



Institut suisse de droit comparé  
Schweizerisches Institut für Rechtsvergleichung  
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# EU News: Click & Read

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European Documentation Centre

Editor: **Alfredo Santos** Legal Adviser

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

**Arrêt de la Cour (troisième chambre) du 30 avril 2020 - D. Z. contre Blue Air - Airline Management Solutions SRL e.a.** - Renvoi préjudiciel – **Espace de liberté, de sécurité et de justice – Contrôles aux frontières, asile et immigration** – Décision no 565/2014/UE – **Régime simplifié de contrôle des personnes aux frontières extérieures – Ressortissant d'un pays tiers détenteur d'un titre de séjour temporaire délivré par un État membre** – Article 3 – Reconnaissance par la Bulgarie, la Croatie, Chypre et la Roumanie de certains documents comme équivalant à leurs visas nationaux – Invocabilité d'une décision à l'encontre d'un État – Effet direct – Reconnaissance d'une entité de droit privé comme émanation de l'État – Conditions – Règlement (CE) no 562/2006 – **Code frontières Schengen** – Article 13 – **Refus d'entrée sur le territoire d'un État membre – Obligation de motivation** – Règlement (CE) no 261/2004 – **Indemnisation et assistance des passagers aériens en cas de refus d'embarquement** – Article 2, sous j) – **Refus d'embarquement fondé sur le caractère prétendument inadéquat des documents de voyage** – Article 15 – **Obligations pesant sur les transporteurs aériens à l'égard des passagers – Irrecevabilité des dérogations prévues par le contrat de transport ou d'autres documents**  
[Affaire C-584/18 - ECLI identifiant: ECLI:EU:C:2020:324](#)

**Arrêt de la Cour (deuxième chambre) du 30 avril 2020 - Società Generale S.A. contre Agenzia delle Entrate – Direzione Regionale Lombardia Ufficio Contenzioso** - Renvoi préjudiciel – Article 63 TFUE – **Libre circulation des capitaux – Taxe sur les transactions financières** – Opérations portant sur des instruments financiers dérivés ayant pour titre sous-jacent un titre émis par une société résidente de l'État membre d'imposition – **Taxe due indépendamment du lieu de conclusion de la transaction – Obligations administratives et déclaratives**  
[Affaire C-565/18 - Identifiant ECLI: ECLI:EU:C:2020:318](#)

**Judgment of the Court (Grand Chamber) of 2 April 2020 - Ruska Federacija v I.N.** - Request for a preliminary ruling from the Vrhovni sud - Reference for a preliminary ruling – Urgent preliminary ruling procedure – **EEA Agreement – Non-discrimination** – Article 36 – **Freedom to provide services – Scope – Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis** – Agreement on the surrender procedure between the Member States of the European Union and Iceland and Norway – **Extradition to a third State of an Icelandic national – Protection of a Member State's nationals against extradition** – No equivalent protection for nationals of another State – Icelandic national who was granted asylum under national law before acquiring Icelandic citizenship – **Restriction of freedom of movement – Justification based on the prevention of impunity** – Proportionality – **Verification of the guarantees provided for in Article 19(2) of the Charter of Fundamental Rights of the European Union**  
[Case C-897/19 PPU - ECLI identifiant: ECLI:EU:C:2020:262](#)

## 1. EU-Swiss Relations

### International Agreement

**DECISION No 1/2018 OF THE JOINT VETERINARY COMMITTEE SET UP BY THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON TRADE IN AGRICULTURAL PRODUCTS of 12 June 2018 on amending Appendix 6 of Annex 11 to the Agreement [2020/554]**

[OJ of the EU L 127/26 of 22 April 2020](#)

**Decision No 1/2015 of the Joint Veterinary Committee created by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 17 December 2015 amending Appendices 1, 2, 3, 4, 5, 6, 7, 10 and 11 to Annex 11 to the Agreement [2020/498]**

[OJ of the EU L 112/1 of 8 April 2020](#)

## 2. External Relations / Foreign Policy

### Case Law

**Arrêt de la Cour (troisième chambre) du 30 avril 2020 - D. Z. contre Blue Air - Airline Management Solutions SRL e.a. - Renvoi préjudiciel – Espace de liberté, de sécurité et de justice – Contrôles aux frontières, asile et immigration – Décision no 565/2014/UE – Régime simplifié de contrôle des personnes aux frontières extérieures – Ressortissant d'un pays tiers détenteur d'un titre de séjour temporaire délivré par un État membre – Article 3 – Reconnaissance par la Bulgarie, la Croatie, Chypre et la Roumanie de certains documents comme équivalant à leurs visas nationaux – Invocabilité d'une décision à l'encontre d'un État – Effet direct – Reconnaissance d'une entité de droit privé comme émanation de l'État – Conditions – Règlement (CE) no 562/2006 – Code frontières Schengen – Article 13 – Refus d'entrée sur le territoire d'un État membre – Obligation de motivation – Règlement (CE) no 261/2004 – Indemnisation et assistance des passagers aériens en cas de refus d'embarquement – Article 2, sous j) – Refus d'embarquement fondé sur le caractère prétendument inadéquat des documents de voyage – Article 15 – Obligations pesant sur les transporteurs aériens à l'égard des passagers – Irrecevabilité des dérogations prévues par le contrat de transport ou d'autres documents**

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**Judgment of the Court (Grand Chamber) of 2 April 2020 - Ruska Federacija v I.N. - Request for a preliminary ruling from the Vrhovni sud - Reference for a preliminary ruling — Urgent preliminary ruling procedure — EEA Agreement — Non-discrimination — Article 36 — Freedom to provide services — Scope — Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis — Agreement on the surrender procedure between the Member States of the European Union and Iceland and Norway — Extradition to a third State of an Icelandic national — Protection of a Member State's nationals against extradition — No equivalent protection for nationals of another State — Icelandic national who was granted asylum under national law before acquiring Icelandic citizenship — Restriction of freedom of movement — Justification based on the prevention of impunity — Proportionality — Verification of the guarantees provided for in Article 19(2) of the Charter of Fundamental Rights of the European Union**

[Case C-897/19 PPU - ECLI identifier: ECLI:EU:C:2020:262](#)

### 3. Agriculture and Fisheries / Maritime Affairs

#### Community Legislation

**Regulation (EU) 2020/560 of the European Parliament and of the Council** of 23 April 2020 **amending** Regulations (EU) No 508/2014 and (EU) No 1379/2013 as regards **specific measures to mitigate the impact of the COVID-19 outbreak in the fishery and aquaculture sector** PE/9/2020/REV/1  
[OJ of L 130/11 of 24 April 2020](#)

#### Case Law

**Arrêt de la Cour (deuxième chambre) du 30 avril 2020 - Nelson Antunes da Cunha, Lda contre Instituto de Financiamento da Agricultura e Pescas IP (IFAP)** - Renvoi préjudiciel – Aides d’État – Article 108 TFUE – **Régime d’aides incompatible avec le marché intérieur – Décision de la Commission européenne ordonnant la récupération des aides illégales** – Règlement (UE) 2015/1589 – Article 17, paragraphe 1 – **Délai de prescription de dix ans** – Application aux pouvoirs de récupération de la Commission – Article 16, paragraphes 2 et 3 – **Réglementation nationale prévoyant un délai de prescription inférieur – Principe d’effectivité**  
[Affaire C-627/18 - Identifiant ECLI: ECLI:EU:C:2020:321](#)

**Judgment of the Court (Ninth Chamber) of 30 April 2020 - Hellenic Republic v European Commission** - Appeal – **European Agricultural Guarantee Fund (EAGF) and the European Agricultural Fund for Rural Development (EAFRD) – Expenditure excluded from EU financing** – Expenditure incurred by the Hellenic Republic – Regulation (EC) No 1782/2003 – Regulation (EC) No 796/2004 – Regulation (EC) No 1120/2009 – Regulation (EU) No 1306/2013 – **Area-related aid scheme – Concept of ‘permanent pasture’ – Flat-rate financial corrections** – Regulation (EC) No 1698/2005 – Assessment of the eligibility of expenditure – Managing authority – Regulation (EC) No 1290/2005 – Expenses covered by the 24-month period – Regulation (EC) No 817/2004 – System of effective, proportionate and dissuasive penalties – Method of calculating the correction  
[Case C-797/18 P - ECLI identifier: ECLI:EU:C:2020:340](#)

**Arrêt de la Cour (septième chambre) du 30 avril 2020 - Hecta Viticol SRL contre Agenția Națională de Administrare Fiscală (ANAF)** – Direcția Generală de Soluționare a Contestațiilor e.a - Renvoi préjudiciel – Directives 92/83/CEE et 92/84/CEE – **Taux d’accises sur le vin et les boissons fermentées non mousseuses, autres que le vin ou la bière – Taux d’accises différenciés** – Principes de sécurité juridique et de protection de la confiance légitime  
[Affaire C-184/19 - Identifiant ECLI: ECLI:EU:C:2020:337](#)

**Arrêt de la Cour (neuvième chambre) du 2 avril 2020 - Commission européenne contre Royaume d'Espagne** - Pourvoi – FEAGA et Feader – **Dépenses exclues du financement – Dépenses effectuées par le Royaume d’Espagne – Retrait de reconnaissance d’organisations de producteurs** – Non-récupération des aides versées – Charge de la preuve – Correction financière forfaitaire  
[Affaire C-406/19 P - ECLI identifier: ECLI:EU:C:2020:276](#)

### 4. Audiovisual and Media and Information Society

#### Case Law

**Judgment of the Court (Fifth Chamber) of 2 April 2020 - Föreningen Svenska Tonsättares Internationella Musikbyrå u.p.a. (Stim) and Svenska artisters och musikers intresseorganisation ek. för. (SAMI) v Fleetmanager Sweden AB and Nordisk Biluthyrning AB** - Request for a preliminary ruling from the Högsta domstolen - Reference for a preliminary ruling – **Intellectual property – Copyright and related rights** – Directive 2001/29/EC – Article 3(1) – Directive 2006/115/EC – Article 8(2) – **Concept of ‘communication to the public’ – Undertaking hiring out cars each having a radio receiver as standard equipment**  
[Case C-753/18 - ECLI identifier: ECLI:EU:C:2020:268](#)

**OPINION OF ADVOCATE GENERAL SAUGMANDSGAARD ØE delivered on 2 April 2020 - Constantin Film Verleih GmbH v YouTube LLC and Google Inc.** - Request for a preliminary ruling from the Bundesgerichtshof (Federal Court of Justice, Germany) - Reference for a preliminary ruling — **Copyright and related rights — Internet-based video-sharing platform — YouTube — Uploading of a film without the consent of the rightholder — Proceedings concerning an infringement of an intellectual property right** — Directive 2004/48/EC — Article 8 — Rightholder’s right to information — Article 8(2)(a) — **Concept of ‘names and addresses’** — Scope — **Email address, IP address and telephone number — Not included**

[Case C-264/19 - ECLI identifier: ECLI:EU:C:2020:261](#)

## 5. Competition

### Case Law

**OPINION OF ADVOCATE GENERAL TANCHEV delivered on 23 April 2020 - Changmao Biochemical Engineering Co. Ltd v Distillerie Bonollo SpA, Industria Chimica Valenzana (ICV) SpA, Distillerie Mazzari SpA, Caviro Distillerie Srl and Council of the European Union** – Appeal — **Dumping — Imports of tartaric acid originating in China — Appeal brought by an intervener at first instance** — Article 11(9) of Regulation (EC) No 1225/2009 — **Action for annulment brought by a Union producer — Admissibility — Direct concern**

[Case C-461/18 P - ECLI identifier: ECLI:EU:C:2020:298](#)

**OPINION OF ADVOCATE GENERAL KOKOTT delivered on 23 April 2020 - Kaplan International Colleges UK Ltd v The Commissioners for Her Majesty’s Revenue and Customs** - Request for a preliminary ruling from the First-tier Tribunal (Tax Chamber), United Kingdom (Reference for a preliminary ruling — **System of value added tax (VAT)** — Directive 2006/112/EC — **Exemption** — Article 132(1)(f) — **Supply of services by an independent cost sharing group to its members — Territorial scope** — Group established in a third state — **Concept of ‘distortion of competition’** — Relationship with group taxation (Article 11)

[Case C-77/19 - ECLI identifier: ECLI:EU:C:2020:302](#)

**Arrêt de la Cour (cinquième chambre) du 2 avril 2020 - Gazdasági Versenyhivatal contre Budapest Bank Nyrt. e.a.** - Demande de décision préjudicielle, introduite par Kúria - Renvoi préjudiciel – **Concurrence – Ententes** – Article 101, paragraphe 1, TFUE – Systèmes de paiement par carte – **Accord interbancaire fixant le niveau des commissions d’interchange – Accord restrictif de la concurrence tant par son objet que par son effet – Notion de restriction de la concurrence “par objet”**

[Affaire C-228/18 - ECLI identifier: ECLI:EU:C:2020:265](#)

**OPINION OF ADVOCATE GENERAL SZPUNAR delivered on 2 April 2020 - Vereniging tot Behoud van Natuurmonumenten in Nederland and others v Vereniging Gelijkberechtiging Grondbezitters and others** – Appeal — **State aid — Aid scheme relating to the subsidised acquisition or free granting of nature land — Decision declaring the aid compatible with the internal market** — Concept of ‘interested party’ — Serious difficulties

[Case C-817/18 P - ECLI identifier: ECLI:EU:C:2020:255](#)

## 6. Customs

### Case Law

**Arrêt de la Cour (septième chambre) du 30 avril 2020 - DHL Logistics (Slovakia) spol. s r. o. contre Finančné riaditeľstvo SR** - Renvoi préjudiciel – Règlement (CEE) no 2658/87 – **Union douanière et tarif douanier commun – Classement tarifaire – Nomenclature combinée** – Sous-position 8525 80 91 – **Appareils photographiques numériques – Caméscopes – Caméra vidéo numérique en mesure de capturer et d’enregistrer des images fixes et des séquences vidéo d’une qualité de résolution inférieure à 800 × 600 pixels**

[Affaire C-810/18 - ECLI identifier: ECLI:EU:C:2020:336](#)

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

### Community Legislation

**European Securities and Markets Authority Decision (EU) 2020/525** of 16 March 2020 to **require natural or legal persons who have net short positions to temporarily lower the notification thresholds of net short positions** in relation to the **issued shares capital of companies whose shares are admitted to trading on a regulated market above a certain threshold to notify the competent authorities** in accordance with point (a) of Article 28(1) of Regulation (EU) No 236/2012 of the European Parliament and of the Council  
[OJ the EU L 116/5 of 15 April 2020](#)

**Guideline (EU) 2020/515 of the European Central Bank** of 7 April 2020 **amending Guideline ECB/2014/31 on additional temporary measures relating to Eurosystem refinancing operations and eligibility of collateral** (ECB/2020/21)  
[OJ of the EU L 110/26 of 8 April 2020](#)

**Decision (EU) 2020/506 of the European Central Bank** of 7 April 2020 **amending Guideline (EU) 2015/510** on the implementation of the Eurosystem monetary policy framework and **Guideline (EU) 2016/65** on the **valuation haircuts applied in the implementation of the Eurosystem monetary policy framework** (ECB/2020/20)  
[OJ of the EU L 109/1 of 7 April 2020](#)

**GUIDELINE (EU) 2020/496 OF THE EUROPEAN CENTRAL BANK** of 19 March 2020 **amending Guideline (EU) 2019/1265** on the **euro short-term rate (€STR)** (ECB/2020/15)  
[OJ of the EU L 106/1 of 6 April 2020](#)

**GUIDELINE (EU) 2020/497 OF THE EUROPEAN CENTRAL BANK** of 20 March 2020 on the **recording of certain data by national competent authorities in the Register of Institutions and Affiliates Data** (ECB/2020/16)  
[OJ of the EU L 106/3 of 6 April 2020](#)

### Case Law

**Arrêt de la Cour (deuxième chambre) du 30 avril 2020 - Société Générale S.A. contre Agenzia delle Entrate – Direzione Regionale Lombardia Ufficio Contenzioso** - Renvoi préjudiciel – Article 63 TFUE – **Libre circulation des capitaux – Taxe sur les transactions financières** – Opérations portant sur des instruments financiers dérivés ayant pour titre sous-jacent un titre émis par une société résidente de l'État membre d'imposition – **Taxe due indépendamment du lieu de conclusion de la transaction – Obligations administratives et déclaratives**  
[Affaire C-565/18 - Identifiant ECLI: ECLI:EU:C:2020:318](#)

**Judgment of the Court (Seventh Chamber) of 30 April 2020 - CTT - Correios de Portugal v Autoridade Tributária e Aduaneira** - Reference for a preliminary ruling – **Value added tax (VAT)** – Directive 2006/112/EC – **Deduction of input tax** – Article 173 – **Mixed taxable person – Deduction methods – Pro rata method – Deduction on the basis of actual use** – Article 184 to Article 186 – Adjustment of deductions – Change in the factors used to determine the amount to be deducted – **Output transaction incorrectly regarded as VAT-exempt** – National measure prohibiting a change in the deduction method for years that have already elapsed – Limitation period – **Principles of fiscal neutrality, legal certainty, effectiveness, and proportionality**  
[Case C-661/18 - ECLI identifier: ECLI:EU:C:2020:335](#)

**Judgment of the Court (Eighth Chamber) of 30 April 2020 - HB and IC v Istituto nazionale della previdenza sociale** - Reference for a preliminary ruling – Freedom of movement for persons – Article 21 TFEU – **Principle of non-discrimination on grounds of nationality** – Article 18 TFEU – **Convention for the avoidance of double taxation – Public sector workers** – Pensioner residing in a Member State other than that paying retirement pension and who does not have the nationality of the Member State of residence – **Income tax – Alleged loss of tax advantages – Alleged impediment to freedom of movement and alleged discrimination**  
[Joined Cases C-168/19 and C-169/19 - ECLI identifier: ECLI:EU:C:2020:338](#)

**Arrêt de la Cour (septième chambre) du 30 avril 2020 - Hecta Viticol SRL contre Agenția Națională de Administrare Fiscală (ANAF) – Direcția Generală de Soluționare a Contestațiilor e.a - Renvoi préjudiciel – Directives 92/83/CEE et 92/84/CEE – **Taux d'accises sur le vin et les boissons fermentées non mousseuses, autres que le vin ou la bière – Taux d'accises différenciés** – Principes de sécurité juridique et de protection de la confiance légitime**

[Affaire C-184/19 - Identifiant ECLI: ECLI:EU:C:2020:337](#)

**Arrêt de la Cour (dixième chambre) du 30 avril 2020 - EUROVIA Ipari, Kereskedelmi, Szállítványozási és Idegenforgalmi Kft. contre Nemzeti Adó- és Vámhivatal Fellebbviteli Igazgatósága - Renvoi préjudiciel – **Système commun de taxe sur la valeur ajoutée** – Directive 77/388/CEE – Article 10, paragraphe 2, premier et troisième alinéas, article 17, paragraphe 1, et article 18, paragraphe 2, premier alinéa – Directive 2006/112/CE – Article 63, article 64, paragraphe 1, article 66, premier alinéa, sous a) à c), article 167 et article 179, premier alinéa – **Prestation de services réalisée avant l'adhésion de la Hongrie à l'Union européenne – Détermination exacte du prix de cette prestation intervenue après l'adhésion** – Facture relative à ladite prestation émise, et acquittement de celle-ci effectué, après l'adhésion – **Refus du droit à déduction fondé sur cette facture en raison de la prescription – Compétence de la Cour****

[Affaire C-258/19 - ECLI identifiant: ECLI:EU:C:2020:345](#)

**Arrêt de la Cour (deuxième chambre) du 23 avril 2020 - Sole-Mizo Zrt. contre Nemzeti Adó- és Vámhivatal Fellebbviteli Igazgatósága - Renvoi préjudiciel – **Fiscalité – Taxe sur la valeur ajoutée (TVA)** – Directive 2006/112/CE – **Droit à déduction de la taxe payée en amont – Remboursement de l'excédent de TVA – Remboursement tardif – Calcul des intérêts** – Modalités d'octroi d'un intérêt dû en raison de l'indisponibilité d'un excédent de TVA déductible retenu en violation du droit de l'Union et d'un intérêt dû en raison du retard de l'administration fiscale pour verser une somme due – **Principes d'effectivité et d'équivalence****

[Affaire C-13/18 - ECLI identifiant: ECLI:EU:C:2020:292](#)

**Arrêt de la Cour (quatrième chambre) du 23 avril 2020 - Herst s.r.o. contre Odvolací finanční ředitelství - Renvoi préjudiciel – **Système commun de taxe sur la valeur ajoutée (TVA)** – Directive 2006/112/CE – Article 2, paragraphe 1, sous b) – **Acquisition intracommunautaire de biens** – Article 20 – **Obtention du pouvoir de disposer d'un bien comme un propriétaire** – Opérations d'achat et de revente en chaîne de biens avec un transport intracommunautaire unique – **Possibilité de prendre des décisions de nature à affecter la situation juridique du bien – Imputation du transport – Transport sous régime de suspension des droits d'accise – Effet dans le temps des arrêts d'interprétation****

[Affaire C-401/18 - ECLI identifiant: ECLI:EU:C:2020:295](#)

**Arrêt de la Cour (deuxième chambre) du 23 avril 2020 - Wagram Invest SA contre État belge - Renvoi préjudiciel – Directive 78/660/CEE – **Comptes annuels de certaines formes de sociétés – Principe de l'image fidèle – Acquisition d'une immobilisation financière par une société anonyme** – Inscription en charge au compte de résultat d'un escompte lié à une dette à plus d'un an, non productive d'intérêts, et inscription du prix d'acquisition de l'immobilisation à l'actif du bilan, sous déduction de l'escompte**

[Affaire C-640/18 - ECLI identifiant: ECLI:EU:C:2020:293](#)

**Judgment of the Court (Seventh Chamber) of 23 April 2020 - Ryanair Ltd and Autorità Garante della Concorrenza e del Mercato - Antitrust v Autorità Garante della Concorrenza e del Mercato - Antitrust and Others - Reference for a preliminary ruling – **Transport – Air services** – Regulation (EC) No 1008/2008 – Article 23(1) – **Indication of the final price to be paid – Online passenger check-in fees – VAT – Administrative fees for purchases made by means of a credit card other than that approved by the air carrier** – Unavoidable and foreseeable elements of the final price to be paid – Optional price supplements – Concept**

[Case C-28/19 - ECLI identifiant: ECLI:EU:C:2020:301](#)

**OPINION OF ADVOCATE GENERAL SZPUNAR delivered on 23 April 2020 - Repsol Petróleo, SA v Administración General del Estado - Request for a preliminary ruling from the Tribunal Supremo (Supreme Court, Spain) - Reference for a preliminary ruling – Directive 2003/96/EC – **Taxation of energy products and electricity** – Article 21(3) – **Exemption for energy products used in an establishment producing energy products – Simultaneous production of energy products and other products****

[Case C-44/19 - ECLI identifiant: ECLI:EU:C:2020:30](#)

**OPINION OF ADVOCATE GENERAL KOKOTT delivered on 23 April 2020 - Kaplan International Colleges UK Ltd v The Commissioners for Her Majesty's Revenue and Customs** - Request for a preliminary ruling from the First-tier Tribunal (Tax Chamber), United Kingdom (Reference for a preliminary ruling — **System of value added tax (VAT)** — Directive 2006/112/EC — **Exemption** — Article 132(1)(f) — **Supply of services by an independent cost sharing group to its members — Territorial scope** — Group established in a third state — **Concept of 'distortion of competition'** — Relationship with group taxation (Article 11)

Case C-77/19 - ECLI identifier: ECLI:EU:C:2020:302

**CONCLUSIONS DE L'AVOCATE GÉNÉRALE M<sup>ME</sup> JULIANE KOKOTT présentées le 23 avril 2020 – XT, autres parties à la procédure: Valstybinė mokesčių inspekcija prie Lietuvos Respublikos finansų ministerijos, Vilniaus apskrities valstybinė mokesčių inspekcija prie Lietuvos Respublikos finansų ministerijos** - demande de décision préjudicielle formée par le Lietuvos vyriausiasis administracinis teismas (Cour administrative suprême de Lituanie) - Renvoi préjudiciel – **Législation fiscale – Taxe sur la valeur ajoutée** – Directive 2006/112/CE – Article 9, paragraphe 1 – **Notion d'assujetti – Capacité d'être un assujetti – Capacité juridique – Rattachement de l'opération à un assujetti** – Action conjointe de plusieurs personnes – **Action d'une société interne**

Affaire C-312/19 - ECLI identifier: ECLI:EU:C:2020:310

**Arrêt de la Cour (cinquième chambre) du 2 avril 2020 - „GVC Services (Bulgaria)“ EOOD contre Direktor na Direksia „Obzhalvane i danachno-osiguritelna praktika“ – Sofia** - Demande de décision préjudicielle, introduite par Administrativen sad Sofia-grad - Renvoi préjudiciel – **Régime fiscal commun applicable aux sociétés mères et filiales d'États membres différents** – Directive 2011/96/UE – Article 2, sous a), i) et iii), et annexe I, partie A, sous ab), et partie B, dernier tiret – **Notions de "sociétés constituées conformément au droit du Royaume-Uni" et de "corporation tax au Royaume-Uni" – Sociétés enregistrées à Gibraltar et qui y sont assujetties à l'impôt sur les sociétés**

Affaire C-458/18 - ECLI identifier: ECLI:EU:C:2020:266

**Judgment of the Court (Ninth Chamber) of 2 April 2020 - AS „PrivatBank“ v Finanšu un kapitāla tirgus komisija** - Request for a preliminary ruling from the Augstākā tiesa - Reference for a preliminary ruling — **Payment services in the internal market** — Directive 2007/64/EC — **Material and personal scope — Payment services provided in a currency other than the euro or the currency of a Member State outside the euro area** — Payment services provided by a credit institution — **Non-execution or defective execution of a payment order — Person liable — Prudential supervision procedure — Complaint procedures — Out-of-court-redress — Competent authorities**

Case C-480/18 - ECLI identifier: ECLI:EU:C:2020:274

**Judgment of the Court (Fourth Chamber) of 2 April 2020 - AU v Reliantco Investments LTD and Reliantco Investments LTD Limassol Sucursala București** - Request for a preliminary ruling from the Tribunalul Specializat Cluj - Reference for a preliminary ruling — **Freedom of establishment — Freedom to provide services — Markets in financial instruments** — Directive 2004/39/EC — **Meanings of 'retail client' and 'consumer' — Conditions for relying on the status of consumer** — Determining jurisdiction to hear the request

Case C-500/18 - ECLI identifier: ECLI:EU:C:2020:264

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

### Community Legislation

**Commission Delegated Decision (EU) 2020/548** of 23 January 2020 **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(2020) 229) (Text with EEA relevance C/2020/229) (Text with EEA relevance)

OJ of EU L 131/1 of 24 April 2020

## 9. Employment and Social Affairs

### Case Law

**Judgment of the Court (Eighth Chamber) of 30 April 2020 - HB and IC v Istituto nazionale della previdenza sociale** - Reference for a preliminary ruling — Freedom of movement for persons — Article 21 TFEU — **Principle of non-discrimination on grounds of nationality** — Article 18 TFEU — **Convention for the avoidance of double taxation — Public sector workers** — Pensioner residing in a Member State other than that paying retirement pension and who does not have the nationality of the Member State of residence — **Income tax — Alleged loss of tax advantages — Alleged impediment to freedom of movement and alleged discrimination**  
[Joined Cases C-168/19 and C-169/19 - ECLI identifier: ECLI:EU:C:2020:338](#)

**Arrêt de la Cour (dixième chambre) du 30 avril 2020 - UO contre Készenléti Rendőrség** - Renvoi préjudiciel – **Politique sociale – Protection de la sécurité et de la santé des travailleurs** – Directive 2003/88/CE – Champ d’application – Dérogation – Article 1er, paragraphe 3 – Directive 89/391/CEE – Article 2, paragraphe 2 – **Activités des forces d’intervention de la police**  
[Affaire C-211/19 - ECLI identifier: ECLI:EU:C:2020:344](#)

**OPINION OF ADVOCATE GENERAL BOBEK delivered on 30 April 2020 - Federatie Nederlandse Vakbeweging v Van den Bosch Transporten BV, Van den Bosch Transporte GmbH and Silo-Tank kft** - Request for a preliminary ruling from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands, Netherlands) - Reference for a preliminary ruling — Directive 96/71/EC — **Posting of workers in the context of the provision of services — Drivers working in international transport** — Concept of posting to the territory of a Member State — **Concept of collective agreements declared universally applicable**  
[Case C-815/18 - ECLI identifier: ECLI:EU:C:2020:319](#)

**Judgment of the Court (Grand Chamber) of 23 April 2020 - NH v Associazione Avvocatura per i diritti LGBTI - Rete Lenford** - Request for a preliminary ruling from the Corte suprema di cassazione - Reference for a preliminary ruling — **Equal treatment in employment and occupation** — Directive 2000/78/EC — Article 3(1)(a), Article 8(1) and Article 9(2) — **Prohibition of discrimination based on sexual orientation — Conditions for access to employment or to occupation — Concept — Public statements ruling out recruitment of homosexual persons** — Article 11(1), Article 15(1) and Article 21(1) of the Charter of Fundamental Rights of the European Union — **Defence of rights — Sanctions — Legal entity representing a collective interest — Standing to bring proceedings without acting in the name of a specific complainant or in the absence of an injured party — Right to damages**  
[Case C-507/18 - ECLI identifier: ECLI:EU:C:2020:289](#)

**Arrêt de la Cour (septième chambre) du 23 avril 2020 - WN contre Land Niedersachsen** - envoi préjudiciel – **Libre circulation des travailleurs** – Article 45, paragraphe 1, TFUE – **Rémunération – Classement dans les échelons d’un système de rémunération – Système de rémunération liant le bénéfice d’une rémunération plus élevée à l’ancienneté acquise auprès du même employeur** – Limitation de la prise en compte des périodes antérieures d’activité pertinente accomplies auprès d’un employeur situé dans un État membre autre que l’État membre d’origine  
[Affaire C-710/18 - ECLI identifier: ECLI:EU:C:2020:299](#)

**OPINION OF ADVOCATE GENERAL SHARPSTON delivered on 23 April 2020 – JH v KG** -(Request for a preliminary ruling from the Tribunale ordinario di Brescia (District Court of Brescia, Italy) - Social Policy — Directive 2008/104 — **Temporary employment — Successive contracts with the same user undertaking** — Article 5(5) — **Equal treatment — Circumvention of the provisions of the Directive**  
[Case C-681/18 - ECLI identifier: ECLI:EU:C:2020:30](#)



**CONCLUSIONS DE L'AVOCATE GÉNÉRALE M<sup>ME</sup> JULIANE KOKOTT présentées le 23 avril 2020 - Service européen pour l'action extérieure (SEAE) contre Chantal Hebberecht – Pourvoi – Recours en annulation – Droit de la fonction publique – Service européen pour l'action extérieure – Affectation – Poste de chef de la délégation de l'Union européenne auprès de l'Éthiopie – Politique de rotation – Demande de prolonger l'affectation – Refus – Égalité des genres – Obligation de prendre en considération les aspects relatifs au genre – Annulation de décisions discrétionnaires de l'administration – Absence de prise en considération d'aspects qui auraient dû être intégrés dans la décision discrétionnaire – Aspects à prendre obligatoirement en considération**

Affaire C-93/19 P - ECLI identifiant: ECLI:EU:C:2020:305

**Judgment of the Court (Grand Chamber) of 2 April 2020 - Caisse de retraite du personnel navigant professionnel de l'aéronautique civile (CRPNPAC) and Vueling Airlines SA v Vueling Airlines SA and Jean-Luc Poignant - Requests for a preliminary ruling from the Tribunal de grande instance de Bobigny and Cour de cassation - Reference for a preliminary ruling — Migrant workers — Social security — Regulation (EEC) No 1408/71 — Legislation applicable — Article 14(1)(a) — Posted workers — Article 14(2)(a)(i) — Person normally employed in the territory of two or more Member States and employed by a branch or a permanent representation that an undertaking has in the territory of a Member State other than that where it has its registered office — Regulation (EEC) No 574/72 — Article 11(1)(a) — Article 12a(1a) — E 101 certificate — Binding effect — Certificate fraudulently obtained or relied on — Power of the courts of the host Member State to make a finding of fraud and to disregard the certificate — Article 84a(3) of Regulation No 1408/71 — Cooperation between competent institutions — Authority in civil proceedings of res judicata in criminal proceedings — Primacy of EU law**

Joined Cases C-370/17 and C-37/18 - ECLI identifiant: ECLI:EU:C:2020:260

**Arrêt de la Cour (huitième chambre) du 2 avril 2020 - CO contre Comune di Gesturi - Demande de décision préjudicielle, introduite par Tribunale Amministrativo Regionale per la Sardegna - Renvoi préjudiciel – Politique sociale – Principe d'égalité de traitement en matière d'emploi et de travail – Directive 2000/78/CE – Interdiction de toute discrimination fondée sur l'âge – Appel public à manifestation d'intérêt – Conditions de participation – Exclusion des retraités des secteurs public ou privé**

Affaire C-670/18 - ECLI identifiant: ECLI:EU:C:2020:272

**Arrêt de la Cour (sixième chambre) du 2 avril 2020 - Caisse pour l'avenir des enfants contre FV et GW - Demande de décision préjudicielle, introduite par Conseil supérieur de la Sécurité sociale - Renvoi préjudiciel – Article 45 TFUE – Sécurité sociale des travailleurs migrants – Règlement (CE) no 883/2004 – Article 1er, sous i) – Libre circulation des travailleurs – Égalité de traitement – Avantages sociaux – Directive 2004/38/CE – Article 2, point 2 – Règlement (UE) no 492/2011 – Article 7, paragraphe 2 – Allocation familiale – Notion de "membres de la famille" – Exclusion de l'enfant du conjoint de travailleurs non-résidents – Différence de traitement avec l'enfant du conjoint de travailleurs résidents – Justification**

Affaire C-802/18 - ECLI identifiant: ECLI:EU:C:2020:269

**Arrêt de la Cour (neuvième chambre) du 2 avril 2020 - Landkreis Südliche Weinstraße contre PF e.a. - Demande de décision préjudicielle, introduite par Oberverwaltungsgericht Rheinland-Pfalz - Renvoi préjudiciel – Libre circulation des travailleurs – Règlement (UE) no 492/2011 – Enfants de travailleurs frontaliers – Avantages sociaux – Système de remboursement des frais de transport scolaire – Condition de résidence dans un Land – Exclusion des enfants scolarisés dans ce Land et résidant dans un État membre autre que celui de l'établissement scolaire fréquenté – Exclusion des ressortissants nationaux résidant dans les autres Länder**

Affaire C-830/18 - ECLI identifiant: ECLI:EU:C:2020:275

## 10. Energy and Environment

### Community Legislation

**Commission Decision (EU) 2020/519** of 3 April 2020 on the **sectoral reference document on best environmental management practices, sector environmental performance indicators and benchmarks of excellence for the waste management sector** under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) (Text with EEA relevance)

OJ of the EU L 115/1 of 14 April 2020

## Case Law

**Arrêt de la Cour (septième chambre) du 30 avril 2020 - Commission européenne contre Roumanie - Manquement d'État – Environnement – Directive 2008/50/CE – Qualité de l'air ambiant – Article 13, paragraphe 1, et annexe XI – Dépassement systématique et persistant des valeurs limites pour les microparticules (PM10) dans la zone RO32101 (Bucarest, Roumanie) – Article 23, paragraphe 1 – Annexe XV – Période de dépassement "la plus courte possible" – Mesures appropriées**

[Affaire C-638/18 - ECLI identifier: ECLI:EU:C:2020:334](#)

**Judgment of the Court (Tenth Chamber) of 30 April 2020 - „Overgas Mrezhi“ AD and Sdruzhenie s nestopanska tsel „Balgarska gazova asotsiatsia“ v Komisia za energiyno i vodno regulirane (KEVR) - Reference for a preliminary ruling — Common rules for the internal market in natural gas — Directive 2009/73/EC — Article 3(1) to (3) and Article 41(16) — Public service obligations — Natural gas storage obligations for the purposes of ensuring the security and regularity of supply — National legislation providing that the financial burden of the public service obligations imposed on the natural gas undertakings is to be passed on to their customers — Conditions — Adoption of a legal act by a national regulatory authority imposing a public service obligation — Procedure — Articles 36 and 38 of the Charter of Fundamental Rights of the European Union**

[Case C-5/19 - ECLI identifier: ECLI:EU:C:2020:343](#)

**OPINION OF ADVOCATE GENERAL KOKOTT delivered on 30 April 2020 - Friends of the Irish Environment Limited v An Bord Pleanála, Notice party: Shannon LNG Limited - Request for a preliminary ruling from the High Court (Ireland) - Request for a preliminary ruling — Directive 92/43/ECC — Conservation of natural habitats and of wild fauna and flora — Appropriate assessment of the implications of plans and projects — Scope — Extension of the development consent to construct a liquefied natural gas regasification terminal — Single operation**

[Case C-254/19 - ECLI identifier: ECLI:EU:C:2020:320](#)

**Arrêt de la Cour (première chambre) du 23 avril 2020 - Commission européenne contre République d'Autriche - Manquement d'État – Directive 2009/147/CE – Conservation des oiseaux sauvages – Autorisations de chasse printanière de spécimens mâles de l'espèce d'oiseaux "bécasse des bois" (Scolopax rusticola) dans le Land de Basse-Autriche (Autriche) – Article 7, paragraphe 4, et article 9, paragraphe 1, sous c) – Absence d'"autre solution satisfaisante" – Notion de "petites quantités"**

[Affaire C-161/19 - ECLI identifier: ECLI:EU:C:2020:290](#)

**Judgment of the Court (First Chamber) of 23 April 2020 - European Commission v Republic of Finland - Action for failure to fulfil obligations — Directive 2009/147/EC — Conservation of wild birds — Authorisations for spring hunting of male specimens of the 'common eider' bird species (Somateria mollissima) in the province of Åland (Finland) — Article 7(4) and Article 9(1)(c) — Concepts of 'judicious use' and 'small numbers'**

[Case C-217/19 - ECLI identifier: ECLI:EU:C:2020:291](#)

**OPINION OF ADVOCATE GENERAL SZPUNAR delivered on 23 April 2020 - Repsol Petróleo, SA v Administración General del Estado - Request for a preliminary ruling from the Tribunal Supremo (Supreme Court, Spain) - Reference for a preliminary ruling — Directive 2003/96/EC — Taxation of energy products and electricity — Article 21(3) — Exemption for energy products used in an establishment producing energy products — Simultaneous production of energy products and other products**

[Case C-44/19 - ECLI identifier: ECLI:EU:C:2020:30](#)

**Judgment of the Court (Seventh Chamber) of 2 April 2020 - Stadtwerke Neuwied GmbH v RI - Request for a preliminary ruling from the Landgericht Koblenz - Reference for a preliminary ruling — Directive 2003/55/EC — Common rules for the internal market in natural gas — Consumer protection — Article 3(3) and point (b) of Annex A — Transparency of contractual terms and conditions — Obligation to give consumers adequate notice directly of an increase in charges**

[Case C-765/18 - ECLI identifier: ECLI:EU:C:2020:270](#)

**Arrêt de la Cour (septième chambre) du 2 avril 2020 - Commission européenne contre Royaume d'Espagne - Manquement d'État – Évaluation et gestion des risques d'inondation – Directive 2007/60/CE – Article 7, paragraphes 1 et 5, article 10, paragraphes 1 et 2, ainsi que article 15, paragraphe 1 – Plan de gestion des risques d'inondation – Établissement – Consultation et information du public – Mise à disposition de la Commission européenne – Districts hydrographiques ES 120 Gran Canaria, ES 122 Fuerteventura, ES 123 Lanzarote, ES 124 Tenerife, ES 125 La Palma, ES 126 La Gomera et ES 127 El Hierro (Espagne)**  
 Affaire C-384/19 - ECLI identifiant: ECLI:EU:C:2020:271

**CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MANUEL CAMPOS SÁNCHEZ-BORDONA présentées le 2 avril 2020 - Autoritatea națională de reglementare în domeniul energiei (ANRE) contre Societatea de Producere a Energiei Electrice în Hidrocentrale Hidroelectrica SA - demande de décision préjudicielle formée par le Tribunalul București (Tribunal de grande instance de Bucarest, Roumanie) - Question préjudicielle — Marché intérieur de l'électricité — Article 35 TFUE — Libre circulation de marchandises — Restrictions quantitatives à l'exportation — Mesures d'effet équivalent — Exportation d'électricité — Mesure nationale qui impose aux producteurs d'électricité l'obligation de commercialiser toute l'électricité produite exclusivement à travers un marché national ouvert à la concurrence et centralisé**  
 Affaire C-648/18 - ECLI identifiant: ECLI:EU:C:2020:256

## 11. Food Safety, Public Health and Consumers

### Community Legislation

**Regulation (EU) 2020/558 of the European Parliament and of the Council of 23 April 2020 amending Regulations (EU) No 1301/2013 and (EU) No 1303/2013 as regards specific measures to provide exceptional flexibility for the use of the European Structural and Investments Funds in response to the COVID-19 outbreak** PE/7/2020/REV/1  
 OJ of the EU L 130/1 of 24 April 2020

**Regulation (EU) 2020/559 of the European Parliament and of the Council of 23 April 2020 amending Regulation (EU) No 223/2014 as regards the introduction of specific measures for addressing the outbreak of COVID-19** PE/8/2020/REV/1  
 OJ of EU L 130/7 of 24 April 2020

**Regulation (EU) 2020/560 of the European Parliament and of the Council of 23 April 2020 amending Regulations (EU) No 508/2014 and (EU) No 1379/2013 as regards specific measures to mitigate the impact of the COVID-19 outbreak in the fishery and aquaculture sector** PE/9/2020/REV/1  
 OJ of L 130/11 of 24 April 2020

**Regulation (EU) 2020/561 of the European Parliament and of the Council of 23 April 2020 amending Regulation (EU) 2017/745 on medical devices, as regards the dates of application of certain of its provisions (Text with EEA relevance)** PE/10/2020/REV/1  
 OJ of the EU L 130/18 of 24 April 2020

**COMMUNICATION FROM THE COMMISSION Guidelines on EU Emergency Assistance on Cross-Border Cooperation in Healthcare related to the COVID-19 crisis (2020/C 111 I/01)**  
 OJ of the EU, CI 111/1 of 3 April 2020

### Case Law

**Arrêt de la Cour (quatrième chambre) du 30 avril 2020 - Royalty Pharma Collection Trust contre Deutsches Patent- und Markenamt - Renvoi préjudiciel – Propriété intellectuelle et industrielle – Règlement (CE) no 469/2009 – Certificat complémentaire de protection pour les médicaments – Conditions d'obtention – Article 3, sous a) – Notion de "produit protégé par un brevet de base en vigueur" – Critères d'appréciation**  
 Affaire C-650/17 - Identifiant ECLI: ECLI:EU:C:2020:327

**Judgment of the Court (Tenth Chamber) of 30 April 2020 - „Overgas Mrežhi“ AD and Sdruzhenie s nestopanska tsel „Balgarska gazova asotsiatsia“ v Komisija za energiyno i vodno regulirane (KEVR) - Reference for a preliminary ruling — Common rules for the internal market in natural gas — Directive 2009/73/EC — Article 3(1) to (3) and Article 41(16) — **Public service obligations — Natural gas storage obligations for the purposes of ensuring the security and regularity of supply — National legislation providing that the financial burden of the public service obligations imposed on the natural gas undertakings is to be passed on to their customers — Conditions** — Adoption of a legal act by a national regulatory authority imposing a public service obligation — Procedure — **Articles 36 and 38 of the Charter of Fundamental Rights of the European Union****

[Case C-5/19 - ECLI identifier: ECLI:EU:C:2020:343](#)

**OPINION OF ADVOCATE GENERAL HOGAN delivered on 30 April 2020 – A v Veselības ministrija - Request for a preliminary ruling from the Augstākā tiesa (Senāts) (Senate of the Supreme Court, Latvia) - Reference for a preliminary ruling — **Social security — Medical insurance** — Regulation (EC) No 883/2004 — Article 20(2) — **Authorisation to receive treatment outside the Member State of residence — Authorisation granted where the treatment is among benefits provided for by the legislation of Member State of residence and where person cannot be given such treatment within a time limit which is medically justifiable** — Directive 2011/24/EU — Article 7 — Article 8(5) — Reimbursement of cross-border healthcare — **Medical expenses incurred in another Member State — Refusal — Charter of Fundamental Rights of the European Union** — Article 10(1) and Article 21(1) — Article 56 TFEU**

[Case C-243/19 - ECLI identifier: ECLI:EU:C:2020:325](#)

**OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA delivered on 30 April 2020 - DenizBank AG v Verein für Konsumenteninformation - Request for a preliminary ruling from the Oberster Gerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — **Consumer protection — Payment services in the internal market — Unfair terms — Change in the conditions of a framework contract** — Review of transparency — **Validity of terms including tacit consent and transferring to the payment service user the risk of liability for unauthorised payments** — Derogation for low-value payment instruments — **Personalised payment card with near-field communication (NFC) functionality — Anonymous payment instruments — Unblockable payment instruments****

[Case C-287/19 - ECLI identifier: ECLI:EU:C:2020:322](#)

**Judgment of the Court (Eighth Chamber) of 23 April 2020 - Deutsche Homöopathie-Union (DHU) Arzneimittel GmbH & Co. KG v Bundesrepublik Deutschland - References for a preliminary ruling — **Medicinal products for human use** — Directive 2001/83/EC — Articles 62 and 69 — **Particulars on the labelling and package leaflet of homeopathic medicinal products — Exhaustive list of the particulars or possibility to add information that is useful to the patient and is compatible with the summary of product characteristics** — Dosage schedules for homeopathic medicinal products**

[Case C-101/19 - ECLI identifier: ECLI:EU:C:2020:304](#)

**Judgment of the Court (Fourth Chamber) of 2 April 2020 - AU v Reliantco Investments LTD and Reliantco Investments LTD Limassol Sucursala București - Request for a preliminary ruling from the Tribunalul Specializat Cluj - Reference for a preliminary ruling — **Freedom of establishment — Freedom to provide services — Markets in financial instruments** — Directive 2004/39/EC — **Meanings of ‘retail client’ and ‘consumer’ — Conditions for relying on the status of consumer** — Determining jurisdiction to hear the request**

[Case C-500/18 - ECLI identifier: ECLI:EU:C:2020:264](#)

**Judgment of the Court (Seventh Chamber) of 2 April 2020 - Stadtwerke Neuwied GmbH v RI - Request for a preliminary ruling from the Landgericht Koblenz - Reference for a preliminary ruling — Directive 2003/55/EC — **Common rules for the internal market in natural gas — Consumer protection** — Article 3(3) and point (b) of Annex A — **Transparency of contractual terms and conditions — Obligation to give consumers adequate notice directly of an increase in charges****

[Case C-765/18 - ECLI identifier: ECLI:EU:C:2020:270](#)

**Arrêt de la Cour (huitième chambre) du 2 avril 2020 - kunsthaus muerz gmbh contre Zürich Versicherungs AG** - Demande de décision préjudicielle, introduite par Oberlandesgericht Wien - Renvoi préjudiciel – **Libre prestation des services – Assurance directe sur la vie** – Directive 2002/83/CE – Articles 35 et 36 – **Droit et délai de renonciation – Information incorrecte concernant les modalités d'exercice du droit de renonciation** – Conditions de forme de la déclaration de renonciation – **Expiration du droit de renonciation – Pertinence de la qualité de “consommateur” du preneur d'assurance**  
[Affaire C-20/19 - ECLI identifier: ECLI:EU:C:2020:273](#)

**Judgment of the Court (First Chamber) of 2 April 2020. - Condominio di Milano, via Meda v Eurothermo SpA** - Request for a preliminary ruling from the Tribunale di Milano - Reference for a preliminary ruling – **Consumer protection** – Directive 93/13/EEC – **Unfair terms in consumer contracts** – Article 1(1) – Article 2(b) – **Definition of ‘consumer’ – Commonhold of a building**  
[Case C-329/19 - ECLI identifier: ECLI:EU:C:2020:263](#)

**OPINION OF ADVOCATE GENERAL HOGAN delivered on 2 April 2020 - Profi Credit Polska S.A. z siedzibą w Bielsku- Białej v QJ (C-84/19)** - Request for a preliminary ruling from the Sąd Rejonowy Szczecin — Prawobrzeże i Zachód w Szczecinie (District Court for Szczecin — Prawobrzeże and Zachód, Szczecin, Poland) - **BW v DR (C-222/19) and QL v CG (C-252/19)** - Request for a preliminary ruling from the Sąd Rejonowy w Opatowie (District Court for Opatów, Poland) - Reference for a preliminary ruling – **Consumer protection – Credit agreements for consumers** – Directive 93/13/EEC – **Unfair terms in consumer contracts** – Article 1(2) – **Exclusion provided for contractual terms reflecting mandatory legislative or regulatory provisions – National provision instituting a maximum amount of total cost of the credit for the consumer excluding interest** – Article 4(2) – Scope – Application to clauses providing fees in addition of an interest – **Obligation to draft contract terms in plain, intelligible language** – Article 3(1) – Compatibility of a national legislation laying down the maximum amount of non-interest credit cost – Directive 2008/48 – Article 3(g) – Compatibility of a national legislation calculating maximum amount of non-interest credit cost by taking into account the general expenses of the credit institution  
[Joined Cases C-84/19, C-222/19 and C-252/19 - ECLI identifier: ECLI:EU:C:2020:259](#)

**OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA delivered on 2 April 2020 - Verein für Konsumenteninformation v Volkswagen AG** - Request for a preliminary ruling from the Landesgericht Klagenfurt (Regional Court, Klagenfurt, Austria) - Preliminary ruling proceedings – Regulation (EU) No 1215/2012 – **Jurisdiction in matters relating to liability in tort, delict or quasi-delict – Place of the event giving rise to the harm – Manipulation of emissions values in car engines**  
[Case C-343/19 - ECLI identifier: ECLI:EU:C:2020:253](#)

## 12. Human Rights

### Case Law

**Judgment of the Court (Tenth Chamber) of 30 April 2020 - „Overgas Mrezhi“ AD and Sdruzhenie s nestopanska tsel „Balgarska gazova asotsiatsia“ v Komisia za energiyno i vodno regulirane (KEVR)** - Reference for a preliminary ruling – Common rules for the internal market in natural gas – Directive 2009/73/EC – Article 3(1) to (3) and Article 41(16) – **Public service obligations – Natural gas storage obligations for the purposes of ensuring the security and regularity of supply – National legislation providing that the financial burden of the public service obligations imposed on the natural gas undertakings is to be passed on to their customers – Conditions** – Adoption of a legal act by a national regulatory authority imposing a public service obligation – Procedure – **Articles 36 and 38 of the Charter of Fundamental Rights of the European Union**  
[Case C-5/19 - ECLI identifier: ECLI:EU:C:2020:343](#)

**OPINION OF ADVOCATE GENERAL HOGAN delivered on 30 April 2020 – A v Veselības ministrija** - Request for a preliminary ruling from the Augstākā tiesa (Senāts) (Senate of the Supreme Court, Latvia) - Reference for a preliminary ruling — **Social security — Medical insurance** — Regulation (EC) No 883/2004 — Article 20(2) — **Authorisation to receive treatment outside the Member State of residence — Authorisation granted where the treatment is among benefits provided for by the legislation of Member State of residence and where person cannot be given such treatment within a time limit which is medically justifiable** — Directive 2011/24/EU — Article 7 — Article 8(5) — Reimbursement of cross-border healthcare — **Medical expenses incurred in another Member State — Refusal — Charter of Fundamental Rights of the European Union** — Article 10(1) and Article 21(1) — Article 56 TFEU

Case C-243/19 - ECLI identifier: ECLI:EU:C:2020:325

**OPINION OF ADVOCATE GENERAL HOGAN delivered on 30 April 2020 - Secretary of State for the Home Department v OA joined parties: United Nations High Commissioner for Refugees (UNHCR)** - Request for a preliminary ruling from the Upper Tribunal (Immigration and Asylum Chamber) (United Kingdom) - Reference for a preliminary ruling — Directive 2004/83/EC — **Minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection — Refugee** — Article 2(c) — Actors of protection — Article 7 — **Cessation of refugee status** — Article 11 — Change of circumstances — Article 11(1)(e) — **Possibility of availing of protection of the country of nationality — Criteria for assessment**

Case C-255/19 - ECLI identifier: ECLI:EU:C:2020:342

**CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR présentées le 30 avril 2020 - Procédure pénale contre VL en présence de Ministerio Fiscal** - demande de décision préjudicielle formée par le Juzgado de Instrucción nº 3 de San Bartolomé de Tirajana (tribunal d'instruction nº 3 de San Bartolomé de Tirajana, Espagne) - Renvoi préjudiciel — **Contrôles aux frontières, asile et immigration – Politique d'asile – Procédure d'octroi de la protection internationale** – Directive 2013/32/UE – Article 6 – **Accès à la procédure – Autres autorités susceptibles de recevoir des demandes de protection internationale mais n'étant pas compétentes pour les enregistrer – Notion d'“autres autorités”** – Normes pour l'accueil des personnes demandant la protection internationale – Directive 2013/33/UE – Article 8 – **Placement en rétention du demandeur – Principe de non-refoulement**

Affaire C-36/20 PPU - ECLI identifier: ECLI:EU:C:2020:331

**Judgment of the Court (Grand Chamber) of 23 April 2020 - NH v Associazione Avvocatura per i diritti LGBTI - Rete Lenford** - Request for a preliminary ruling from the Corte suprema di cassazione - Reference for a preliminary ruling — **Equal treatment in employment and occupation** — Directive 2000/78/EC — Article 3(1)(a), Article 8(1) and Article 9(2) — **Prohibition of discrimination based on sexual orientation — Conditions for access to employment or to occupation — Concept — Public statements ruling out recruitment of homosexual persons** — Article 11(1), Article 15(1) and Article 21(1) of the Charter of Fundamental Rights of the European Union — **Defence of rights — Sanctions — Legal entity representing a collective interest — Standing to bring proceedings without acting in the name of a specific complainant or in the absence of an injured party — Right to damages**

Case C-507/18 - ECLI identifier: ECLI:EU:C:2020:289

**OPINION OF ADVOCATE GENERAL SZPUNAR delivered on 23 April 2020 – JZ** - Request for a preliminary ruling from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands) - Reference for a preliminary ruling — **Area of freedom, security and justice** — Directive 2008/115/EC — Article 11 — **Entry ban — Third-country national on whom such an entry ban has been imposed but who has never left the Member State concerned** — Custodial sentence

Case C-806/18 - ECLI identifier: ECLI:EU:C:2020:307

**CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. PRIIT PIKAMÄE présentées le 23 avril 2020 – FMS et FNZ (C-924/19 PPU), SA et SA junior (C- 925/19 PPU) contre Országos Idegenrendészeti Főigazgatóság Dél-alföldi Regionális Igazgatóság et Országos Idegenrendészeti Főigazgatóság** - demande de décision préjudicielle formée par le Szegedi Közigazgatási és Munkaügyi Bíróság (tribunal administratif et du travail de Szeged, Hongrie) - Renvoi préjudiciel – **Espace de liberté, de sécurité et de justice – Procédures communes pour l'octroi et le retrait de la protection internationale** – Directive 2013/32/UE – **Demande de protection internationale** – Article 33, paragraphe 2 – **Motifs d'irrecevabilité – Réglementation nationale prévoyant l'irrecevabilité de la demande si le demandeur est arrivé dans l'État membre concerné par un pays où il n'est pas exposé à la persécution ou aux risques d'atteintes graves ou si ce pays accorde une protection suffisante** – Articles 35, 38, paragraphe 4, articles 40 et 43 – Directive 2013/33/UE – Article 2, sous h), articles 8 et 9 – Procédure d'asile – Mesure de retour – **Modalités procédurales – Rétention – Durée de la rétention – Légalité de la rétention – Examen – Recours – Droit à un recours effectif** – Article 47 de la charte des droits fondamentaux de l'Union européenne  
Affaires jointes C-924/19 PPU et C-925/19 PPU - ECLI identifier: ECLI:EU:C:2020:294

**Judgment of the Court (Third Chamber) of 2 April 2020 - European Commission v Republic of Poland and Others** - Failure of a Member State to fulfil obligations — Decisions (EU) 2015/1523 and (EU) 2015/1601 — Article 5(2) and 5(4) to 5(11) of each of those decisions — **Provisional measures in the area of international protection for the benefit of Italy and of Greece — Emergency situation characterised by a sudden influx of third-country nationals into certain Member States** — Relocation of those nationals to other Member States — Relocation procedure — **Obligation on the Member States to indicate at regular intervals, and at least every three months, the number of applicants for international protection who can be relocated swiftly to their territory** — Consequent obligations leading to actual relocation — **Interests of the Member States linked to national security and public order** — Possibility for a Member State to rely on Article 72 TFEU in order not to apply EU legal acts of a binding nature  
Joined Cases C-715/17, C-718/17 and C-719/17 – ECLI identifier: ECLI:EU:C:2020:257

## 13. Internal Market and Single Market

### Case Law

**Arrêt de la Cour (deuxième chambre) du 30 avril 2020 - Société Générale S.A. contre Agenzia delle Entrate – Direzione Regionale Lombardia Ufficio Contenzioso** - Renvoi préjudiciel – Article 63 TFUE – **Libre circulation des capitaux – Taxe sur les transactions financières** – Opérations portant sur des instruments financiers dérivés ayant pour titre sous-jacent un titre émis par une société résidente de l'État membre d'imposition – **Taxe due indépendamment du lieu de conclusion de la transaction – Obligations administratives et déclaratives**  
Affaire C-565/18 - Identifiant ECLI: ECLI:EU:C:2020:318

**Arrêt de la Cour (deuxième chambre) du 30 avril 2020 - Nelson Antunes da Cunha, Lda contre Instituto de Financiamento da Agricultura e Pescas IP (IFAP)** - Renvoi préjudiciel – Aides d'État – Article 108 TFUE – **Régime d'aides incompatible avec le marché intérieur – Décision de la Commission européenne ordonnant la récupération des aides illégales** – Règlement (UE) 2015/1589 – Article 17, paragraphe 1 – **Délai de prescription de dix ans** – Application aux pouvoirs de récupération de la Commission – Article 16, paragraphes 2 et 3 – **Réglementation nationale prévoyant un délai de prescription inférieur – Principe d'effectivité**  
Affaire C-627/18 - Identifiant ECLI: ECLI:EU:C:2020:321

**Judgment of the Court (Eighth Chamber) of 30 April 2020 - HB and IC v Istituto nazionale della previdenza sociale** - Reference for a preliminary ruling — Freedom of movement for persons — Article 21 TFEU — **Principle of non-discrimination on grounds of nationality** — Article 18 TFEU — **Convention for the avoidance of double taxation — Public sector workers** — Pensioner residing in a Member State other than that paying retirement pension and who does not have the nationality of the Member State of residence — **Income tax — Alleged loss of tax advantages — Alleged impediment to freedom of movement and alleged discrimination**  
Joined Cases C-168/19 and C-169/19 - ECLI identifier: ECLI:EU:C:2020:338

**OPINION OF ADVOCATE GENERAL BOBEK delivered on 23 April 2020 - Pegaso Srl Servizi Fiduciari, Sistemi di Sicurezza Srl and YW v Poste Tutela SpA, joined parties: Poste Italiane SpA and Services Group** - Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Regional Administrative Court, Lazio, Italy) - Reference for a preliminary ruling — **Public procurement** — Directive 2014/25/EU — **Postal services — Activities relating to postal services — Caretaking, reception and access control services — Withdrawal of the contract notice in the course of the proceedings** — Interest to act of the applicants despite that withdrawal — Outstanding decision on costs

[Case C-521/18 - ECLI identifier: ECLI:EU:C:2020:306](#)

**Judgment of the Court (Ninth Chamber) of 2 April 2020 - AS „PrivatBank” v Finanšu un kapitāla tirgus komisija** - Request for a preliminary ruling from the Augstākā tiesa - Reference for a preliminary ruling — **Payment services in the internal market** — Directive 2007/64/EC — **Material and personal scope — Payment services provided in a currency other than the euro or the currency of a Member State outside the euro area** — Payment services provided by a credit institution — **Non-execution or defective execution of a payment order — Person liable — Prudential supervision procedure — Complaint procedures — Out-of-court-redress — Competent authorities**

[Case C-480/18 - ECLI identifier: ECLI:EU:C:2020:274](#)

**Judgment of the Court (Fourth Chamber) of 2 April 2020 - AU v Reliantco Investments LTD and Reliantco Investments LTD Limassol Sucursala București** - Request for a preliminary ruling from the Tribunalul Specializat Cluj - Reference for a preliminary ruling — **Freedom of establishment — Freedom to provide services — Markets in financial instruments** — Directive 2004/39/EC — **Meanings of ‘retail client’ and ‘consumer’ — Conditions for relying on the status of consumer** — Determining jurisdiction to hear the request

[Case C-500/18 - ECLI identifier: ECLI:EU:C:2020:264](#)

**Judgment of the Court (Seventh Chamber) of 2 April 2020 - Stadtwerke Neuwied GmbH v RI** - Request for a preliminary ruling from the Landgericht Koblenz - Reference for a preliminary ruling — Directive 2003/55/EC — **Common rules for the internal market in natural gas — Consumer protection** — Article 3(3) and point (b) of Annex A — **Transparency of contractual terms and conditions — Obligation to give consumers adequate notice directly of an increase in charges**

[Case C-765/18 - ECLI identifier: ECLI:EU:C:2020:270](#)

**CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. MANUEL CAMPOS SÁNCHEZ-BORDONA présentées le 2 avril 2020 - Autoritatea națională de reglementare în domeniul energiei (ANRE) contre Societatea de Producere a Energiei Electrice în Hidrocentrale Hidroelectrica SA** - demande de décision préjudicielle formée par le Tribunalul București (Tribunal de grande instance de Bucarest, Roumanie) - Question préjudicielle — **Marché intérieur de l’électricité** — Article 35 TFUE — **Libre circulation de marchandises — Restrictions quantitatives à l’exportation — Mesures d’effet équivalent — Exportation d’électricité** — Mesure nationale qui impose aux producteurs d’électricité l’obligation de commercialiser toute l’électricité produite exclusivement à travers un marché national ouvert à la concurrence et centralisé

[Affaire C-648/18 - ECLI identifier: ECLI:EU:C:2020:256](#)

**OPINION OF ADVOCATE GENERAL BOBEK delivered on 2 April 2020 - Cali Apartments SCI (C-724/18) and HX (C-727/18) v Procureur général près la cour d’appel de Paris and Ville de Paris** - (Request for a preliminary ruling from the Cour de cassation (Court of Cassation, France) - Reference for a preliminary ruling — **Freedom of establishment** — Directive 2006/123/EC — **Scope — Repeated letting of furnished accommodation for residential use for short periods to a transient clientele which does not take up residence there** — National legislation and municipal rules making that letting subject to prior authorisation and offsetting — **Justification — Objective of ensuring sufficient and affordable long-term rental housing — Proportionality**

[Joined Cases C-724/18 and C-727/18 - ECLI identifier: ECLI:EU:C:2020:25](#)

**OPINION OF ADVOCATE GENERAL SZPUNAR delivered on 2 April 2020 - Vereniging tot Behoud van Natuurmonumenten in Nederland and others v Vereniging Gelijkberechtiging Grondbezitters and others** – Appeal — **State aid — Aid scheme relating to the subsidised acquisition or free granting of nature land — Decision declaring the aid compatible with the internal market** — Concept of ‘interested party’ — Serious difficulties

[Case C-817/18 P - ECLI identifier: ECLI:EU:C:2020:255](#)



**OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA delivered on 2 April 2020 - Asmel società consortile a r.l. v A.N.A.C. — Autorità Nazionale Anticorruzione, with the intervention of: A.N.A.C.A.P. — Associazione Nazionale Aziende Concessionarie Servizi entrate** - Request for a preliminary ruling from the Consiglio di Stato (Council of State, Italy) - Reference for a preliminary ruling — **Public procurement — Central purchasing bodies — Small municipalities** — Restriction to only two public-law organisational models for purchasing bodies — **Prohibition of the involvement of private capital — Member States’ margin of discretion — Territorial restrictions on their activities**

[Case C-3/19 - ECLI identifier: ECLI:EU:C:2020:254](#)

## 14. Intellectual Property

### Case Law

**Arrêt de la Cour (quatrième chambre) du 30 avril 2020 - Royalty Pharma Collection Trust contre Deutsches Patent- und Markenamt** - Renvoi préjudiciel — **Propriété intellectuelle et industrielle** — Règlement (CE) no 469/2009 — **Certificat complémentaire de protection pour les médicaments – Conditions d’obtention** – Article 3, sous a) – **Notion de “produit protégé par un brevet de base en vigueur” – Critères d’appréciation**

[Affaire C-650/17 - Identifiant ECLI: ECLI:EU:C:2020:327](#)

**Judgment of the Court (Tenth Chamber) of 30 April 2020 - Yhtiö A v B** - Reference for a preliminary ruling — **Trade marks** — Directive 2008/95/EC — Article 5(1) — Article 5(3)(b) and (c) — **Infringement — Concept of ‘use in the course of trade’** — Goods released for free circulation – Imports — Storage — Retention of goods for marketing — Exports

[Case C-772/18 - CLI identifier: ECLI:EU:C:2020:341](#)

**OPINION OF ADVOCATE GENERAL PITRUZZELLA delivered on 30 April 2020 - European Union Intellectual Property Office (EUIPO) v John Mills Ltd** – Appeals — **EU trade mark** — Opposition proceedings — **Application for registration of a trade mark made by the agent or representative of the lawful proprietor of the mark** — Article 8(3) of Regulation No 207/2009

[Case C-809/18 P - ECLI identifier: ECLI:EU:C:2020:329](#)

**Judgment of the Court (Tenth Chamber) of 23 April 2020 - Gugler France v European Union Intellectual Property Office** - Appeal — **EU trade mark — Figurative mark containing the word element GUGLER — Application for a declaration of invalidity brought by Gugler France SA** — Economic link between the party seeking a declaration of invalidity and the proprietor of the contested mark — **No likelihood of confusion**

[Case C-736/18 P - ECLI identifier: ECLI:EU:C:2020:308](#)

**Judgment of the Court (Fifth Chamber) of 23 April 2020 - Gömböc Kutató, Szolgáltató és Kereskedelmi Kft. v Szellemi Tulajdon Nemzeti Hivatala** -Reference for a preliminary ruling — **Trade marks** — Directive 2008/95/EC — **Refusal or invalidation of registration — Three-dimensional mark** — Article 3(1)(e)(ii) and (iii) — **Sign consisting exclusively of the shape of goods which is necessary to obtain a technical result — Sign consisting of the shape which gives substantial value to the goods** — Consideration of the perception of the relevant public

[Case C-237/19 - ECLI identifier: ECLI:EU:C:2020:296](#)

**Judgment of the Court (Fifth Chamber) of 2 April 2020 - Coty Germany GmbH v Amazon Services Europe Sàrl and Others** - Request for a preliminary ruling from the Bundesgerichtshof - Reference for a preliminary ruling — **EU trade mark** — Regulation (EC) No 207/2009 — Article 9 — Regulation (EU) 2017/1001 — Article 9 — **Rights conferred by a trade mark — Use — Stocking of goods for the purposes of offering them or putting them on the market** — Storage with a view to dispatching goods sold in an online marketplace which infringe trade mark rights

[Case C-567/18 - ECLI identifier: ECLI:EU:C:2020:267](#)

**Judgment of the Court (Fifth Chamber) of 2 April 2020 - Föreningen Svenska Tonsättares Internationella Musikbyrå u.p.a. (Stim) and Svenska artisters och musikers intresseorganisation ek. för. (SAMI) v Fleetmanager Sweden AB and Nordisk Biluthyrning AB** - Request for a preliminary ruling from the Högsta domstolen - Reference for a preliminary ruling — **Intellectual property — Copyright and related rights** — Directive 2001/29/EC — Article 3(1) — Directive 2006/115/EC — Article 8(2) — **Concept of ‘communication to the public’ — Undertaking hiring out cars each having a radio receiver as standard equipment**

Case C-753/18 - ECLI identifier: ECLI:EU:C:2020:268

**OPINION OF ADVOCATE GENERAL SAUGMANDSGAARD ØE delivered on 2 April 2020 - Constantin Film Verleih GmbH v YouTube LLC and Google Inc.** - Request for a preliminary ruling from the Bundesgerichtshof (Federal Court of Justice, Germany) - Reference for a preliminary ruling — **Copyright and related rights — Internet-based video-sharing platform — YouTube — Uploading of a film without the consent of the rightholder — Proceedings concerning an infringement of an intellectual property right** — Directive 2004/48/EC — Article 8 — Rightholder’s right to information — Article 8(2)(a) — **Concept of ‘names and addresses’ — Scope — Email address, IP address and telephone number — Not included**

Case C-264/19 - ECLI identifier: ECLI:EU:C:2020:261

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

### Case Law

**Judgment of the Court (Fifth Chamber) of 30 April 2020 - Izba Gospodarcza Producentów i Operatorów Urządzeń Rozrywkowych v European Commission** - Appeal — **Access to documents of the institutions** — Regulation (EC) No 1049/2001 — Article 4(2), third indent — **Exceptions to the right of access — Exception relating to protection of the purpose of investigations — Documents concerning pending infringement proceedings** — Detailed opinions issued in the course of a notification procedure under Directive 98/34/EC — **Request for access — Refusal — Disclosure of documents requested in the course of the proceedings before the General Court of the European Union** — Disclosure — Inadmissibility — Interest in bringing proceedings — Continuation

Case C-560/18 P - ECLI identifier: ECLI:EU:C:2020:330

**OPINION OF ADVOCATE GENERAL SZPUNAR delivered on 30 April 2020 – MH and NI v OJ and Novo Banco SA** - Request for a preliminary ruling from the Tribunal da Relação de Guimarães (Court of Appeal, Guimarães, Portugal) - Reference for a preliminary ruling — **Judicial cooperation in civil matters — Insolvency proceedings — International jurisdiction — Centre of a debtor’s main interests**

Case C-253/19 - ECLI identifier: ECLI:EU:C:2020:328

**OPINION OF ADVOCATE GENERAL SZPUNAR delivered on 23 April 2020 – JZ** - Request for a preliminary ruling from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands) - Reference for a preliminary ruling — **Area of freedom, security and justice** — Directive 2008/115/EC — Article 11 — **Entry ban — Third-country national on whom such an entry ban has been imposed but who has never left the Member State concerned** — Custodial sentence

Case C-806/18 - ECLI identifier: ECLI:EU:C:2020:307

**OPINION OF ADVOCATE GENERAL SZPUNAR delivered on 23 April 2020 - Belgische Staat, represented by the Minister van Werk, Economie en Consumenten, responsible for Buitenlandse handel, Belgische Staat, represented by the Directeur-Generaal van de Algemene Directie Economische Inspectie and Directeur-Generaal van de Algemene Directie Economische Inspectie v Movic BV, Events Belgium BV and Leisure Tickets & Activities International BV** - Request for a preliminary ruling from the hof van beroep te Antwerpen (Court of Appeal of Antwerp, Belgium) - Reference for a preliminary ruling — **Judicial cooperation in civil matters — Jurisdiction and the enforcement of judgments in civil and commercial matters — Concept of ‘civil and commercial matters’** — Action for an injunction brought by a public authority to protect the interests of consumers

Case C-73/19 - ECLI identifier: ECLI:EU:C:2020:297

**CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. PRIIT PIKAMÄE présentées le 23 avril 2020 – FMS et FNZ (C-924/19 PPU), SA et SA junior (C- 925/19 PPU) contre Országos Idegenrendészeti Főigazgatóság Dél-alföldi Regionális Igazgatóság et Országos Idegenrendészeti Főigazgatóság** - demande de décision préjudicielle formée par le Szegedi Közigazgatási és Munkaügyi Bíróság (tribunal administratif et du travail de Szeged, Hongrie) - Renvoi préjudiciel – **Espace de liberté, de sécurité et de justice – Procédures communes pour l'octroi et le retrait de la protection internationale** – Directive 2013/32/UE – **Demande de protection internationale** – Article 33, paragraphe 2 – **Motifs d'irrecevabilité – Réglementation nationale prévoyant l'irrecevabilité de la demande si le demandeur est arrivé dans l'État membre concerné par un pays où il n'est pas exposé à la persécution ou aux risques d'atteintes graves ou si ce pays accorde une protection suffisante** – Articles 35, 38, paragraphe 4, articles 40 et 43 – Directive 2013/33/UE – Article 2, sous h), articles 8 et 9 – Procédure d'asile – Mesure de retour – **Modalités procédurales – Rétention – Durée de la rétention – Légalité de la rétention – Examen – Recours – Droit à un recours effectif** – Article 47 de la charte des droits fondamentaux de l'Union européenne  
Affaires jointes C-924/19 PPU et C-925/19 PPU - ECLI identifier: ECLI:EU:C:2020:294

**Judgment of the Court (Third Chamber) of 2 April 2020 - European Commission v Republic of Poland and Others** - Failure of a Member State to fulfil obligations — Decisions (EU) 2015/1523 and (EU) 2015/1601 — Article 5(2) and 5(4) to 5(11) of each of those decisions — **Provisional measures in the area of international protection for the benefit of Italy and of Greece — Emergency situation characterised by a sudden influx of third-country nationals into certain Member States** — Relocation of those nationals to other Member States — Relocation procedure — **Obligation on the Member States to indicate at regular intervals, and at least every three months, the number of applicants for international protection who can be relocated swiftly to their territory** — Consequent obligations leading to actual relocation — **Interests of the Member States linked to national security and public order** — Possibility for a Member State to rely on Article 72 TFEU in order not to apply EU legal acts of a binding nature  
Joined Cases C-715/17, C-718/17 and C-719/17 – ECLI identifier: ECLI:EU:C:2020:257

**Judgment of the Court (Ninth Chamber) of 2 April 2020 - AS „PrivatBank” v Finanšu un kapitāla tirgus komisija** - Request for a preliminary ruling from the Augstākā tiesa - Reference for a preliminary ruling — **Payment services in the internal market** — Directive 2007/64/EC — **Material and personal scope — Payment services provided in a currency other than the euro or the currency of a Member State outside the euro area** — Payment services provided by a credit institution — **Non-execution or defective execution of a payment order — Person liable — Prudential supervision procedure — Complaint procedures — Out-of-court-redress — Competent authorities**  
Case C-480/18 - ECLI identifier: ECLI:EU:C:2020:274

**CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE présentées le 2 avril 2020 - Supreme Site Services GmbH, Supreme Fuels GmbH & Co KG et Supreme Fuels Trading Fze contre Supreme Headquarters Allied Powers Europe** - demande de décision préjudicielle formée par le Hoge Raad der Nederlanden (Cour suprême des Pays-Bas) - Renvoi préjudiciel – **Coopération judiciaire en matière civile – Compétence judiciaire et exécution des décisions en matière civile et commerciale** – Règlement (UE) no 1215/2012 – Champ d'application – Article 1er, paragraphe 1 – **Notion de “matière civile et commerciale” – Mesures provisoires ou conservatoires – Procédure tendant à la mainlevée d'une saisie-arrêt conservatoire – Action intentée par une organisation internationale** – Actes ou omissions commis dans l'exercice de la puissance publique – Notion – **Procédure au fond visant la reconnaissance de l'existence d'une créance contractuelle – Fourniture de carburants dans le cadre d'une mission de maintien de la paix** – Immunité d'exécution de cette organisation internationale  
Affaire C-186/19 - ECLI identifier: ECLI:EU:C:2020:252

**OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA delivered on 2 April 2020 - Verein für Konsumenteninformation v Volkswagen AG** - Request for a preliminary ruling from the Landesgericht Klagenfurt (Regional Court, Klagenfurt, Austria) - Preliminary ruling proceedings — Regulation (EU) No 1215/2012 — **Jurisdiction in matters relating to liability in tort, delict or quasi-delict — Place of the event giving rise to the harm — Manipulation of emissions values in car engines**  
Case C-343/19 - ECLI identifier: ECLI:EU:C:2020:253

## 16. Transport

### Community Legislation

**Commission Implementing Regulation (EU) 2020/587** of 29 April 2020 **amending** Implementing Regulation (EU) No 1206/2011 laying down **requirements on aircraft identification for surveillance for the single European sky** and Implementing Regulation (EU) No 1207/2011 laying down **requirements for the performance and the interoperability of surveillance for the single European sky** (Text with EEA relevance) C/2020/2620  
[OJ of the EU L 138/1 of 30 April 2020](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2020/572** of 24 April 2020 on the **reporting structure to be followed for railway accident and incident investigation reports** (Text with EEA relevance)  
[OJ of the EU, L 132/10 of 27 April 2020](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2020/469** of 14 February 2020 **amending** Regulation (EU) No 923/2012, Regulation (EU) No 139/2014 and Regulation (EU) 2017/373 as regards **requirements for air traffic management/air navigation services, design of airspace structures and data quality, runway safety** and repealing Regulation (EC) No 73/2010 (Text with EEA relevance)  
[OJ of the EU, L 104/1 of 3 April 2020](#)

### Case Law

**Judgment of the Court (Eighth Chamber) of 30 April 2020 - OI v Air Nostrum Líneas Aéreas del Mediterráneo SA** - Reference for a preliminary ruling — **Air transport** — Regulation (EC) No 261/2004 — **Compensation for air passengers in the event of denied boarding — Denied boarding — Cancellation — Connecting flights** — Change of the reservation in respect of one of the flights comprising the journey by air against the passenger's will — **Arrival of the passenger without delay at his or her final destination**  
[Case C-191/19 - ECLI identifier: ECLI:EU:C:2020:339](#)

**CONCLUSIONS DE L'AVOCATE GÉNÉRALE M<sup>ME</sup> ELEANOR SHARPSTON** présentées le 30 avril 2020 - Procureur de la République contre Société X, en présence de CLCV e.a., A e.a., B, AGLP e.a. et C e.a. - demande de décision préjudicielle formée par le vice-président chargé de l'instruction du tribunal de grande instance de Paris (France) - Renvoi préjudiciel — **Rapprochement des législations** — Règlement (CE) n° 715/2007 — **Véhicules à moteur — Émissions de polluants — Dispositif d'invalidation — Programme agissant sur le calculateur de contrôle moteur — Technologies et stratégies permettant de limiter la production des émissions de polluants — Moteur diesel**  
[Affaire C-693/18 - ECLI identifier: ECLI:EU:C:2020:323](#)

**Judgment of the Court (Seventh Chamber) of 23 April 2020 - Ryanair Ltd and Autorità Garante della Concorrenza e del Mercato - Antitrust v Autorità Garante della Concorrenza e del Mercato - Antitrust and Others** - Reference for a preliminary ruling — **Transport — Air services** — Regulation (EC) No 1008/2008 — Article 23(1) — **Indication of the final price to be paid — Online passenger check-in fees — VAT — Administrative fees for purchases made by means of a credit card other than that approved by the air carrier** — Unavoidable and foreseeable elements of the final price to be paid — Optional price supplements — Concept  
[Case C-28/19 - ECLI identifier: ECLI:EU:C:2020:301](#)

**OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA** delivered on 2 April 2020 - Verein für Konsumenteninformation v Volkswagen AG - Request for a preliminary ruling from the Landesgericht Klagenfurt (Regional Court, Klagenfurt, Austria) - Preliminary ruling proceedings — Regulation (EU) No 1215/2012 — **Jurisdiction in matters relating to liability in tort, delict or quasi-delict — Place of the event giving rise to the harm — Manipulation of emissions values in car engines**  
[Case C-343/19 - ECLI identifier: ECLI:EU:C:2020:253](#)

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

### Community Legislation

**Regulation (EU) 2020/558 of the European Parliament and of the Council** of 23 April 2020 **amending** Regulations (EU) No 1301/2013 and (EU) No 1303/2013 as regards **specific measures to provide exceptional flexibility for the use of the European Structural and Investments Funds in response to the COVID-19 outbreak** PE/7/2020/REV/1

[OJ of the EU L 130/1 of 24 April 2020](#)

**Regulation (EU) 2020/559 of the European Parliament and of the Council** of 23 April 2020 **amending** Regulation (EU) No 223/2014 as regards the **introduction of specific measures for addressing the outbreak of COVID-19** PE/8/2020/REV/1

[OJ of EU L 130/7 of 24 April 2020](#)

**Regulation (EU) 2020/560 of the European Parliament and of the Council** of 23 April 2020 **amending** Regulations (EU) No 508/2014 and (EU) No 1379/2013 as regards **specific measures to mitigate the impact of the COVID-19 outbreak in the fishery and aquaculture sector** PE/9/2020/REV/1

[OJ of L 130/11 of 24 April 2020](#)

**Regulation (EU) 2020/561 of the European Parliament and of the Council** of 23 April 2020 **amending** Regulation (EU) 2017/745 on **medical devices, as regards the dates of application of certain of its provisions** (Text with EEA relevance) PE/10/2020/REV/1

[OJ of the EU L 130/18 of 24 April 2020](#)

**Council Decision (EU) 2020/556** of 21 April 2020 **extending the temporary derogation from the Council's Rules of Procedure** introduced by Decision (EU) 2020/430 in **view of the travel difficulties caused by the COVID-19 pandemic in the Union** ST/7337/2020/INIT

[OJ of the EU LI 128/1 of 23 April 2020](#)

**Guideline (EU) 2020/515 of the European Central Bank** of 7 April 2020 **amending Guideline** ECB/2014/31 on **additional temporary measures relating to Eurosystem refinancing operations and eligibility of collateral** (ECB/2020/21)

[OJ of the EU LI 110/26 of 8 April 2020](#)

**Decision (EU) 2020/506 of the European Central Bank** of 7 April 2020 **amending Guideline** (EU) 2015/510 on the implementation of the Eurosystem monetary policy framework and **Guideline** (EU) 2016/65 on the **valuation haircuts applied in the implementation of the Eurosystem monetary policy framework** (ECB/2020/20)

[OJ of the EU LI 109/1 of 7 April 2020](#)

**REGULATION (EU) 2020/493 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 30 March 2020 on the False and Authentic Documents Online (FADO) system and repealing Council Joint Action 98/700/JHA

[OJ of the EU L 107/1 of 6 April 2020](#)

**GUIDELINE (EU) 2020/496 OF THE EUROPEAN CENTRAL BANK** of 19 March 2020 **amending Guideline** (EU) 2019/1265 on the **euro short-term rate** (€STR) (ECB/2020/15)

[OJ of the EU L 106/1 of 6 April 2020](#)

**GUIDELINE (EU) 2020/497 OF THE EUROPEAN CENTRAL BANK** of 20 March 2020 on the **recording of certain data by national competent authorities in the Register of Institutions and Affiliates Data** (ECB/2020/16)

[OJ of the EU L 106/3 of 6 April 2020](#)

## Case Law

**Judgment of the Court (Eighth Chamber) of 30 April 2020 - HB and IC v Istituto nazionale della previdenza sociale** - Reference for a preliminary ruling — Freedom of movement for persons — Article 21 TFEU — **Principle of non-discrimination on grounds of nationality** — Article 18 TFEU — **Convention for the avoidance of double taxation — Public sector workers** — Pensioner residing in a Member State other than that paying retirement pension and who does not have the nationality of the Member State of residence — **Income tax — Alleged loss of tax advantages — Alleged impediment to freedom of movement and alleged discrimination**  
[Joined Cases C-168/19 and C-169/19 - ECLI identifier: ECLI:EU:C:2020:338](#)

**OPINION OF ADVOCATE GENERAL SHARPSTON delivered on 23 April 2020 - Elme Messer Metalurgs v Latvijas Investīciju un attīstības aģentūra** - Request for a preliminary ruling from the Rēzeknes tiesa (Rēzekne City Court, Latvia) - Reference for a preliminary ruling — **Structural funds** — Regulation (EC) No 1083/2006 — Articles 98, 57 and 2(7) — **European Regional Development Fund (ERDF) — Obligation to make financial corrections in connection with irregularities — Durability of operations — Meaning of an ‘irregularity’ — Act or omission by an economic operator** — Insolvency of the beneficiary’s sole commercial partner  
[Case C-743/18 - ECLI identifier: ECLI:EU:C:2020:303](#)

**CONCLUSIONS DE L’AVOCATE GÉNÉRALE M<sup>ME</sup> JULIANE KOKOTT présentées le 23 avril 2020 - Service européen pour l’action extérieure (SEAE) contre Chantal Hebberecht** – Pourvoi – Recours en annulation – **Droit de la fonction publique – Service européen pour l’action extérieure – Affectation** – Poste de chef de la délégation de l’Union européenne auprès de l’Éthiopie – **Politique de rotation – Demande de prolonger l’affectation – Refus – Égalité des genres** – Obligation de prendre en considération les aspects relatifs au genre – Annulation de décisions discrétionnaires de l’administration – **Absence de prise en considération d’aspects qui auraient dû être intégrés dans la décision discrétionnaire – Aspects à prendre obligatoirement en considération**  
[Affaire C-93/19 P - ECLI identifier: ECLI:EU:C:2020:305](#)

**Judgment of the Court (Third Chamber) of 2 April 2020 - European Commission v Republic of Poland and Others** - Failure of a Member State to fulfil obligations — Decisions (EU) 2015/1523 and (EU) 2015/1601 — Article 5(2) and 5(4) to 5(11) of each of those decisions — **Provisional measures in the area of international protection for the benefit of Italy and of Greece — Emergency situation characterised by a sudden influx of third-country nationals into certain Member States** — Relocation of those nationals to other Member States — Relocation procedure — **Obligation on the Member States to indicate at regular intervals, and at least every three months, the number of applicants for international protection who can be relocated swiftly to their territory** — Consequent obligations leading to actual relocation — **Interests of the Member States linked to national security and public order** — Possibility for a Member State to rely on Article 72 TFEU in order not to apply EU legal acts of a binding nature  
[Joined Cases C-715/17, C-718/17 and C-719/17 – ECLI identifier: ECLI:EU:C:2020:257](#)

**CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. PRIIT PIKAMÄE présentées le 2 avril 2020 - Mylène Troszczyński contre Parlement européen** – Pourvoi – Droit institutionnel – Membre du Parlement européen – **Privilèges et immunités – Protocole sur les privilèges et immunités** – Articles 8 et 9 – **Décision de levée de l’immunité parlementaire** – Activité sans lien avec les fonctions parlementaires – Publication sur le compte Twitter du député  
[Affaire C-12/19 P - ECLI identifier: ECLI:EU:C:2020:258](#)