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

Case C-66/17: JUDGMENT OF THE COURT (Seventh Chamber) of 14 December 2017 - Grzegorz Chudasi and Irena Chudasi v DA Deutsche Allgemeine Versicherung Aktiengesellschaft - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Rejonowy Poznań-Grunwald i Jeżyce w Poznaniu (District Court, Poznań-Grunwald and Jeżyce, sitting in Poznań, Poland) - Reference for a preliminary ruling — Judicial cooperation in civil matters — Regulation (EC) No 805/2004 — Scope — European Enforcement Order for uncontested claims — Enforcement orders capable of being certified as European Enforcement Orders — Decision on the amount of costs related to the court proceedings in a judgment not concerning an uncontested claim — Excluded CURIA — Judgment of the Court of Justice in Case C-66/17 of 14 December 2017

Case C-403/16: JUDGMENT OF THE COURT (First Chamber) of 13 December 2017 - Soufiane El Hassani v Minister Spraw Zagranicznych - REQUEST for a preliminary ruling under Article 267 TFEU from the Naczelný Sąd Administracyjny (Supreme Administrative Court, Poland) - Reference for a preliminary ruling — Area of freedom, security and justice — Regulation (EC) No 810/2009 — Article 32(3) — Community Visa Code — Decision to refuse a visa — Right of the applicant to bring an appeal against that decision — Obligation of a Member State to guarantee the right to a judicial appeal CURIA — Judgment of the Court of Justice in Case C-403/16 of 13 December 2017

Season’s Greetings and a Happy New Year from all of us at the Swiss Institute of Comparative Law

Dorigny • 1015 Lausanne
Tel. +41 (0)21 692 49 11
Fax +41 (0)21 692 49 49
secretariat.isdc-dfp@unil.ch
www.isdc.ch
1. EU-Swiss Relations

International Agreements

OJ of the EU, L 327/1 of 9 December 2017

REGULATION (EU) 2017/2226 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011
OJ of the EU, L 327/20 of 9 December 2017

COUNCIL DECISION (EU) 2017/2240 of 10 November 2017 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems
OJ of the EU, L 322/1 of 7 December 2017

AGREEMENT between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems
OJ of the EU, L 322/3 of 7 December 2017

Community Legislation

DECISION No 1/2017 OF THE COMMITTEE ESTABLISHED UNDER THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON MUTUAL RECOGNITION IN RELATION TO CONFORMITY ASSESSMENT of 28 July 2017 on the amendment of Chapter 4 on medical devices, Chapter 6 on pressure vessels, Chapter 7 on radio equipment and telecommunication terminal equipment, Chapter 8 on equipment and protective systems intended for use in potentially explosive atmosphere, Chapter 9 on electrical equipment and electromagnetic compatibility, Chapter 11 on measuring instruments, Chapter 15 on medicinal products, GMP inspection and batch certification, Chapter 17 on lifts, and Chapter 20 on explosives for civil use, and the update of legal references listed in Annex 1 [2017/2118]
OJ of the EU, L 323/51 of 7 December 2017

2. External Relations / Foreign Policy

International Agreements

COUNCIL DECISION (CFSP) 2017/2322 of 29 May 2017 concerning the signing and conclusion of the Agreement between Canada and the European Union on security procedures for exchanging and protecting classified information
OJ of the EU, L 333/1 of 15 December 2017

AGREEMENT between Canada and the European Union on security procedures for exchanging and protecting classified information
OJ of the EU, L 333/2 of 15 December 2017

Community Legislation

OJ of the EU, L 327/1 of 9 December 2017
REGULATION (EU) 2017/2226 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011
OJ of the EU, L 327/20 of 9 December 2017

Case Law

Case C-240/17: OPINION OF ADVOCATE GENERAL KOKOTT of 13 December 2017 – E - Request for a preliminary ruling from the Korkein hallinto-oikeus (Supreme Administrative Court, Finland) - Request for a preliminary ruling — Area of freedom, security and justice — Schengen area — Return decision and entry ban against a third-country national — Alert for the purposes of refusing entry in the Schengen Information System — Third-country national convicted of criminal offences — Third-country national with a valid residence permit in another Member State within the Schengen area — Obligation to consult — Effects of ongoing consultations on enforcement of the return decision and the coming into force of the entry ban — Article 25(2) of the Convention implementing the Schengen Agreement — Directive 2008/115/EC
CURIA – Opinion of Advocate General in Case C-240/17 of 13 December 2017

Case C-403/16: JUDGMENT OF THE COURT (First Chamber) of 13 December 2017 - Soufiane El Hassani v Minister Spraw Zagranicznych - REQUEST for a preliminary ruling under Article 267 TFEU from the Naczelny Sąd Administracyjny (Supreme Administrative Court, Poland) - Reference for a preliminary ruling — Area of freedom, security and justice — Regulation (EC) No 810/2009 — Article 32(3) — Community Visa Code — Decision to refuse a visa — Right of the applicant to bring an appeal against that decision — Obligation of a Member State to guarantee the right to a judicial appeal
CURIA – Judgment of the Court of Justice in Case C-403/16 of 13 December 2017

Case C-636/16: JUDGMENT OF THE COURT (Eighth Chamber) of 7 December 2017 - Wilber López Pastuzano v Delegación del Gobierno en Navarra - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Contencioso-Administrativo No 1 de Pamplona (Administrative Court No 1, Pamplona, Spain) - Reference for a preliminary ruling — Status of third-country nationals who are long-term residents — Directive 2003/109/EC — Article 12 — Adoption of a decision to expel a long-term resident — Matters to be taken into consideration — National legislation — Failure to take those matters into consideration — Whether compatible
CURIA – Judgment of the Court of Justice in Case C-636/16 of 7 December 2017

3. Agriculture and Fisheries / Maritime Affairs

Case Law

Affaire C-9/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. MANUEL CAMPOS SÁNCHEZ-BORDONA du 13 décembre 2017 - Maria Tirkkonen en présence de Maaseutuvirasto - Demandex de décision préjudicielle formée par le Korkein hallinto-oikeus (Cour administrative suprême, Finlande) - Question préjudicielle — Directive 2004/18/CE — Procédure de passation de marchés publics de services de conseil agricole — Existence ou non d’un marché public — Système d’acquisition de services par le biais de contrats régis par un accord-cadre et ouvert à tout opérateur économique satisfaisant aux conditions préalablement fixées — Système non ouvert par la suite à d’autres opérateurs économiques
CURIA – Conclusions de l’Avocat Général dans l’affaire C-9/17 du 13 décembre 2017
Case C-554/16: OPINION OF ADVOCATE GENERAL KOKOTT of 7 December 2017 - EP Agrarhandel GmbH v Bundesminister für Land-, Forst-, Umwelt und Wasserwirtschaft - Request for a preliminary ruling from the Verwaltungsgerichtshof (Administrative Court, Austria) - Request for a preliminary ruling — Agriculture — Article 117 of Regulation (EC) No 73/2009 — Commission Decision 2001/672/EC, as amended by Decision 2010/300/EU — Suckler cow premium — Movements of bovine animals from different holdings to pastures located in mountain areas — Time limit for reporting information subject to a notification obligation — Effect of failure to comply with the time limit on eligibility for a premium

CURIA – Opinion of Advocate General in Case C-554/16 of 7 December 2017


CURIA – Opinion of Advocate General in Case C-426/16 of 30 November 2017

4. Audiovisual and Media and Information Society

Community Legislation

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2311 of 13 December 2017 setting the weighted average of maximum mobile termination rates across the Union and repealing Implementing Regulation (EU) 2016/2292 (Text with EEA relevance)
OJ of the EU, L 331/39 of 14 December 2017

COMMISSION IMPLEMENTING DECISION (EU) 2017/2288 of 11 December 2017 on the identification of ICT Technical Specifications for referencing in public procurement (Text with EEA relevance)
OJ of the EU, L 328/123 of 12 December 2017

5. Competition

Case Law


CURIA – Judgment of the Court of Justice in Case C-61/16 of 14 December 2017


CURIA – Arrêt de la Cour de Justice dans l’affaire C-487/16 du 13 décembre 2017
CURIA – Conclusions de l’Avocat Général dans l’affaire C-438/16 du 7 décembre 2017

Case C-230/16: JUDGMENT OF THE COURT (First Chamber) of 6 December 2017 - Coty Germany GmbH v Parfumerie Akzente GmbH - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberlandesgericht Frankfurt am Main (Higher Regional Court, Frankfurt am Main, Germany) - Reference for a preliminary ruling — Competition — Agreements, decisions and concerted practices — Article 101(1) TFEU — Selective distribution of luxury cosmetics products — Clause prohibiting distributors from making use of a non-authorised third party in the context of internet sales — Regulation (EU) No 330/2010 — Article 4(b) and (c)
CURIA – Judgment of the Court of Justice in Case C-230/16 of 6 December 2017

Case C-301/16 P: OPINION OF ADVOCATE GENERAL MENGOZZI of 5 December 2017 - European Commission v Xinyi PV Products (Anhui) Holdings Ltd - Appeal — Dumping — Imports of solar glass originating in China — Regulation (EC) No 1225/2009 — Third indent of Article 2(7)(c) — Market Economy Treatment (MET) — Concept of ‘significant distortions carried over from the former non-market-economy system’ — Tax incentives — Obligation to state reasons — Procedural irregularities
CURIA – Opinion of Advocate General in Case C-301/16 of 5 December 2017

Case C-510/16: OPINION OF ADVOCATE GENERAL WAHL of 30 November 2017 - Carrefour Hypermarchés SAS Fnac Paris, Fnac Direct, Relais Fnac, Codirep and Fnac Périphérie v Ministre des finances et des comptes publics - Request for a preliminary ruling from the Conseil d’État (Council of State, France) - State aid — Article 108(3) TFEU — Regulation (EC) No 659/1999 — Article 1(c) — Concept of ‘new aid’ — Regulation (EC) No 794/2004 — Article 4 — Notified aid schemes declared compatible with the internal market — Aid scheme for the film and audio-visual sectors — Significant rise in the revenue generated by a parafiscal tax financing an aid scheme as compared to the estimates notified to the Commission — Concept of ‘increase in the budget of an authorised aid scheme exceeding 20%’ — Relationship with duty of prior notification
CURIA – Opinion of Advocate General in Case C-510/16 of 30 November 2017

Affaire C-518/16: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. MELCHIOR WATHELET du 29 novembre 2017 - « ZPT » AD contre Narodno sabranje na Republika Bulgaria, Varhoven administrativen sad and Nacionalna agentisya za prihodite - demande de décision préjudicielle formée par le Sofiyski gradski sad (tribunal de la ville de Sofia, Bulgarie) - Renvoi préjudiciel – Aides d’État – Règlement (CE) no 1998/2006 – Aides de minimis – Article 1er, paragraphe 1, sous d) — Aide sous la forme d’un avantage fiscal – Investissement dans la fabrication de produits destinés à l’exportation – Législation nationale excluant du bénéfice de l’avantage fiscal l’investissement dans la fabrication de produits destinés à l’exportation – Article 35 TFEU
CURIA – Conclusions de l’Avocat Général dans l’affaire C-518/16 du 29 novembre 2017

Case C-579/16 P: OPINION OF ADVOCATE GENERAL SZPUNAR of 28 November 2017 - European Commission v FIH Holding A/S and FIH Erhvervsbank A/S - Appeal — State aid — Banking sector — Aid granted to Danish bank FIH in the form of a transfer of its impaired assets to a new subsidiary and the subsequent purchase thereof by the Danish Financial Stability Company — Definition of State aid — Market economy operator test — Application of the market economy creditor test in a situation where the beneficiary has already received State aid
CURIA – Opinion of Advocate General in Case C-579/16 of 28 November 2017

6. Customs

No legislative or judicial activity was reported in this section for the period under review.
7. Economic and Monetary Affairs, Taxation, Enterprise

Community Legislation

GUIDELINE (EU) 2017/2335 OF THE EUROPEAN CENTRAL BANK of 23 November 2017 on the procedures for the collection of granular credit and credit risk data (ECB/2017/38)
OJ of the EU, L 333/66 of 15 December 2017

OJ of the EU, L 331/94 of 14 December 2017

COMMISSION IMPLEMENTING DECISION (EU) 2017/2318 of 13 December 2017 on the equivalence of the legal and supervisory framework in Australia applicable to financial markets in accordance with Directive 2014/65/EU of the European Parliament and of the Council (Text with EEA relevance)
OJ of the EU, L 331/81 of 14 December 2017

OJ of the EU, L 329/6 of 13 December 2017

OJ of the EU, L 329/4 of 13 December 2017

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2241 of 6 December 2017 on the extension of the transitional periods related to own funds requirements for exposures to central counterparties set out in Regulations (EU) No 575/2013 and (EU) No 648/2012 of the European Parliament and of the Council (Text with EEA relevance)
OJ of the EU, L 322/27 of 7 December 2017

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2114 of 9 November 2017 amending Implementing Regulation (EU) No 680/2014 as regards templates and instructions (Text with EEA relevance)
OJ of the EU, L 321/1 of 6 December 2017

COMMISSION IMPLEMENTING DECISION (EU) 2017/2238 of 5 December 2017 on the equivalence of the legal and supervisory framework applicable to designated contract markets and swap execution facilities in the United States of America in accordance with Regulation (EU) No 600/2014 of the European Parliament and of the Council (Text with EEA relevance)
OJ of the EU, L 320/11 of 6 December 2017

OJ of the EU, L 312/1 of 28 November 2017

OJ of the EU, L 310/1 of 25 November 2017
OJ of the EU, L 310/3 of 25 November 2017

OJ of the EU, L 310/30 of 25 November 2017

OJ of the EU, L 310/49 of 25 November 2017

Case Law

Case C-243/16: JUDGMENT OF THE COURT (Fourth Chamber) of 14 December 2017 - Antonio Miravitlles Ciurana, Alberto Marina Lorente, Jorge Benito García and Juan Gregorio Benito García v Contimark SA and Jordi Socías Gispert - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Social n.º 30 de Barcelona (Social Court No 30, Barcelona, Spain) - Reference for a preliminary ruling — Company law — Directive 2009/101/EC — Articles 2 and 6 to 8 — Directive 2012/30/EU — Articles 19 and 36 — Charter of Fundamental Rights of the European Union — Articles 20, 21 and 51 — Recovery of claims arising under an employment contract — Right to bring, before the same court, an action against the company and its director, as a person having joint and several liability for the company's debts
CURIA – Judgment of the Court of Justice in Case C-243/16 of 14 December 2017

Case C-305/16: JUDGMENT OF THE COURT (Third Chamber) of 14 December 2017 - Avon Cosmetics Ltd v Commissioners for Her Majesty's Revenue and Customs - REQUEST for a preliminary ruling under Article 267 TFEU from the First-tier Tribunal (Tax Chamber) (United Kingdom) - Reference for a preliminary ruling — Value added tax (VAT) — Sixth Directive 77/388/EEC — Article 11A(1)(a) — Taxable amount — Article 17 — Right to deduct — Article 27 — Special derogating measures — Decision 89/534/EEC — Marketing structure based on the supply of goods through non-taxable persons — Taxation on the open market value of the goods as determined at the final stage of the marketing chain — Inclusion of the costs incurred by those persons
CURIA – Judgment of the Court of Justice in Case C-305/16 of 14 December 2017

Case C-382/16: OPINION OF ADVOCATE GENERAL BOBEK of 14 December 2017 - Hornbach-Baumarkt AG v Finanzamt Landau - Request for a preliminary ruling from the Finanzgericht Rheinland-Pfalz (Germany) - Reference for a preliminary ruling — Freedom of establishment — Direct taxation — Application of transfer pricing in relation to transactions between resident and non-resident companies
CURIA – Opinion of Advocate General in Case C-382/16 of 14 December 2017

Case C-15/16: OPINION OF ADVOCATE GENERAL BOT of 12 December 2017 - Bundesanstalt für Finanzdienstleistungsaufsicht v Ewald Baumeister - Request for a preliminary ruling from the Bundesverwaltungsgericht (Federal Administrative Court, Germany) - Reference for a preliminary ruling — Approximation of laws — Markets in financial instruments — Access to information held by the financial markets supervisory authority concerning a supervised undertaking — Directive 2004/39/EC — Article 54(1) — Concepts of 'professional secrecy' and ‘confidential information’
CURIA – Opinion of Advocate General in Case C-15/16 of 12 December 2017
Case C-598/15: JUDGMENT OF THE COURT (Fifth Chamber) of 7 December 2017 - Banco Santander SA v Cristobalina Sánchez López - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de Primera Instancia de Jerez de la Frontera (Court of first instance, Jerez de la Frontera, Spain) - Reference for a preliminary ruling — Directive 93/13/EEC — Consumer contracts — Unfair terms — Powers of the national court — Effectiveness of the protection afforded to consumers — Mortgage loan agreement — Extrajudicial enforcement procedure — Simplified declaratory court procedure for recognition of the real rights of the successful bidder
CURIA – Judgment of the Court of Justice in Case C-598/16 of 7 December 2017

Case C-42/17: JUDGMENT OF THE COURT (Grand Chamber) of 5 December 2017 - M.A.S. and M.B. v Presidente del Consiglio dei Ministri - REQUEST for a preliminary ruling under Article 267 TFEU from the Corte costituzionale (Constitutional Court, Italy) - Reference for a preliminary ruling — Article 325 TFEU — Judgment of 8 September 2015, Taricco and Others (C-105/14, EU:C:2015:555) — Criminal proceedings for infringements relating to value added tax (VAT) — National legislation laying down limitation periods liable to prevent the prosecution of infringements — Activities affecting the financial interests of the EU — Obligation to disapply any provisions of national law liable to have an adverse effect on the fulfilment of the Member States’ obligations under EU law — Principle that offences and penalties must be defined by law
CURIA – Judgment of the Court of Justice in Case C-42/17 of 5 December 2017

CURIA – Opinion of Advocate General in Case C-301/16 of 5 December 2017

CURIA – Conclusions de l’Avocat Général dans l’affaire C-8/17 du 30 novembre 2017

Affaire C-580/16: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. YVES BOT du 30 novembre 2017 - Firma Hans Bühler KG - demande de décision préjudicielle formée par le Verwaltungsgerichtshof (Cour administrative, Autriche) - Renvoi préjudiciel — Fiscalité — Taxe sur la valeur ajoutée (TVA) — Livraison de biens expédiés ou transportés à l’intérieur de l’Union européenne — Exonération — Livraison par un assujetti d’un État membre à un acquéreur dans un autre État membre — Situation dans laquelle l’assujetti indique sur la facture son numéro d’identification à la TVA dans un troisième État membre
CURIA – Conclusions de l’Avocat Général dans l’affaire C-580/16 du 30 novembre 2017

Case C-510/16: OPINION OF ADVOCATE GENERAL WAHL of 30 November 2017 - Carrefour Hypermarchés SAS Fnc Paris, Fnc Direct, Relais Fnc, Codirep and Fnc Périphérie v Ministre des finances et des comptes publics - Request for a preliminary ruling from the Conseil d’État (Council of State, France) - State aid — Article 108(3) TFEU — Regulation (EC) No 659/1999 — Article 1(c) — Concept of ‘new aid’ — Regulation (EC) No 794/2004 — Article 4 — Notified aid schemes declared compatible with the internal market — Aid scheme for the film and audio-visual sectors — Significant rise in the revenue generated by a parafiscal tax financing an aid scheme as compared to the estimates notified to the Commission — Concept of ‘increase in the budget of an authorised aid scheme exceeding 20%’ — Relationship with duty of prior notification
CURIA – Opinion of Advocate General in Case C-510/16 of 30 November 2017
8. Education, Training, Youth, Culture, Research and Innovation

Community Legislation


OJ of the EU, L 317/119 of 1 December 2017

9. Employment and Social Affairs

Case Law

Case C-243/16: JUDGMENT OF THE COURT (Fourth Chamber) of 14 December 2017 - Antonio Miravitlles Ciurana, Alberto Marina Lorente, Jorge Benito Garcia and Juan Gregorio Benito Garcia v Continmark SA and Jordi Socias Gisbert - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Social no. 30 de Barcelona (Social Court No 30, Barcelona, Spain) - Reference for a preliminary ruling — Company law — Directive 2009/101/EC — Articles 2 and 6 to 8 — Directive 2012/30/EU — Articles 19 and 36 — Charter of Fundamental Rights of the European Union — Articles 20, 21 and 51 — Recovery of claims arising under an employment contract — Right to bring, before the same court, an action against the company and its director, as a person having joint and several liability for the company’s debts

CURIA – Judgment of the Court of Justice in Case C-243/16 of 14 December 2017

Case C-189/16: JUDGMENT OF THE COURT (Fifth Chamber) of 7 December 2017 - Boguslawa Zaniewicz-Dybeck v Pensionsmyndigheten - REQUEST for a preliminary ruling under Article 267 TFEU from the Högsta förvaltningsdomstolen (Supreme Administrative Court, Sweden) - Reference for a preliminary ruling — Social security for migrant workers — Regulation (EEC) No 1408/71 — Article 46(2) — Article 47(1)(d) — Article 50 — Guaranteed pension — Minimum benefit — Calculation of pension entitlement

CURIA – Judgment of the Court of Justice in Case C-189/16 of 7 December 2017

Case C-472/16: OPINION OF ADVOCATE GENERAL TANCHEV of 6 December 2017 - Jorge Luis Colino Siguenza v Ayuntamiento de Valladolid, IN-PULSO MUSICAL Sociedad Cooperativa, Administrador Concursal de Músicos y Escuela S.L., Músicos y Escuela S.L. and FOGASA - Request for a preliminary ruling from the Tribunal Superior de Justicia de Castilla y León (High Court of Justice, Castilla y León, Spain) - Reference for a preliminary ruling — Transfer of an undertaking — Prohibition of dismissal by reason of transfer — Dismissal for economic reasons — Directive 2001/23/EC — Expiring concession to run a music school — Loss of a service contract to a competitor — Economic entity — Economic entity which retains its identity — Collective dismissal — Right to an effective remedy — Article 47 of the Charter on Fundamental Rights of the EU

CURIA – Opinion of Advocate General in Case C-472/16 of 6 December 2017
Case C-451/16: OPINION OF ADVOCATE GENERAL BOBEK of 5 December 2017 - MB,.l v Secretary of State for Work and Pensions - Request for a preliminary ruling from the Supreme Court of the United Kingdom (United Kingdom) - Reference for a preliminary ruling — Equal treatment for men and women in matters of social security — Directive 79/7/EEC — Refusal to award a State retirement pension at the age of 60 to a transgender person who has undergone male-to-female gender reassignment surgery — Conditions for recognition of gender reassignment — Condition related to the obligation to annul a previous marriage

CURIA – Opinion of Advocate General in Case C-451/16 of 5 December 2017

Case C-551/16: OPINION OF ADVOCATE GENERAL MENGHOZZI of 29 November 2017 - J. Klein Schiphorst v Raad van bestuur van het Uitvoeringsinstituut werknemersverzekeringen - Request for a preliminary ruling from the Centrale Raad van Beroep (Higher Social Security and Civil Service Court, Netherlands) - Reference for a preliminary ruling — EC-Switzerland Agreement on the free movement of persons — Freedom of movement for workers — Regulation (EC) No 883/2004 — Articles 7, 63 and 64 — Migrant workers — Unemployment benefits — Jobseeker travelling to another Member State — Retention of the right to unemployment benefits — Duration — Option

CURIA – Opinion of Advocate General in Case C-551/16 of 29 November 2017

Case C-214/16: JUDGMENT OF THE COURT (Fifth Chamber) of 29 November 2017 - Conley King v The Sash Window Workshop Ltd and Richard Dollar - REQUEST for a preliminary ruling under Article 267 TFEU, from the Court of Appeal (England & Wales) (Civil Division) - Reference for a preliminary ruling — Protection of the safety and health of workers — Directive 2003/88/EC — Article 7 — Allowance in lieu of annual leave paid on termination of the employment relationship — National legislation requiring a worker to take his annual leave without the remuneration in respect of that leave being established

CURIA – Judgment of the Court of Justice in Case C-214/16 of 29 November 2017

10. Energy and Environment

International Agreements

COUNCIL DECISION (EU) 2017/2240 of 10 November 2017 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems

OJ of the EU, L 322/1 of 7 December 2017

AGREEMENT between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems

OJ of the EU, L 322/3 of 7 December 2017

Community Legislation


OJ of the EU, L 328/38 of 12 December 2017

COMMISSION IMPLEMENTING DECISION (EU) 2017/2286 of 6 December 2017 on the recognition of the requirements of the Eco-Lighthouse environmental management system as complying with the corresponding requirements of the eco-management and audit scheme (EMAS) in accordance with Article 45 of Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (notified under document C(2017) 8082) (Text with EEA relevance)

OJ of the EU, L 328/87 of 12 December 2017
OJ of the EU, L 328/118 of 12 December 2017

OJ of the EU, L 315/1 of 30 November 2017

COMMISSION REGULATION (EU) 2017/2195 of 23 November 2017 establishing a guideline on electricity balancing (Text with EEA relevance)
OJ of the EU, L 312/6 of 28 November 2017

COMMISSION REGULATION (EU) 2017/2196 of 24 November 2017 establishing a network code on electricity emergency and restoration (Text with EEA relevance)
OJ of the EU, L 312/54 of 28 November 2017

Case Law

Case C-577/16: OPINION OF ADVOCATE GENERAL SAUGMANDSGAARD ØE of 14 December 2017 - Trinseo Deutschland Anlagengesellschaft mbH v Bundesrepublik Deutschland - Request for a preliminary ruling from the Verwaltungsgericht Berlin (Administrative Court, Berlin, Germany) - Reference for a preliminary ruling — Directive 2003/87/EC — Environment — Scheme for greenhouse gas emission allowance trading within the European Union — Article 2(1) — Scope — Indirect emissions arising from the production of heat acquired from a third-party installation — The fact that they are not taken into account — Annex I - Chemical sector — Concept of production of bulk organic chemicals by cracking, reforming, partial or full oxidation or by similar processes — Production of polymers, in particular polycarbonate — Inclusion — Article 10a — Decision 2011/278/EU — Free allocation of emission allowances — Lack of direct effect
CURIA — Opinion of Advocate General in Case C-577/16 of 14 December 2017

CURIA — Opinion of Advocate General in Case C-5/16 of 30 November 2017

11. Food Safety, Public Health and Consumers

Community Legislation

OJ of the EU, L 317/119 of 1 December 2017
Case Law

Case C-13/17: OPINION OF ADVOCATE GENERAL SAUGMANDSGAARD ØE of 14 December 2017 - Fédération des entreprises de la beauté v Ministre des Affaires sociales, de la Santé et des Droits des femmes, Ministre de l’Éducation nationale, de l’Enseignement supérieur et de la Recherche and Ministre de l’Économie et des Finances, formerly Ministre de l’Économie, de l’Industrie et du Numérique - Request for a preliminary ruling from the Conseil d’État (Council of State, France) - References for a preliminary ruling — Approximation of laws — Cosmetic products — Regulation (EC) No 1223/2009 — Article 10(2) — Assessment of the safety of cosmetic products — Qualifications of the safety assessor — Recognition of equivalent training courses — Types of courses concerned — Possible reference solely to courses given in third countries — Disciplines similar to pharmacy, toxicology or medicine — Member States’ discretion — Criteria for identification
CURIA – Opinion of Advocate General in Case C-13/17 of 14 December 2017

Case C-16/16 P: OPINION OF ADVOCATE GENERAL BOBEK of 12 December 2017 - Kingdom of Belgium v European Commission - Appeal — Protection of consumers — Online gambling services — Protection of consumers and players of online gambling services and prevention of minors from gambling online — Recommendation of the Commission — Article 263 TFEU — Actionable act — Judicial review of soft law instruments — Non-binding acts producing legal effects — Acts that can reasonably be perceived as inducing compliance
CURIA – Opinion of Advocate General in Case C-16/16 of 12 December 2017

Case C-557/16: OPINION OF ADVOCATE GENERAL BOBEK of 7 December 2017 - Astellas Pharma GmbH, Helm AG and Lääkealan turvallisuus- ja kehittämiskeskus (FIMEA) - Request for a preliminary ruling from the Korkein hallinto-oikeus (Supreme Administrative Court, Finland) - Reference for a preliminary ruling — Medicinal products for human use — Marketing authorisation issued for a generic of a reference medicinal product — Decentralised procedure — Powers of the competent authority of the concerned Member State — Judicial review — Determination of the data exclusivity period
CURIA – Opinion of Advocate General in Case C-557/16 of 7 December 2017

CURIA – Judgment of the Court of Justice in Case C-567/16 of 7 December 2017

Case C-598/15: JUDGMENT OF THE COURT (Fifth Chamber) of 7 December 2017 - Banco Santander SA v Cristobalina Sánchez López - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de Primera Instancia de Jerez de la Frontera (Court of first instance, Jerez de la Frontera, Spain) - Reference for a preliminary ruling — Directive 93/13/EEC — Consumer contracts — Unfair terms — Powers of the national court — Effectiveness of the protection afforded to consumers — Mortgage loan agreement — Extrajudicial enforcement procedure — Simplified declaratory court procedure for recognition of the real rights of the successful bidder
CURIA – Judgment of the Court of Justice in Case C-598/15 of 7 December 2017

Case C-329/16: JUDGMENT OF THE COURT (Fourth Chamber) of 7 December 2017 - Syndicat national de l’industrie des technologies médicales (Snotin) and Philips France v Premier minister and Ministre des Affaires sociales et de la Santé - REQUEST for a preliminary ruling under Article 267 TFEU from the Conseil d’État (France) - Reference for a preliminary ruling — Medical devices — Directive 93/42/EEC — Scope — ‘Medical device’ — CE marking — National legislation making drug prescription assistance software subject to a certification procedure laid down by a national authority
CURIA – Judgment of the Court of Justice in Case C-329/16 of 7 December 2017
Case C-147/16: OPINION OF ADVOCATE GENERAL SHARPSTON of 30 November 2017 - Karel de Grote – Hogeschool Katholieke Hogeschool Antwerpen VZW v Susan Romy Jozef Kuypers - Request for a preliminary ruling from the Vredegerecht te Antwerpen (Magistrates’ Court, Antwerp, Belgium) - Directive 93/13/EEC – Unfair terms in consumer contracts – Examination by the national court, of its own motion, whether a contract falls within the scope of Directive 93/13 – Article 2(c) – Concept of ‘seller or supplier’

CURIA – Opinion of Advocate General in Case C-147/16 of 30 November 2017

12. Human Rights

Community Legislation

OJ of the EU, L 326/1 of 9 December 2017

Case Law

Case C-243/16: JUDGMENT OF THE COURT (Fourth Chamber) of 14 December 2017 - Antonio Miravitlles Ciurana, Alberto Marina Lorente, Jorge Benito García and Juan Gregorio Benito García v Continmark SA and Jordi Socias Gispert - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Social n.º 30 de Barcelona (Social Court No 30, Barcelona, Spain) - Reference for a preliminary ruling — Company law — Directive 2009/101/EC — Articles 2 and 6 to 8 — Directive 2012/30/EU — Articles 19 and 36 — Charter of Fundamental Rights of the European Union — Articles 20, 21 and 51 — Recovery of claims arising under an employment contract — Right to bring, before the same court, an action against the company and its director, as a person having joint and several liability for the company’s debts

CURIA – Judgment of the Court of Justice in Case C-243/16 of 14 December 2017


CURIA – Opinion of Advocate General in Case C-331/16 of 14 December 2017

Case C-472/16: OPINION OF ADVOCATE GENERAL TANCHEV of 6 December 2017 - Jorge Luis Colino Sigüenza v Ayuntamiento de Valladolid, IN-PULSO MUSICAL Sociedad Cooperativa, Administrador Concursal de Músicos y Escuela S.L., Músicos y Escuela S.L. and FOGASA - Request for a preliminary ruling from the Tribunal Superior de Justicia de Castilla y León (High Court of Justice, Castilla y León, Spain) - Reference for a preliminary ruling — Transfer of an undertaking — Prohibition of dismissal by reason of transfer — Dismissal for economic reasons — Directive 2001/23/EC — Expiring concession to run a music school – Loss of a service contract to a competitor – Economic entity – Economic entity which retains its identity – Collective dismissal – Right to an effective remedy – Article 47 of the Charter on Fundamental Rights of the EU

CURIA – Opinion of Advocate General in Case C-472/16 of 6 December 2017
Case C-451/16: OPINION OF ADVOCATE GENERAL BOBEK of 5 December 2017 - MB,J v Secretary of State for Work and Pensions - Request for a preliminary ruling from the Supreme Court of the United Kingdom (United Kingdom) - Reference for a preliminary ruling — Equal treatment for men and women in matters of social security — Directive 79/7/EEC — Refusal to award a State retirement pension at the age of 60 to a transgender person who has undergone male-to-female gender reassignment surgery — Conditions for recognition of gender reassignment — Condition related to the obligation to annul a previous marriage
CURIA – Opinion of Advocate General in Case C-451/16 of 5 December 2017

CURIA – Opinion of Advocate General in Case C-426/16 of 30 November 2017

13. Internal Market and Single Market

Community Legislation

COMMISSION IMPLEMENTING DECISION (EU) 2017/2288 of 11 December 2017 on the identification of ICT Technical Specifications for referencing in public procurement (Text with EEA relevance)
OJ of the EU, L 328/123 of 12 December 2017

Case Law

Case C-630/16: JUDGMENT OF THE COURT (Eighth Chamber) of 14 December 2017 - Anstar Oy v Turvallisuus- ja kemikaalivirasto (Tukes) - REQUEST for a preliminary ruling under Article 267 TFEU from the Helsingin hallinto-oikeus (Administrative Court, Helsinki, Finland) - Reference for a preliminary ruling — Harmonised conditions for the marketing of construction products — Harmonised standard EN 1090-1:2009+A1:2011 — Criteria for determining the scope of a standard adopted by the European Committee for Standardisation (CEN) in accordance with a mandate of the European Commission — Anchors to be fixed into concrete before it sets and used for fastening facade elements and masonry supports to the building frame
CURIA – Judgment of the Court of Justice in Case C-630/16 of 14 December 2017

Affaire C-9/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. MANUEL CAMPOS SÁNCHEZ-BORDONA du 13 décembre 2017 - Maria Tirkkonen en présence de Maaseutuvirasto - Demande de décision préjudicielle formée par le Korkein hallinto-oikeus (Cour administrative suprême, Finlande) - Question préjudicielle — Directive 2004/18/CE — Procédure de passation de marchés publics de services de conseil agricole — Existence ou non d’un marché public — Système d’acquisition de services par le biais de contrats régionaux par accord-cadre et ouvert à tout opérateur économique satisfaisant aux conditions préalablement fixées — Système non ouvert par la suite à d’autres opérateurs économiques
CURIA – Conclusions de l’Avocat Général dans l’affaire C-9/17 du 13 décembre 2017

Case C-15/16: OPINION OF ADVOCATE GENERAL BOT of 12 December 2017 - Bundesanstalt für Finanzdienstleistungsaufsicht v Ewald Baumeister - Request for a preliminary ruling from the Bundesverwaltungsgericht (Federal Administrative Court, Germany) - Reference for a preliminary ruling — Approximation of laws — Markets in financial instruments — Access to information held by the financial markets supervisory authority concerning a supervised undertaking — Directive 2004/39/EC — Article 54(1) — Concepts of ‘professional secrecy’ and ‘confidential information’
CURIA – Opinion of Advocate General in Case C-15/16 of 12 December 2017
CURIA – Judgment of the Court of Justice in Case C-408/16 of 6 December 2017

Joined Cases C-259/16 and C-260/16: OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA of 28 November 2017 - Confederazione Generale Italiana dei Trasporti e della Logistica (Confetra), Associazione Nazionale Imprese Trasporti Automobilistici, Società Fercam SpA, Associazione non Riconosciuta Alsea, Associazione Fedit, Società Carioni Spedizioni Internazionali Srl, Federazione Nazionale delle Imprese di Spedizioni Internazionali — Fedespedi, Società Tnt Global Express SpA (C-259/16) - Associazione Italiana dei Corrieri Aerei Internazionali (AICAI), DHL Express (Italy) Srl, Federal Express Europe Inc. and United Parcel Service Italia Usp Srl (C-260/16) — v Autorità per le Garanzie nelle Comunicazioni, Ministero dello Sviluppo Economico and Poste Italiane SpA - Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Regional Administrative Court, Lazio, Italy) - Reference for a preliminary ruling — Freedom to provide services — Postal services in the European Union — Companies operating in the goods delivery, road haulage and express parcel delivery sector — Authorisations for the provision of public postal services — Contribution to the cost of the universal service
CURIA – Opinion of Advocate General in Case C-259/16 of 28 November 2017


Case Law

Joined Cases C-85/16 P and C-86/16 P: OPINION OF ADVOCATE GENERAL SHARPSTON of 7 December 2017 - Kenzo Tsujimoto v European Union Intellectual Property Office (EUIPO) - Appeals — Application to register a European Union trade mark — ‘KENZO ESTATE’ — Earlier European Union trade mark ‘KENZO’ — Relative grounds for refusal — Article 8(5) of Regulation (EC) No 207/2009 — Interpretation of the expression ‘where the use without due cause of the trade mark applied for would take unfair advantage of, or be detrimental to, the distinctive character or the repute of the earlier trade mark’ — Whether the use of a person’s forename constitutes use with due cause
CURIA – Opinion of Advocate General in Case C-85/16 of 7 December 2017

CURIA – Judgment of the Court of Justice in Case C-567/16 of 7 December 2017

CURIA – Conclusions de l’Avocat Général dans l’affaire C-478/16 du 5 décembre 2017
Case C-265/16: JUDGMENT OF THE COURT (Third Chamber) of 29 November 2017 - VCAST Limited v RTI SpA - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunale di Torino (District Court, Turin, Italy) - Reference for a preliminary ruling — Approximation of laws — Copyright and related rights — Directive 2001/29/EC — Article 5(2)(b) — Private copying exception — Article 3(1) — Communication to the public — Specific technical means — Provision of a cloud computing service for the remote video recording of copies of works protected by copyright, without the consent of the author concerned — Active involvement of the service provider in the recording
CURIA – Judgment of the Court of Justice in Case C-265/16 of 29 November 2017


Community Legislation

OJ of the EU, L 335/6 of 15 December 2017

COUNCIL DECISION (CFSP) 2017/2283 of 11 December 2017 in support of a global reporting mechanism on illicit small arms and light weapons and other illicit conventional weapons and ammunition to reduce the risk of their illicit trade (‘iTrace III’)
OJ of the EU, L 328/20 of 12 December 2017

OJ of the EU, L 311/1 of 25 November 2017

Case Law

Case C-243/16: JUDGMENT OF THE COURT (Fourth Chamber) of 14 December 2017 - Antonio Miravitlles Ciurana, Alberto Marina Lorente, Jorge Benito García and Juan Gregorio Benito García v Contimark SA and Jordi Socias Gispert - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Social n.º 30 de Barcelona (Social Court No 30, Barcelona, Spain) - Reference for a preliminary ruling — Company law — Directive 2009/101/EC — Articles 2 and 6 to 8 — Directive 2012/30/EU — Articles 19 and 36 — Charter of Fundamental Rights of the European Union — Articles 20, 21 and 51 — Recovery of claims arising under an employment contract — Right to bring, before the same court, an action against the company and its director, as a person having joint and several liability for the company’s debts
CURIA – Judgment of the Court of Justice in Case C-243/16 of 14 December 2017

Case C-66/17: JUDGMENT OF THE COURT (Seventh Chamber) of 14 December 2017 - Grzegorz Chudaś and Irena Chudaś v DA Deutsche Allgemeine Versicherung Aktiengesellschaft - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Rejonowy Poznań-Grunwald i Jeżyce w Poznaniu (District Court, Poznań-Grunwald and Jeżyce, sitting in Poznań, Poland) - Reference for a preliminary ruling — Judicial cooperation in civil matters — Regulation (EC) No 805/2004 — Scope — European Enforcement Order for uncontested claims — Enforcement orders capable of being certified as European Enforcement Orders — Decision on the amount of costs related to the court proceedings in a judgment not concerning an uncontested claim — Excluded
CURIA – Judgment of the Court of Justice in Case C-66/17 of 14 December 2017

Affaire C-558/16: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 13 décembre 2017 - Doris Margret Lisette Mahnkopf en présence de Sven Mahnkopf - demande de décision préjudicielle formée par le Kammergericht Berlin (tribunal régional supérieur de Berlin, Allemagne) - Renvoi préjudiciel – Espace de liberté, de sécurité et de justice – Certificat successoral européen – Champ d’application – Possibilité de faire figurer la part du conjoint survivant dans le certificat successoral européen
CURIA – Conclusions de l’Avocat Général dans l’affaire C-558/16 du 13 décembre 2017
Case C-240/17: OPINION OF ADVOCATE GENERAL KOKOTT of 13 December 2017 – E - Request for a preliminary ruling from the Korkien hallinto-oikeus (Supreme Administrative Court, Finland) - Request for a preliminary ruling — Area of freedom, security and justice — Schengen area — Return decision and entry ban against a third-country national — Alert for the purposes of refusing entry in the Schengen Information System — Third-country national convicted of criminal offences — Third-country national with a valid residence permit in another Member State within the Schengen area — Obligation to consult — Effects of ongoing consultations on enforcement of the return decision and the coming into force of the entry ban — Article 25(2) of the Convention implementing the Schengen Agreement — Directive 2008/115/EC
CURIA – Opinion of Advocate General in Case C-240/17 of 13 December 2017

CURIA – Arrêt de la Cour de Justice dans l’affaire C-487/16 du 13 décembre 2017

Case C-403/16: JUDGMENT OF THE COURT (First Chamber) of 13 December 2017 - Soufiane El Hassani v Minister Spraw Zagranicznych - REQUEST for a preliminary ruling under Article 267 TFEU from the Naczelny Sąd Administracyjny (Supreme Administrative Court, Poland) - Reference for a preliminary ruling — Area of freedom, security and justice — Regulation (EC) No 810/2009 — Article 32(3) — Community Visa Code — Decision to refuse a visa — Right of the applicant to bring an appeal against that decision — Obligation of a Member State to guarantee the right to a judicial appeal
CURIA – Judgment of the Court of Justice in Case C-403/16 of 13 December 2017

Case C-565/16: OPINION OF ADVOCATE GENERAL TANCHEV of 6 December 2017 - Alessandro Saponaro and Kalliopi-Chloi Xylina - Request for a preliminary ruling from the Eirinodiikeio Lerou (Small Claims Court of Leros, Greece) - Judicial cooperation in civil matters — Regulation (EC) No 2201/2003 — Brussels IIbis Regulation — ‘Acceptance’ of jurisdiction under Article 12(3) —International jurisdiction in matters of parental responsibility — Jurisdiction of a court of a Member State before which a request for a judicial authorisation of a renunciation of inheritance on behalf of a minor child was brought — Prorogation of jurisdiction — Article 1(2)(b) of Regulation (EU) No 650/2012
CURIA – Opinion of Advocate General in Case C-565/16 of 6 December 2017

Case C-42/17: JUDGMENT OF THE COURT (Grand Chamber) of 5 December 2017 - M.A.S. and M.B. v Presidente del Consiglio dei Ministri - REQUEST for a preliminary ruling under Article 267 TFEU from the Corte costituzionale (Constitutional Court, Italy) - Reference for a preliminary ruling — Article 325 TFEU — Judgment of 8 September 2015, Tarico and Others (C-105/14, EU:C:2015:555) — Criminal proceedings for infringements relating to value added tax (VAT) — National legislation laying down limitation periods liable to prevent the prosecution of infringements — Activities affecting the financial interests of the EU — Obligation to disapply any provisions of national law liable to have an adverse effect on the fulfilment of the Member States’ obligations under EU law — Principle that offences and penalties must be defined by law
CURIA – Judgment of the Court of Justice in Case C-42/17 of 5 December 2017

16. Transport

Community Legislation

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2215 of 30 November 2017 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 318/1 of 2 December 2017
OJ of the EU, L 315/40 of 30 November 2017

OJ of the EU, L 315/52 of 30 November 2017

OJ of the EU, L 315/61 of 30 November 2017

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2205 of 29 November 2017 on detailed rules concerning the procedures for the notification of commercial vehicles with major or dangerous deficiencies identified during a technical roadside inspection (Text with EEA relevance)
OJ of the EU, L 314/3 of 30 November 2017

Case Law

Case C-600/14: JUDGMENT OF THE COURT (Grand Chamber) of 5 December 2017 - Federal Republic of Germany, and French Republic and United Kingdom of Great Britain and Northern Ireland v Council of the European Union and European Commission - ACTION for annulment under Article 263 TFEU - Action for annulment — External action of the European Union — Article 216(1) TFEU — Article 218(9) TFEU — Establishment of the position to be adopted on behalf of the European Union in a body set up by an international agreement — Revision Committee of the Intergovernmental Organisation for International Carriage by Rail (OTIF) — Amendment of the Convention concerning International Carriage by Rail (COTIF) and the Appendices thereto — Competence shared between the European Union and its Member States — External competence of the European Union in an area where the Union has not yet adopted common rules — Validity of Decision 2014/699/EU — Obligation to state reasons — Principle of sincere cooperation
CURIA – Judgment of the Court of Justice in Case C-600/14 of 5 December 2017

Case C-514/16: JUDGMENT OF THE COURT (Grand Chamber) of 28 November 2017 - Isabel Maria Pinheiro Vieira Rodrigues de Andrade and Fausto da Silva Rodrigues de Andrade v José Manuel Proença Salvador, Crédito Agrícola Seguros, Companhia de Seguros de Ramos Reais SA and Jorge Oliveira Pinto - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal da Relação de Guimarães (Court of Appeal, Guimarães, Portugal) - Reference for a preliminary ruling — Compulsory insurance against civil liability in respect of the use of motor vehicles — Directive 72/166/EEC — Article 3(1) — Concept of ‘use of vehicles’ — Accident on a farm — Accident involving an agricultural tractor that was stationary but with the engine running in order to drive a spray pump for applying herbicide
CURIA – Judgment of the Court of Justice in Case C-514/16 of 28 November 2017

17. Community Institutions, Principles and the Communities’ own Resources

Community Legislation

GUIDELINE (EU) 2017/2335 OF THE EUROPEAN CENTRAL BANK of 23 November 2017 on the procedures for the collection of granular credit and credit risk data (ECB/2017/38)
OJ of the EU, L 333/66 of 15 December 2017
DECISION (EU) 2017/2199 OF THE EUROPEAN CENTRAL BANK of 20 November 2017 amending Decision ECB/2014/40 on the implementation of the third covered bond purchase programme (ECB/2017/37)
OJ of the EU, L 312/92 of 28 November 2017

OJ of the EU, L 310/49 of 25 November 2017

Case Law

CURIA – Opinion of Advocate General in Case C-331/16 of 14 December 2017

CURIA – Opinion of Advocate General in Case C-57/16 of 28 November 2017