling from the Rechtbank Den Haag, zittingsplaats Utrecht (District Court, The Hague, sitting in Utrecht) (Netherlands) - Reference for a preliminary ruling — **Area of freedom, security and justice** — **Visa Code** — Article 32 — **Refusal to issue a Schengen visa** — Right to appeal — Standing — Article 8 — **Representation agreements** — **Competent authority** — **Member State that has taken the final decision to refuse a visa**

[CURIA – Opinion of Advocate General in Case C-680/17 of 28 March 2019](#)

**Affaire C-716/17: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 27 mars 2019 – A** - demande de décision préjudicielle formée par l'Østre Landsret (cour d'appel de la région Est, Danemark) - Renvoi préjudiciel – **Travailleurs** – **Restrictions à la libre circulation** – **Ouverture d'une procédure d'assainissement de dettes** – **Condition de résidence** – **Admissibilité**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-716/17 du 27 mars 2019](#)

## 16. Transport

### International Agreements

**COUNCIL DECISION (EU) 2019/572** of 8 April 2019 on the **conclusion**, on behalf of the **European Union**, of an **amendment to the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety**

[OJ of the EU, L 100/1 of 11 April 2019](#)

### Community Legislation

**Regulation (EU) 2019/631 of the European Parliament and of the Council** of 17 April 2019 **setting CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles**, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (Text with EEA relevance.)

[OJ of the EU, L 111/13 of 25 April 2019](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2019/618** of 15 April 2019 **amending** Regulation (EC) No 474/2006 as regards the **list of air carriers which are banned from operating or are subject to operational restrictions within the Union** (Text with EEA relevance)

[OJ of the EU, L 106/1 of 17 April 2019](#)

**Commission Regulation (EU) 2019/554** of 5 April 2019 **amending** Annex VI to Directive 2007/59/EC of the European Parliament and of the Council on the **certification of train drivers operating locomotives and trains on the railway system in the Community** (Text with EEA relevance)

[OJ of the EU, L 97/1 of 8 April 2019](#)

**DIRECTIVE (EU) 2019/520 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 19 March 2019 on the **interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union** (recast) (Text with EEA relevance)

[OJ of the EU, L 91/45 of 29 March 2019](#)

**REGULATION (EU) 2019/519 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 19 March 2019 **amending** Regulation (EU) No 167/2013 on the **approval and market surveillance of agricultural and forestry vehicles** (Text with EEA relevance)

[OJ of the EU, L 91/42 of 29 March 2019](#)

**REGULATION (EU) 2019/503 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 on **certain aspects of railway safety and connectivity** with regard to the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/60 of 27 March 2019](#)

**REGULATION (EU) 2019/502 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 on **common rules ensuring basic air connectivity** with regard to the **withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/49 of 27 March 2019](#)

**REGULATION (EU) 2019/501 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 on **common rules ensuring basic road freight and road passenger connectivity** with regard to the **withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/39 of 27 March 2019](#)

**REGULATION (EU) 2019/495 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EU) No 1316/2013 with regard to the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/16 of 27 March 2019](#)

**REGULATION (EU) 2019/494 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 on **certain aspects of aviation safety** with regard to the **withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/11 of 27 March 2019](#)

**REGULATION (EU) 2019/492 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EC) No 391/2009 with regard to the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/5 of 27 March 2019](#)

## Case Law

**Case C-464/18: JUDGMENT OF THE COURT (Sixth Chamber) of 11 April 2019 - ZX v Ryanair DAC** - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Mercantil de Gerona (Commercial Court No 1, Girona, Spain) - Reference for a preliminary ruling — **Judicial cooperation in civil matters** — Regulation (EU) No 1215/2012 — **Determination of the court having jurisdiction to hear an application for compensation in respect of a delayed flight** — Article 7(5) — **Operations of a branch** — Article 26 — **Implied prorogation** — **Requirement that the defendant enter an appearance**

[CURIA – Judgment of the Court of Justice in Case C-464/18 of 11 April 2019](#)

**Case C-501/17: JUDGMENT OF THE COURT (Third Chamber) of 4 April 2019 - Germanwings GmbH v Wolfgang Pauels** - REQUEST for a preliminary ruling under Article 267 TFEU from the Landgericht Köln (Regional Court, Cologne, Germany) - Reference for a preliminary ruling — **Air transport** — Regulation (EC) No 261/2004 — Article 5(3) — **Compensation to passengers in the event of denied boarding and of cancellation or long delay of flights** — **Scope** — **Exemption from the obligation to pay compensation** — Notion of ‘extraordinary circumstances’ — **Damage to an aircraft tyre caused by a foreign object lying on an airport runway**

[CURIA – Judgment of the Court of Justice in Case C-501/17 of 4 April 2019](#)

**Affaire C-210/18: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MANUEL CAMPOS SÁNCHEZ-BORDONA du 28 mars 2019 - WESTbahn Management GmbH contre ÖBB-Infrastruktur AG** - demande de décision préjudicielle formée par la Schienen-Control Kommission (commission de contrôle ferroviaire, Autriche) - Renvoi préjudiciel – **Transports – Espace ferroviaire unique européen** – Directive 2012/34/UE – **Gares de voyageurs, leurs bâtiments et les autres infrastructures – Infrastructure ferroviaire – Inclusion des quais à voyageurs** – Redevance d'accès – **Limitation des effets de l'arrêt**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-210/18 du 28 mars 2019](#)

**Affaire C-163/18: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE du 28 mars 2019 - HQ, IP et JO contre Aegean Airlines SA** - demande de décision préjudicielle formée par le rechtbank Noord-Nederland (tribunal de Noord-Nederland, Pays-Bas) - Renvoi préjudiciel – **Transports aériens** – Règlement (CE) n° 261/2004 – **Règles communes en matière d'indemnisation et d'assistance des passagers en cas de refus d'embarquement et d'annulation ou de retard important d'un vol** – Article 8, paragraphe 2 – **Droit au remboursement** – Directive 90/314/CEE – **Voyage à forfait – Annulation du vol – Faillite de l'organisateur de voyages – Droit au remboursement du billet d'avion par le transporteur aérien**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-163/18 du 28 mars 2019](#)

**Case C-620/16: JUDGMENT OF THE COURT (Fourth Chamber) of 27 March 2019 - European Commission and Council of the European Union v Federal Republic of Germany** - ACTION for failure to fulfil obligations under Article 258 TFEU - **Failure of a Member State to fulfil obligations** — Article 258 TFEU — Decision 2014/699/EU — **Principle of sincere cooperation** — Article 4(3) TEU — **Admissibility — Effects of the conduct criticised on the expiry date of the time limit set in the reasoned opinion — Ongoing effects on the unity and consistency of the European Union's international action** — Sufficiency of the measures taken by the Member State concerned in order to comply with the reasoned opinion — **Vote by the Federal Republic of Germany against the Union position laid down in Decision 2014/699/EU at the 25th session of the Intergovernmental Organisation for International Carriage by Rail (OTIF) Revision Committee and opposition expressed by that Member State against that position and the arrangements for the exercise of voting rights as defined in that decision**

[CURIA – Judgment of the Court of Justice in Case C-620/16 of 27 March 2019](#)

## 17. Community Institutions, Principles and the Communities' own Resources

### International Agreements

**COMMISSION DECISION (EU) 2019/527** of 27 March 2019 **amending** the Annex to the **Monetary Agreement between the European Union and the Principality of Andorra**

[OJ of the EU, L 86/97 of 28 March 2019](#)

**COMMISSION DECISION (EU) 2019/526** of 27 March 2019 **amending** the Annex to the **Monetary Agreement between the European Union and the Republic of San Marino**

[OJ of the EU, L 86/77 of 28 March 2019](#)

**COMMISSION DECISION (EU) 2019/511** of 26 March 2019 **amending** the Annex to the **Monetary Agreement between the European Union and the Vatican City State**

[OJ of the EU, L 85/24 of 27 March 2019](#)

**COMMISSION DECISION (EU) 2019/512** of 26 March 2019 **updating** Annex A to the **Monetary Agreement between the European Union and the Principality of Monaco**

[OJ of the EU, L 85/31 of 27 March 2019](#)

### Community Legislation

**Regulation (EU) 2019/630 of the European Parliament and of the Council** of 17 April 2019 **amending** Regulation (EU) No 575/2013 as regards **minimum loss coverage for non-performing exposures** (Text with EEA relevance.)

[OJ of the EU, L 111/4 of 25 April 2019](#)

**DECISIONS COUNCIL DECISION (EU) 2019/654** of 15 April 2019 **amending** Protocol No 5 on the **Statute of the European Investment Bank**  
[OJ of the EU, L 110/36 of 25 April 2019](#)

**DECISION OF THE BOARD OF GOVERNORS OF THE EUROPEAN INVESTMENT BANK** of 16 April 2019 on the **replacement of the capital of the United Kingdom in the European Investment Bank by capital subscribed by the remaining Member States** [2019/655]  
[OJ of the EU, L 110/39 of 25 April 2019](#)

**RULES OF PROCEDURE OF THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE** March 2019 **PART ONE FOUNDATION TEXTS Preliminary remarks**  
[OJ of the EU, L 110/43 of 25 April 2019](#)

**COUNCIL DECISION (EU) 2019/642** of 13 April 2019 **amending** Decision (EU) 2019/274 on the signing, on behalf of the European Union and of the European Atomic Energy Community, of the **Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community** (Text with EEA relevance)  
[OJ of the EU, LI 110/1 of 25 April 2019](#)

**Agreement** on the **withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community**  
[OJ of the EU, CI 144/1 of 25 April 2019](#)

**REGULATION (EU) 2019/592 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 10 April 2019 **amending** Regulation (EU) 2018/1806 **listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, as regards the withdrawal of the United Kingdom from the Union**  
[OJ of the EU, LI 103/1 of 12 April 2019](#)

**COUNCIL DECISION (EU) 2019/597** of 9 April 2019 on the **establishment of a High-level Group of Wise Persons on the European financial architecture for development**  
[OJ of the EU, L 103/26 of 12 April 2019](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2019/595** of 11 April 2019 **amending** Regulation (EC) No 1635/2006 laying down **detailed rules for the application of Council Regulation (EEC) No 737/90 by reason of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)  
[OJ of the EU, L 103/22 of 12 April 2019](#)

**EUROPEAN COUNCIL DECISION (EU) 2019/584** taken in **agreement with the United Kingdom of 11 April 2019 extending the period under Article 50(3) TEU**  
[OJ of the EU, L 101/1 of 11 April 2019](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2019/545** of 3 April 2019 **amending** Implementing Decision (EU) 2018/2030 **determining, for a limited period of time, that the regulatory framework applicable to central securities depositories of the United Kingdom of Great Britain and Northern Ireland is equivalent** in accordance with Regulation (EU) No 909/2014 of the European Parliament and of the Council (Text with EEA relevance)  
[OJ of the EU, L 95/11 of 4 April 2019](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2019/544** of 3 April 2019 **amending** Implementing Decision (EU) 2018/2031 **determining, for a limited period of time, that the regulatory framework applicable to central counterparties in the United Kingdom of Great Britain and Northern Ireland is equivalent**, in accordance with Regulation (EU) No 648/2012 of the European Parliament and of the Council (Text with EEA relevance)  
[OJ of the EU, L 95/9 of 4 April 2019](#)

**REGULATION (EU) 2019/518 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 19 March 2019 **amending** Regulation (EC) No 924/2009 as regards **certain charges on cross-border payments in the Union and currency conversion charges** (Text with EEA relevance)

[OJ of the EU, L 91/36 of 29 March 2019](#)

**REGULATION (EU) 2019/516 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 19 March 2019 on the **harmonisation of gross national income at market prices** and repealing Council Directive 89/130/EEC, Euratom and Council Regulation (EC, Euratom) No 1287/2003 (GNI Regulation) (Text with EEA relevance)

[OJ of the EU, L 91/19 of 29 March 2019](#)

**DECISION (EU) 2019/504 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 19 March 2019 on **amending** Directive 2012/27/EU on **energy efficiency** and Regulation (EU) 2018/1999 on the **Governance of the Energy Union and Climate Action**, by reason of the **withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/66 of 27 March 2019](#)

**REGULATION (EU) 2019/503 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 on **certain aspects of railway safety and connectivity** with regard to the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/60 of 27 March 2019](#)

**REGULATION (EU) 2019/502 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 on **common rules ensuring basic air connectivity** with regard to the **withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/49 of 27 March 2019](#)

**REGULATION (EU) 2019/501 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 on **common rules ensuring basic road freight and road passenger connectivity** with regard to the **withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)

[OJ of the EU, LI 85/39 of 27 March 2019](#)

**REGULATION (EU) 2019/500 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **establishing** contingency **measures in the field of social security** coordination following the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)

**Union**

[OJ of the EU, LI 85/35 of 27 March 2019](#)

**REGULATION (EU) 2019/499 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **laying down provisions for the continuation** of ongoing **learning mobility activities under the Erasmus+ programme** established by Regulation (EU) No 1288/2013, in the **context of the withdrawal of the United Kingdom from the Union**

[OJ of the EU, LI 85/32 of 27 March 2019](#)

**REGULATION (EU) 2019/498 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EU) 2017/2403 as regards **fishing authorisations for Union fishing vessels in United Kingdom waters and fishing operations of United Kingdom fishing vessels in Union waters**

[OJ of the EU, LI 85/25 of 27 March 2019](#)

**REGULATION (EU) 2019/497 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EU) No 508/2014 as regards **certain rules relating to the European Maritime and Fisheries Fund following the withdrawal of the United Kingdom from the Union**

[OJ of the EU, LI 85/22 of 27 March 2019](#)

**REGULATION (EU) 2019/496 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Council Regulation (EC) No 428/2009 by granting a **Union general export authorisation for the export of certain dual-use items from the Union to the United Kingdom**

[OJ of the EU, LI 85/20 of 27 March 2019](#)



**REGULATION (EU) 2019/495 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EU) No 1316/2013 with regard to the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)

[OJ of the EU, L1 85/16 of 27 March 2019](#)

**REGULATION (EU) 2019/494 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 on **certain aspects of aviation safety** with regard to the **withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union** (Text with EEA relevance)

[OJ of the EU, L1 85/11 of 27 March 2019](#)

**REGULATION (EU, Euratom) 2019/493 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EU, Euratom) No 1141/2014 as regards a **verification procedure related to infringements of rules on the protection of personal data in the context of elections to the European Parliament**

[OJ of the EU, L1 85/7 of 27 March 2019](#)

**REGULATION (EU) 2019/492 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 25 March 2019 **amending** Regulation (EC) No 391/2009 with regard to the **withdrawal of the United Kingdom from the Union** (Text with EEA relevance)

[OJ of the EU, L1 85/5 of 27 March 2019](#)

**COMMISSION DELEGATED REGULATION (EU) 2019/505** of 19 December 2018 **amending** Annex I to Regulation (EC) No 184/2005 of the European Parliament and of the Council, as regards the **geographical breakdown levels** (Text with EEA relevance)

[OJ of the EU, L 85/1 of 27 March 2019](#)

## Case Law

**Case C-483/17: JUDGMENT OF THE COURT (Third Chamber) of 11 April 2019 - Neculai Tarola v Minister for Social Protection** - REQUEST for a preliminary ruling under Article 267 TFEU from the Court of Appeal (Ireland) - Reference for a preliminary ruling — **Citizenship of the Union — Freedom of movement for persons** — Directive 2004/38/EC — **Right of free movement and residence within the territory of the Member States** — Article 7(1)(a) — **Employees and self-employed persons** — Article 7(3)(c) — **Right of residence for more than three months — National of a Member State who has worked in an employed capacity in another Member State for a period of two weeks — Involuntary unemployment** — Retention of the status of worker for no less than six months — Entitlement to jobseeker's allowance

[CURIA – Judgment of the Court of Justice in Case C-483/17 of 11 April 2019](#)

**Case C-482/17: OPINION OF ADVOCATE GENERAL SHARPSTON of 11 April 2019 - Czech Republic v European Parliament and Council of the European Union** - **Action for annulment** — Directive (EU) 2017/853 of the European Parliament and of the Council amending Directive 91/477/EEC on **control of the acquisition and possession of weapons** — **Breach of the principles of conferral, proportionality, legal certainty and non-discrimination** — **Interinstitutional Agreement on Better Law-Making** — Impact assessments

[CURIA – Opinion of Advocate General in Case C-482/17 of 11 April 2019](#)

**Joined Cases C-663/17 P, C-665/17 P and C-669/17 P: OPINION OF ADVOCATE GENERAL KOKOTT of 11 April 2019 - European Central Bank v Trasta Komerčbanka AS and Ivan Fursin and Others (C-663/17 P) - European Commission v Trasta Komerčbanka AS and Ivan Fursin and Others (C-665/17 P) - Trasta Komerčbanka AS and Ivan Fursin and Others v European Central Bank (C-669/17 P) - Appeal** — **Action for annulment — Plea of inadmissibility** — Regulation No 1024/2013/EU — **Prudential supervision of credit institutions — Withdrawal of a credit institution's authorisation by the European Central Bank** — Automatic liquidation of the credit institution concerned under national law — **Legal standing of the credit institution in liquidation, represented by the former board of directors — Legal standing of shareholders**

[CURIA – Opinion of Advocate General in Case C-663/17 of 11 April 2019](#)

**Affaire C-19/18 P: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. GIOVANNI PITRUZZELLA du 11 avril 2019 - VG, venant aux droits de MS contre Commission européenne - Pourvoi – Droit institutionnel – Recours en indemnité à l'encontre de la Commission – Réparation du préjudice moral prétendument subi par la partie requérante – Fautes de la Commission dans le traitement d'une plainte formulée à l'encontre de la partie requérante – Décision de la Commission d'évincer la partie requérante du réseau de conférenciers Team Europe – Lettre d'entente et d'adhésion - Notion de "contexte contractuel" – Responsabilité extracontractuelle de l'Union – Obligation de motivation**

CURIA – Conclusions de l'Avocat Général dans l'affaire C-19/18 du 11 avril 2019

**Case C-558/17 P: JUDGMENT OF THE COURT (Third Chamber) of 4 April 2019 - OZ, residing in Luxembourg (Luxembourg) v European Investment Bank (EIB) - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal – Civil service – Staff of the European Investment Bank (EIB) – Sexual harassment – Investigation carried out in the context of the 'Dignity at work' programme – Rejection of a complaint alleging harassment – Application for annulment of the decision of the President of the EIB rejecting the complaint – Compensation for damage**

CURIA – Judgment of the Court of Justice in Case C-558/17 of 4 April 2019

**Case C-620/16: JUDGMENT OF THE COURT (Fourth Chamber) of 27 March 2019 - European Commission and Council of the European Union v Federal Republic of Germany - ACTION for failure to fulfil obligations under Article 258 TFEU - Failure of a Member State to fulfil obligations – Article 258 TFEU – Decision 2014/699/EU – Principle of sincere cooperation – Article 4(3) TEU – Admissibility – Effects of the conduct criticised on the expiry date of the time limit set in the reasoned opinion – Ongoing effects on the unity and consistency of the European Union's international action – Sufficiency of the measures taken by the Member State concerned in order to comply with the reasoned opinion – Vote by the Federal Republic of Germany against the Union position laid down in Decision 2014/699/EU at the 25th session of the Intergovernmental Organisation for International Carriage by Rail (OTIF) Revision Committee and opposition expressed by that Member State against that position and the arrangements for the exercise of voting rights as defined in that decision**

CURIA – Judgment of the Court of Justice in Case C-620/16 of 27 March 2019

**Case C-621/16 P: JUDGMENT OF THE COURT (Grand Chamber) of 26 March 2019 - European Commission v Italian Republic, Kingdom of Spain and Republic of Lithuania - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal – Rules on languages – Open competition for the recruitment of administrators – Notice of competition – Administrators (AD 5) – Administrators (AD 6) in the field of data protection – Knowledge of languages – Restriction of the choice of language 2 of the competitions to English, French and German – Language of communication with the European Personnel Selection Office (EPSO) – Regulation No 1 – Staff Regulations – Discrimination based on language – Justification – Interests of the service – Judicial review**

CURIA – Judgment of the Court of Justice in Case C-621/16 of 26 March 2019

**Case C-377/16: JUDGMENT OF THE COURT (Grand Chamber) of 26 March 2019 - Kingdom of Spain v European Parliament - ACTION for annulment under Article 263 TFEU - Actions for annulment – Rules on languages – Selection procedure for contract staff – Call for expressions of interest – Drivers – Function group I – Knowledge of languages – Restriction of the choice of language 2 of the selection procedure to English, French and German – Language of communication – Regulation No 1 – Staff Regulations – Conditions of Employment of Other Servants – Discrimination based on language – Justification – Interests of the service**

CURIA – Judgment of the Court of Justice in Case C-377/16 of 26 March 2019

**Case C-129/18: JUDGMENT OF THE COURT (Grand Chamber) of 26 March 2019 - SM v Entry Clearance Officer, UK Visa Section, Coram Children's Legal Centre (CCLC) and AIRE Centre - REQUEST for a preliminary ruling under Article 267 TFEU from the Supreme Court of the United Kingdom - Reference for a preliminary ruling – Citizenship of the European Union – Right of citizens of the Union and their family members to move and reside freely within the territory of the Member States – Directive 2004/38/EC – Family members of a citizen of the Union – Article 2(2)(c) – 'Direct descendant' – Child in permanent legal guardianship under the Algerian kafala (provision of care) system – Article 3(2)(a) – Other family members – Article 7 and Article 24(2) of the Charter of Fundamental Rights of the European Union – Family life – Best interests of the child**

CURIA – Judgment of the Court of Justice in Case C-129/18 of 26 March 2019