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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OJ of the EU, L 71/5 of 13 March 2019

OJ of the EU, L 83/42 of 25 March 2019

Case C-372/18: JUDGMENT OF THE COURT (Seventh Chamber) of 14 March 2019 - Ministre de l’Action et des Comptes publics v Mr and Mrs Raymond Dreyer - REQUEST for a preliminary ruling under Article 267 TFEU from the Cour administrative d’appel de Nancy (Administrative Court of Appeal, Nancy, France) - Reference for a preliminary ruling — Social security — Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons — Regulation (EC) No 883/2004 — Article 3 — Matters covered — Levies on income from assets charged to a French resident insured under the Swiss social security scheme — Levies apportioned for the funding of two benefits administered by the French National Solidarity Fund for Independent Living — Direct and sufficiently relevant link with certain branches of social security — Definition of ‘social security benefit’ — Individual assessment of an applicant’s personal needs — Taking into account the applicant’s resources in calculating the amount of the benefits
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1. EU-Swiss Relations

International Agreements

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2. External Relations / Foreign Policy

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COUNCIL DECISION (EU) 2019/394 of 7 March 2019 on the signing, on behalf of the European Union, of the Protocol between the European Union, Iceland and the Kingdom of Norway to the Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding access to Eurodac for law enforcement purposes
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COUNCIL DECISION (EU) 2019/395 of 7 March 2019 on the signing, on behalf of the European Union, of the Protocol to the Agreement between the European Community and the Kingdom of Denmark on the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in Denmark or any other Member State of the European Union and ‘Eurodac’ for the comparison of fingerprints for the effective application of the Dublin Convention regarding access to Eurodac for law enforcement purposes
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OJ of the EU, L 70/4 of 12 March 2019

OJ of the EU, L 68/1 of 8 March 2019

COUNCIL DECISION (EU) 2019/349 of 22 February 2019 establishing the position to be taken on behalf of the European Union within the Committee on Government Procurement of the World Trade Organisation on the accession of the United Kingdom of Great Britain and Northern Ireland to the Revised Agreement on Government Procurement in the context of its withdrawal from the European Union
OJ of the EU, L 63/12 of 4 March 2019

Case Law

Case C-444/17: JUDGMENT OF THE COURT (Grand Chamber) of 19 March 2019 - Préfet des Pyrénées-Orientales v Abdelaziz Arib, Procureur de la République près le tribunal de grande instance de Montpellier and Procureur général près la cour d'appel de Montpellier - REQUEST for a preliminary ruling under Article 267 TFEU from the Cour de cassation (Court of Cassation, France) - Reference for a preliminary ruling — Area of freedom, security and justice — Border control, asylum and immigration — Regulation (EU) 2016/399 — Article 32 — Temporary reintroduction of border control by a Member State at its internal borders — Illegal entry of a third-country national — Equation of internal borders with external borders — Directive 2008/115/EC — Scope — Article 2(2)(a)
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CURIA – Judgment of the Court of Justice in Case C-557/17 of 14 March 2019

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CURIA – Conclusions de l’Avocat Général dans l’affaire C-123/18 du 5 mars 2019

Preparatory Acts, Reports, Calls, Memos, Common Positions


OJ of the EU, C 84/1 of 6 March 2019

3. Agriculture and Fisheries / Maritime Affairs

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COMMISSION IMPLEMENTING REGULATION (EU) 2019/386 of 11 March 2019 laying down rules with regard to the apportionment of tariff rate quotas for certain agricultural products included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union and with regard to import licences issued and import rights allocated under those tariff rate quotas

OJ of the EU, L 70/4 of 12 March 2019

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CURIA – Opinion of Advocate General in Case C-46/18 of 14 March 2019

Case C-616/17: OPINION OF ADVOCATE GENERAL SHARPSTON of 12 March 2019 - Procureur de la République v Mathieu Blaise and others - (Request for a preliminary ruling from the Tribunal correctionnel de Foix (Criminal Court, Foix, France) - Preliminary reference — Environment — Placing on the market of plant protection products — Validity of Regulation (EC) No 1107/2009 with regard to the precautionary principle — Reliability and impartiality of the assessment procedure — Cumulative effect of active substances — Pesticides — Glyphosate

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CURIA – Opinion of Advocate General in Case C-2/18 of 7 March 2019

4. Audiovisual and Media and Information Society

International Agreements


OJ of the EU, L 76/1 of 19 March 2019

Community Legislation


OJ of the EU, L 74/46 of 18 March 2019

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CURIA – Opinion of Advocate General in Case C-673/17 of 21 March 2019

5. Competition

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Case C-312/18 P: JUDGMENT OF THE COURT (Eighth Chamber) of 21 March 2019 - Eco-Bat Technologies Ltd, established in Matlock (United Kingdom), Berzelius Metall GmbH, established in Braubach (Germany), Société traitements chimiques des métaux (STCM), established in Bazoches-les-Gallerandes (France) v European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Agreements, decisions and concerted practices — Market for car battery recycling — Decision finding an infringement of Article 101 TFEU and imposing fines — Correcting decision adding the value of purchases of the addressees which were not included in the initial decision — Time limit for bringing an action — Point from which time starts to run — Delay — Inadmissibility -

CURIA – Judgment of the Court of Justice in Case C-312/18 of 21 March 2019
Case C-724/17: JUDGMENT OF THE COURT (Second Chamber) of 14 March 2019 - Vantaan kaupunki v Skanska Industrial Solutions Oy, NCC Industry Oy and Asfaltmix Oy - REQUEST for a preliminary ruling under Article 267 TFEU from the Korkein oikeus (Supreme Court, Finland) - Reference for a preliminary ruling — Competition — Article 101 TFEU — Compensation for the damage caused by a cartel prohibited by that article — Determination of the undertakings liable to provide compensation — Succession of legal entities — Concept of ‘undertaking’ — Economic continuity test

CURIA – Judgment of the Court of Justice in Case C-724/17 of 14 March 2019

Case C-349/17: JUDGMENT OF THE COURT (Grand Chamber) of 5 March 2019- Eesti Pagar AS v Ettevõtluse Arendamise Sihtasutus and Majandus- ja Kommunikatsiooniministeerium - REQUEST for a preliminary ruling under Article 267 TFEU from the Tallinna Ringkonnakohus (Court of Appeal, Tallinn, Estonia) - Reference for a preliminary ruling — State aid — Regulation (EC) No 800/2008 (General block exemption regulation) — Article 8(2) — Aid with an incentive effect — Concept of ‘start of work on the project’ — Powers of the national authorities — Unlawful aid — No decision of the European Commission or of a national court — Obligation on the national authorities to recover unlawful aid on their own initiative — Legal basis — Article 108(3) TFEU — General principle of EU law of protection of legitimate expectations — Decision of the competent national authority granting aid under Regulation No 800/2008 — Knowledge of circumstances excluding the eligibility of the aid application — Creation of a legitimate expectation — None — Limitation — Aid co-financed from a structural fund — Applicable legislation — Regulation (EC, Euratom) No 2988/95 — National legislation — Interest — Obligation to claim interest — Legal basis — Article 108(3) TFEU — Applicable legislation — National rules — Principle of effectiveness

CURIA – Judgment of the Court of Justice in Case C-349/17 of 5 March 2019

6. Customs

Community Legislation

COUNCIL DIRECTIVE (EU) 2019/475 of 18 February 2019 amending Directives 2006/112/EC and 2008/118/EC as regards the inclusion of the Italian municipality of Campione d’Italia and the Italian waters of Lake Lugano in the customs territory of the Union and in the territorial application of Directive 2008/118/EC
OJ of the EU, L 83/42 of 25 March 2019

OJ of the EU, L 83/38 of 25 March 2019

COMMISSION IMPLEMENTING REGULATION (EU) 2019/444 of 19 March 2019 amending Implementing Regulation (EU) 2015/2447 as regards the forms for guarantor’s undertakings and the inclusion of air transport costs in the customs value in view of the withdrawal of the United Kingdom from the Union
OJ of the EU, L 77/61 of 20 March 2019

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7. Economic and Monetary Affairs, Taxation, Enterprise

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COUNCIL DECISION (EU) 2019/483 of 19 March 2019 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee, concerning the amendment of Annex IX (Financial services) to the EEA Agreement (Capital Requirements Regulation (EU) No 575/2013 (CRR) and Directive 2013/36/EU (CRD IV)) (Text with EEA relevance)

OJ of the EU, L 82/29 of 25 March 2019

Community Legislation


OJ of the EU, L 82/26 of 25 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/356 of 13 December 2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards specifying the details of securities financing transactions (SFTs) to be reported to trade repositories (Text with EEA relevance)

OJ of the EU, L 81/1 of 22 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/357 of 13 December 2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards on access to details of securities financing transactions (SFTs) held in trade repositories (Text with EEA relevance)

OJ of the EU, L 81/22 of 22 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/358 of 13 December 2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards on the collection, verification, aggregation, comparison and publication of data on securities financing transactions (SFTs) by trade repositories (Text with EEA relevance)

OJ of the EU, L 81/30 of 22 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/359 of 13 December 2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to regulatory technical standards specifying the details of the application for registration and extension of registration as a trade repository (Text with EEA relevance)

OJ of the EU, L 81/45 of 22 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/360 of 13 December 2018 supplementing Regulation (EU) 2015/2365 of the European Parliament and of the Council with regard to fees charged by the European Securities and Markets Authority to trade repositories (Text with EEA relevance)

OJ of the EU, L 81/58 of 22 March 2019
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OJ of the EU, L 81/69 of 22 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/362 of 13 December 2018 amending Delegated Regulation (EU) No 150/2013 as regards regulatory technical standards specifying the details of the application for registration as a trade repository (Text with EEA relevance)  
OJ of the EU, L 81/74 of 22 March 2019

COMMISSION IMPLEMENTING REGULATION (EU) 2019/363 of 13 December 2018 laying down implementing technical standards with regard to the format and frequency of reports on the details of securities financing transactions (SFTs) to trade repositories in accordance with Regulation (EU) 2015/2365 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) No 1247/2012 with regard to the use of reporting codes in the reporting of derivative contracts (Text with EEA relevance)  
OJ of the EU, L 81/85 of 22 March 2019

COMMISSION IMPLEMENTING REGULATION (EU) 2019/364 of 13 December 2018 laying down implementing technical standards with regard to the format of applications for registration and extension of registration of trade repositories in accordance with Regulation (EU) 2015/2365 of the European Parliament and of the Council (Text with EEA relevance)  
OJ of the EU, L 81/125 of 22 March 2019

COMMISSION IMPLEMENTING REGULATION (EU) 2019/365 of 13 December 2018 laying down implementing technical standards with regard to the procedures and forms for exchange of information on sanctions, measures and investigations in accordance with Regulation (EU) 2015/2365 of the European Parliament and of the Council (Text with EEA relevance)  
OJ of the EU, L 81/128 of 22 March 2019

OJ of the EU, L 80/8 of 22 March 2019

OJ of the EU, L 80/10 of 22 March 2019

OJ of the EU, L 80/13 of 22 March 2019

OJ of the EU, L 80/16 of 22 March 2019

REGULATION (EU) 2019/452 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union  
OJ of the EU, L 79/1 of 21 March 2019
COMMISSION DELEGATED REGULATION (EU) 2019/443 of 13 February 2019 amending Delegated Regulation (EU) 2017/588 as regards the possibility to adjust the average daily number of transactions for a share where the trading venue with the highest turnover of that share is located outside the Union (Text with EEA relevance)
OJ of the EU, L 77/59 of 20 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/442 of 12 December 2018 amending and correcting Delegated Regulation (EU) 2017/587 to specify the requirement for prices to reflect prevailing market conditions and to update and correct certain provisions (Text with EEA relevance)
OJ of the EU, L 77/56 of 20 March 2019

OJ of the EU, L 73/93 of 15 March 2019

COMMISSION IMPLEMENTING REGULATION (EU) 2019/410 of 29 November 2018 laying down implementing technical standards with regard to the details and structure of the information to be notified, in the field of payment services, by competent authorities to the European Banking Authority pursuant to Directive (EU) 2015/2366 of the European Parliament and of the Council (Text with EEA relevance)
OJ of the EU, L 73/20 of 15 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/411 of 29 November 2018 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards setting technical requirements on development, operation and maintenance of the electronic central register within the field of payment services and on access to the information contained therein (Text with EEA relevance)
OJ of the EU, L 73/84 of 15 March 2019

OJ of the EU, L 71/1 of 13 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/397 of 19 December 2018 amending Delegated Regulation (EU) 2016/2251 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council as regards the date until which counterparties may continue to apply their risk-management procedures for certain OTC derivative contracts not cleared by a CCP (Text with EEA relevance)
OJ of the EU, L 71/15 of 13 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/348 of 25 October 2018 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to regulatory technical standards specifying the criteria for assessing the impact of an institution’s failure on financial markets, on other institutions and on funding conditions (Text with EEA relevance)
OJ of the EU, L 63/1 of 4 March 2019

Case Law

Case C-590/17: JUDGMENT OF THE COURT (Third Chamber) of 21 March 2019 - Henri Pouvin and Marie Dijoux, the spouse of Henri Pouvin v Électricité de France (EDF) - REQUEST for a preliminary ruling under Article 267 TFEU from the Cour de cassation (Court of Cassation, France) - Reference for a preliminary ruling — Directive 93/13/EEC — Scope — Article 2(b) and (c) — Concepts of ‘consumer’ and of ‘seller or supplier’ — Finance for the purchase of a home — Mortgage loan granted by an employer to its employee and to his spouse, the jointly and severally liable co-borrower
CURIA – Judgment of the Court of Justice in Case C-590/17 of 21 March 2019
Case C-245/18: JUDGMENT OF THE COURT (Tenth Chamber) of 21 March 2019 - Tecnoservice Int. Srl, in liquidation v Poste Italiane SpA - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunale Ordinario di Udine (District Court, Udine, Italy) - Reference for a preliminary ruling — Payment services in the internal market — Directive 2007/64/EC — Article 74(2) — Payment order by credit transfer — Incorrect unique identifier provided by the payer — Execution of the payment transaction on the basis of the unique identifier — Liability of the payer’s payment service provider
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Case C-71/18: OPINION OF ADVOCATE GENERAL BOBEK of 19 March 2019 – Skatteministeriet v KPC Herning - Request for a preliminary ruling from the Vestre Landsret (High Court of Western Denmark, Denmark) - Value added tax (VAT) — Supply of land occupied by a building to be partly demolished in place of which a new building is to be constructed — Article 12 of Directive 2006/112/EC — Article 135(1)(j) and (k) of Directive 2006/112 — VAT exemption — Intention of the parties — Objective assessment — Concept of a ‘building’
CURIA – Opinion of Advocate General in Case C-71/18 of 19 March 2019

Case C-449/17: JUDGMENT OF THE COURT (First Chamber) of 14 March 2019 - A & G Fahrschul-Akademie GmbH v Finanzamt Wolfenbüttel - REQUEST for a preliminary ruling under Article 267 TFEU from the Bundesfinanzhof (Federal Finance Court, Germany) - Reference for a preliminary ruling — Common system of value added tax (VAT) — Directive 2006/112/EC — Article 132(1)(i) and (j) — Exemption for certain activities in the public interest — School or university education — Concept — Driving school tuition provided by a driving school
CURIA – Judgment of the Court of Justice in Case C-449/17 of 14 March 2019

Case C-695/17: JUDGMENT OF THE COURT (First Chamber) of 14 March 2019 - Metirato Oy, in liquidation v Suomen valtio/Verohallinto and Eesti Vabariik/Maksu- ja Tolliamet - REQUEST for a preliminary ruling under Article 267 TFEU from the Helsingin käräjäoikeus (Helsinki District Court, Finland) - Reference for a preliminary ruling — Directive 2010/24/EU — Mutual assistance for the recovery of claims relating to taxes, duties and other measures — Article 13(1) — Article 14(2) — Enforced recovery, by the authorities of the requested Member State, of claims of the applicant Member State — Procedure relating to an application seeking the restitution of those claims to the insolvent estate of a company established in the requested Member State — Defendant in those proceedings — Determination
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Case C-174/18: JUDGMENT OF THE COURT (Ninth Chamber) of 14 March 2019 - Jean Jacob and Dominique Lennertz v État belge - REQUEST for a preliminary ruling under Article 267 TFEU from the tribunal de première instance de Liège (Court of First Instance, Liège, Belgium) - Reference for a preliminary ruling — Freedom of movement for workers — Equal treatment — Income tax — Legislation for the avoidance of double taxation — Pension received in a Member State other than that of residence — Method of calculating the exemption in the Member State of residence — Loss of part of the benefit of certain tax advantages
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Case C-647/17: JUDGMENT OF THE COURT (Fifth Chamber) of 13 March 2019 - Skatteverket v Srf konsulterna AB - REQUEST for a preliminary ruling under Article 267 TFUE from the Högsta förvaltningsdomstolen (Supreme Administrative Court, Sweden) - Reference for a preliminary ruling — Value added tax (VAT) — Directive 2006/112/EC — Article 53 — Supply of services in respect of admission to educational events – Place of taxable transactions
CURIA – Judgment of the Court of Justice in Case C-647/17 of 13 March 2019

Case C-195/18: JUDGMENT OF THE COURT (Tenth Chamber) of 13 March 2019 - B. S. v Prokuratura Okręgowa w Piotrkowie Trybunałskim, Łódzki Urząd Celno-Skarbowy w Łodzi and Urząd Celno-Skarbowy w Piotrkowie Trybunałskim - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Okręgowy w Piotrkowie Trybunałskim (Regional Court, Piotrków Trybunałski, Poland) - Reference for a preliminary ruling — Taxation — Excise duties on alcohol and alcoholic beverages — Directive 92/83/EEC — Article 2 — Definition of ‘beer’ — Beverage produced from wort obtained from a mixture containing more glucose than malt — Combined Nomenclature — Heading 2203 (beer made from malt) or 2206 (other fermented beverages)
CURIA – Judgment of the Court of Justice in Case C-195/18 of 13 March 2019
8. Education, Training, Youth, Culture, Research and Innovation

Case Law

Affaire C-728/17 P: ARRÊT DE LA COUR (première chambre) du 7 mars 2019 - Commission européenne contre Alain Laurent Brouillard, demeurant à Bruxelles (Belgique) - ayant pour objet un pourvoi au titre de l'article 56 du statut de la Cour de justice de l'Union européenne - Pouvoir - Fonction Publique - Recrutement - Concours - Conditions d'admission à concourir - Diplômes et niveau d'enseignement requis - Concours général EPSO/AD/306/15 - Pré-sélection des candidats sur dossier - Niveau d'enseignement correspondant à une formation juridique complète suivie dans un établissement d'enseignement supérieur belge, français ou luxembourgeois - Diplôme de master 2 en droit, économie, gestion, mention droit privé, spécialité juriste-linguiste - Délivrance à la suite d'une "validation des acquis de l'expérience" - Rejet de la candidature

CURIA – Arrêt de la Cour de Justice dans l’affaire C-728/17 du 7 mars 2019

9. Employment and Social Affairs

Case Law

Affaire C-174/18: JUDGMENT OF THE COURT (Ninth Chamber) of 14 March 2019 - Jean Jacob and Dominique Lennertz v État belge - REQUEST for a preliminary ruling under Article 267 TFEU from the tribunal de première instance de Liège (Court of First Instance, Liège, Belgium) - Reference for a preliminary ruling — Freedom of movement for workers — Equal treatment — Income tax — Legislation for the avoidance of double taxation — Pension received in a Member State other than that of residence — Method of calculating the exemption in the Member State of residence — Loss of part of the benefit of certain tax advantages

CURIA – Judgment of the Court of Justice in Case C-174/18 of 14 March 2019


CURIA – Judgment of the Court of Justice in Case C-134/18 of 14 March 2019

Affaire C-372/18: JUDGMENT OF THE COURT (Seventh Chamber) of 14 March 2019 - Ministre de l’Action et des Comptes publics v Mr and Mrs Raymond Dreyer - REQUEST for a preliminary ruling under Article 267 TFEU from the Cour administrative d’appel de Nancy (Administrative Court of Appeal, Nancy, France) - Reference for a preliminary ruling — Social security — Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons — Regulation (EC) No 883/2004 — Article 3 — Matters covered — Levies on income from assets charged to a French resident insured under the Swiss social security scheme — Levies apportioned for the funding of two benefits administered by the French National Solidarity Fund for Independent Living — Direct and sufficiently relevant link with certain branches of social security — Definition of ‘social security benefit’ — Individual assessment of an applicant’s personal needs — Taking into account the applicant’s resources in calculating the amount of the benefits

CURIA – Judgment of the Court of Justice in Case C-372/18 of 14 March 2019
Case C-437/17: JUDGMENT OF THE COURT (Fifth Chamber) of 13 March 2019 - Gemeinsamer Betriebsrat EurothermenResort Bad Schallerbach GmbH v EurothermenResort Bad Schallerbach GmbH - REQUEST for a preliminary ruling under Article 267 TFEU from the Obergerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — Free movement of workers — Article 45 TFEU — Regulation (EU) No 492/2011 — Article 7(1) — Prohibition of discrimination on grounds of nationality — Right to paid annual leave based on the seniority of the worker with the employer — Account taken only in part of previous periods of service completed with other employers — Social law — Disparity between the schemes and legislation of the Member States 
CURIA – Judgment of the Court of Justice in Case C-437/17 of 13 March 2019

Case C-32/18: OPINION OF ADVOCATE GENERAL HOGAN of 7 March 2019 - Tiroler Gebietskrankenkasse v Michael Moser - Request for a preliminary ruling from the Obergerichtshof (Supreme Court, Austria) - Request for a preliminary ruling — Regulation (EC) No 883/2004 — Article 5 — Regulation (EC) No 987/2009 — Article 60 — Social security of migrants workers — Family benefit — Right to the difference between the parental allowance paid in the Member State having primary competence and the childcare allowance of the Member State having secondary competence
CURIA – Opinion of Advocate General in Case C-32/18 of 7 March 2019

CURIA – Conclusions de l’Avocat Général dans l’affaire C-72/18 du 12 mars 2019

CURIA – Arrêt de la Cour de Justice dans l’affaire C-728/17 du 7 mars 2019

10. Energy and Environment

Community Legislation

OJ of the EU, L 77/1 of 20 March 2019

OJ of the EU, L 74/46 of 18 March 2019

OJ of the EU, L 73/188 of 15 March 2019
COMMISSION DELEGATED REGULATION (EU) 2019/401 of 19 December 2018 amending Regulation (EU) No 389/2013 establishing a Union Registry (Text with EEA relevance)
OJ of the EU, L 72/4 of 14 March 2019

Case Law

Case C-498/17: JUDGMENT OF THE COURT (Fifth Chamber) of 21 March 2019 - European Commission v Italian Republic - ACTION under Article 258 TFEU for failure to fulfil obligations - Failure of a Member State to fulfil obligations — Directive 1999/31/EC — Article 14(b) and (c) — Landfill of waste — Existing landfill sites — Infringement
CURIA — Judgment of the Court of Justice in Case C-498/17 of 21 March 2019

CURIA — Arrêt de la Cour de Justice dans l’affaire C-702/17 du 21 mars 2019

Case C-399/17: JUDGMENT OF THE COURT (First Chamber) of 14 March 2019 - European Commission v Czech Republic - ACTION under Article 258 TFEU for failure to fulfil obligations - Failure of a Member State to fulfil obligations — Regulation (EC) No 1013/2006 — Shipment of waste — Refusal of the Czech Republic to ensure the take-back of the mixture TPS-NOLO (Geobal) shipped from that Member State to Poland — Existence of waste — Burden of proof — Proof
CURIA — Judgment of the Court of Justice in Case C-399/17 of 14 March 2019

CURIA — Arrêt de la Cour de Justice dans l’affaire C-128/17 du 13 mars 2019

Case C-616/17: OPINION OF ADVOCATE GENERAL SHARPSTON of 12 March 2019 - Procureur de la République v Mathieu Blaise and others - (Request for a preliminary ruling from the Tribunal correctionnel de Foix (Criminal Court, Foix, France) - Preliminary reference — Environment — Placing on the market of plant protection products — Validity of Regulation (EC) No 1107/2009 with regard to the precautionary principle — Reliability and impartiality of the assessment procedure — Cumulative effect of active substances — Pesticides — Glyphosate
CURIA — Opinion of Advocate General in Case C-616/17 of 12 March 2019

Preparatory Acts, Reports, Calls, Memos, Common Positions

OJ of the EU, C 84/1 of 6 March 2019
OJ of the EU, C 77/1 of 1 March 2019

11. Food Safety, Public Health and Consumers

Community Legislation

OJ of the EU, L 73/121 of 15 March 2019

Case Law

Case C-443/17: JUDGMENT OF THE COURT (Fourth Chamber) of 21 March 2019 - Abraxis Bioscience LLC v Comptroller General of Patents - REQUEST for a preliminary ruling under Article 267 TFEU from the High Court of Justice (England & Wales), Chancery Division (Patents Court) - Reference for a preliminary ruling — Medicinal product for human use — Supplementary protection certificate for medicinal products — Regulation (EC) No 469/2009 — Article 3(d) — Conditions for granting — Grant of first authorisation to place the product on the market as a medicinal product — Authorisation covering a product as a medicinal product constituting a new formulation of a known active ingredient
CURIA – Judgment of the Court of Justice in Case C-443/17 of 21 March 2019

Case C-590/17: JUDGMENT OF THE COURT (Third Chamber) of 21 March 2019 - Henri Pouvin and Marie Dijoux, the spouse of Henri Pouvin v Électricité de France (EDF) - REQUEST for a preliminary ruling under Article 267 TFEU from the Cour de cassation (Court of Cassation, France) - Reference for a preliminary ruling — Directive 93/13/EEC — Scope — Article 2(b) and (c) — Concepts of ‘consumer’ and of ‘seller or supplier’ — Finance for the purchase of a home — Mortgage loan granted by an employer to its employee and to his spouse, the jointly and severally liable co-borrower
CURIA – Judgment of the Court of Justice in Case C-590/17 of 21 March 2019

CURIA – Opinion of Advocate General in Case C-34/18 of 21 March 2019

Case C-118/17: JUDGMENT OF THE COURT (Third Chamber) of 14 March 2019 - Zsuzsanna Dunai v ERSTE Bank Hungary Zrt. - REQUEST for a preliminary ruling under Article 267 TFEU from the Budai Központi Kerületi Bíróság (Central District Court, Buda, Hungary) - Reference for a preliminary ruling — Consumer protection — Unfair terms in consumer contracts — Directive 93/13/EEC — Article 1(2) — Article 6(1) — Loan contract denominated in a foreign currency — Exchange difference — Substitution of a legislative provision for an unfair term declared void — Exchange rate risk — Continued existence of the contract after the unfair term has been deleted — National system for a uniform interpretation of law
CURIA – Judgment of the Court of Justice in Case C-118/17 of 14 March 2019
12. Human Rights

Community Legislation

COUNCIL DECISION (EU) 2019/393 of 7 March 2019 on the signing, on behalf of the European Union, of the Protocol between the European Union, the Swiss Confederation and the Principality of Liechtenstein to the Agreement between the European Community and the Swiss Confederation concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland regarding access to Eurodac for law enforcement purposes
OJ of the EU, L 71/5 of 13 March 2019

COUNCIL DECISION (EU) 2019/394 of 7 March 2019 on the signing, on behalf of the European Union, of the Protocol between the European Union, Iceland and the Kingdom of Norway to the Agreement between the European Community and the Republic of Iceland and the Kingdom of Norway concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Iceland or Norway regarding access to Eurodac for law enforcement purposes
OJ of the EU, L 71/7 of 13 March 2019

COUNCIL DECISION (EU) 2019/395 of 7 March 2019 on the signing, on behalf of the European Union, of the Protocol to the Agreement between the European Community and the Kingdom of Denmark on the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in Denmark or any other Member State of the European Union and ‘Eurodac’ for the comparison of fingerprints for the effective application of the Dublin Convention regarding access to Eurodac for law enforcement purposes
OJ of the EU, L 71/9 of 13 March 2019

EUROPEAN INVESTMENT BANK DECISION of 6 February 2019 laying down internal rules concerning the processing of personal data by the Fraud Investigations Division within the Inspectorate General and the Office of the Chief Compliance Officer of the European Investment Bank in relation to the provision of information to data subjects and the restriction of certain of their rights
OJ of the EU, L 65/1 of 6 March 2019

Case Law

CURIA – Opinion of Advocate General in Case C-673/17 of 21 March 2019

Case C-163/17: JUDGMENT OF THE COURT (Grand Chamber) of 19 March 2019 - Abubacarr Jawo v Bundesrepublik Deutschland - REQUEST for a preliminary ruling under Article 267 TFEU from the Verwaltungsgerichtshof Baden-Württemberg (Higher Administrative Court, Baden-Württemberg, Germany) - Reference for a preliminary ruling — Area of freedom, security and justice — Dublin system — Regulation (EU) No 604/2013 — Transfer of the asylum seeker to the Member State responsible for examining the application for international protection — Concept of ‘absconding’ — Modalities of extending the time limit for transfer — Article 4 of the Charter of Fundamental Rights of the European Union — Substantial risk of inhuman or degrading treatment on completion of the asylum procedure — Living conditions of beneficiaries of international protection in that Member State
CURIA – Judgment of the Court of Justice in Case C-163/17 of 19 March 2019
Joined Cases C‑297/17, C‑318/17, C‑319/17 and C‑438/17: JUDGMENT OF THE COURT (Grand Chamber) of 19 March 2019 - Bashar Ibrahim (C‑297/17), Mahmud Ibrahim, Fadwa Ibrahim, Bushra Ibrahim, Mohammad Ibrahim, Ahmad Ibrahim (C‑318/17), Nisreen Sharqawi, Yazen Fattayrji and Hosam Fattayrji (C‑319/17) v Bundesrepublik Deutschland v Bundesrepublik Deutschland v Taus Magamadov (C‑438/17) - REQUESTS for a preliminary ruling under Article 267 TFEU from the Bundesverwaltungsgericht (Federal Administrative Court, Germany) - Reference for a preliminary ruling — Area of freedom, security and justice — Common procedures for granting and withdrawing international protection — Directive 2013/32/EU — Article 33(2)(a) — Rejection by the authorities of a Member State of an application for asylum as being inadmissible because of the prior granting of subsidiary protection in another Member State — Article 52 — Scope ratione temporis of that directive — Articles 4 and 18 of the Charter of Fundamental Rights of the European Union — Systemic flaws in the asylum procedure in that other Member State — Systematic rejection of applications for asylum — Substantial risk of suffering inhuman or degrading treatment — Living conditions of those granted subsidiary protection in that other State

CURIA – Judgment of the Court of Justice in Case C‑297/17 of 19 March 2019

Case C‑444/17: JUDGMENT OF THE COURT (Grand Chamber) of 19 March 2019 - Préfet des Pyrénées-Orientales v Abdelaziz Arib, Procureur de la République près le tribunal de grande instance de Montpellier and Procureur général près la cour d’appel de Montpellier - REQUEST for a preliminary ruling under Article 267 TFEU from the Cour de cassation (Court of Cassation, France) - Reference for a preliminary ruling — Area of freedom, security and justice — Border control, asylum and immigration — Regulation (EU) 2016/399 — Article 32 — Temporary reintroduction of border control by a Member State at its internal borders — Illegal entry of a third-country national — Equation of internal borders with external borders — Directive 2008/115/EC — Scope — Article 2(2)(a)

CURIA – Judgment of the Court of Justice in Case C‑444/17 of 19 March 2019


CURIA – Judgment of the Court of Justice in Case C‑557/17 of 14 March 2019


CURIA – Conclusions de l’Avocat Général dans l’affaire C‑38/18 du 14 mars 2019

Case C‑221/17: JUDGMENT OF THE COURT (Grand Chamber) of 12 March 2019 - M.G. Tjebbes, G.J.M. Koopman, E. Saleh Abady and L. Duboux v Minister van Buitenlandse Zaken - REQUEST for a preliminary ruling under Article 267 TFEU from the Raad van State (Council of State, Netherlands) - Reference for a preliminary ruling — Citizenship of the European Union — Article 20 TFEU — Articles 7 and 24 of the Charter of Fundamental Rights of the European Union — Nationalities of a Member State and of a third country — Loss of the nationality of a Member State and of citizenship of the Union by operation of law — Consequences — Proportionality

CURIA – Judgment of the Court of Justice in Case C‑221/17 of 12 March 2019


13. Internal Market and Single Market

Case Law


Case C-245/18: JUDGMENT OF THE COURT (Tenth Chamber) of 21 March 2019 - Tecnoservice Int. Srl, in liquidation v Poste Italiane SpA - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunale Ordinario di Udine (District Court, Udine, Italy) - Reference for a preliminary ruling — Payment services in the internal market — Directive 2007/64/EC — Article 74(2) — Payment order by credit transfer — Incorrect unique identifier provided by the payer — Execution of the payment transaction on the basis of the unique identifier — Liability of the payee’s payment service provider

CURIA – Judgment of the Court of Justice in Case C-245/18 of 21 March 2019

Case C-174/18: JUDGMENT OF THE COURT (Ninth Chamber) of 14 March 2019 - Jean Jacob and Dominique Lennertz v État belge - REQUEST for a preliminary ruling under Article 267 TFEU from the tribunal de première instance de Liège (Court of First Instance, Liège, Belgium) - Reference for a preliminary ruling — Freedom of movement for workers — Equal treatment — Income tax — Legislation for the avoidance of double taxation — Pension received in a Member State other than that of residence — Method of calculating the exemption in the Member State of residence — Loss of part of the benefit of certain tax advantages

CURIA – Judgment of the Court of Justice in Case C-174/18 of 14 March 2019


CURIA – Judgment of the Court of Justice in Case C-134/18 of 14 March 2019

Case C-437/17: JUDGMENT OF THE COURT (Fifth Chamber) of 13 March 2019 - Gemeinsamer Betriebsrat EurothermenResort Bad Schallerbach GmbH v EurothermenResort Bad Schallerbach GmbH - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberster Gerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — Free movement of workers — Article 45 TFEU — Regulation (EU) No 492/2011 — Article 7(1) — Prohibition of discrimination on grounds of nationality — Right to paid annual leave based on the seniority of the worker with the employer — Account taken only in part of previous periods of service completed with other employers — Social law — Disparity between the schemes and legislation of the Member States

CURIA – Judgment of the Court of Justice in Case C-437/17 of 13 March 2019


CURIA – Conclusions de l’Avocat Général dans l’affaire C-41/18 du 7 mars 2019

Case Law

Case C-443/17: JUDGMENT OF THE COURT (Fourth Chamber) of 21 March 2019 - Abraxis Bioscience LLC v Comptroller General of Patents - REQUEST for a preliminary ruling under Article 267 TFEU from the High Court of Justice (England & Wales), Chancery Division (Patents Court) - Reference for a preliminary ruling — Medicinal product for human use — Supplementary protection certificate for medicinal products — Regulation (EC) No 469/2009 — Article 3(d) — Conditions for granting — Grant of first authorisation to place the product on the market as a medicinal product — Authorisation covering a product as a medicinal product constituting a new formulation of a known active ingredient

CURIA – Judgment of the Court of Justice in Case C-443/17 of 21 March 2019

Case C-21/18: JUDGMENT OF THE COURT (Fifth Chamber) of 14 March 2019 - Textilis Ltd and Ozgur Keskin v Svenskt Tenn AB - REQUEST for a preliminary ruling under Article 267 TFEU from the Svea hovrätt, Patent- och marknadsöverdomstolen (Svea Court of Appeal, Patents and Market Court of Appeal, Stockholm, Sweden) - Reference for a preliminary ruling — EU trade mark — Concept of ‘shape’ — Shape giving substantial value to the goods — Two-dimensional mark — Figurative mark also constituting a work for the purpose of copyright — Regulation (EC) No 207/2009 — Article 7(1)(e)(iii) — Regulation (EU) 2015/2424

CURIA – Judgment of the Court of Justice in Case C-21/18 of 14 March 2019


CURIA – Judgment of the Court of Justice in Case C-693/17 of 6 March 2019

Case C-705/17: OPINION OF ADVOCATE GENERAL PITRUZZELLA of 6 March 2019 - Patent- och registreringsverket v Mats Hansson - Request for a preliminary ruling from the Svea hovrätt (Svea Court of Appeal, Stockholm, Sweden) - Reference for a preliminary ruling — Trade marks — Grounds for refusal or invalidity — Conflicts with earlier rights — Earlier mark containing a geographical name — Name excluded from protection by a disclaimer — Global assessment

CURIA – Opinion of Advocate General in Case C-705/17 of 6 March 2019


International Agreements

DECISION No 1/2019 OF THE JOINT COUNCIL established under the economic partnership agreement between the European Union and its Member States, of the one part, and the SADC EPA states, of the other part of 19 February 2019 on the adoption of the rules of procedure of the Joint Council and of the Trade and Development Committee [2019/437]

OJ of the EU, L 75/120 of 19 March 2019


OJ of the EU, L 75/128 of 19 March 2019
Case Law

Case C-163/17: JUDGMENT OF THE COURT (Grand Chamber) of 19 March 2019 - Abubacarr Jawo v Bundesrepublik Deutschland - REQUEST for a preliminary ruling under Article 267 TFEU from the Verwaltungsgerichtshof Baden-Württemberg (Higher Administrative Court, Baden-Württemberg, Germany) - Reference for a preliminary ruling — Area of freedom, security and justice — Dublin system — Regulation (EU) No 604/2013 — Transfer of the asylum seeker to the Member State responsible for examining the application for international protection — Concept of ‘absconding’ — Modalities of extending the time limit for transfer — Article 4 of the Charter of Fundamental Rights of the European Union — Substantial risk of inhuman or degrading treatment on completion of the asylum procedure — Living conditions of beneficiaries of international protection in that Member State
CURIA — Judgment of the Court of Justice in Case C-163/17 of 19 March 2019

Joined Cases C-297/17, C-318/17, C-319/17 and C-438/17: JUDGMENT OF THE COURT (Grand Chamber) of 19 March 2019 - Bashar Ibrahim (C-297/17), Mahmud Ibrahim, Fadwa Ibrahim, Bushra Ibrahim, Mohammad Ibrahim, Ahmad Ibrahim (C-318/17), Nisreen Sharqawi, Yazan Fattayrji and Hosam Fattayrji (C-319/17) v Bundesrepublik Deutschland - Bundesrepublik Deutschland v Taus Magamadov (C-438/17) - REQUESTS for a preliminary ruling under Article 267 TFEU from the Bundesverwaltungsgericht (Federal Administrative Court, Germany) - Reference for a preliminary ruling — Area of freedom, security and justice — Common procedures for granting and withdrawing international protection — Directive 2013/32/EU — Article 33(2)(a) — Rejection by the authorities of a Member State of an application for asylum as being inadmissible because of the prior granting of subsidiary protection in another Member State — Article 52 — Scope ratione temporis of that directive — Articles 4 and 18 of the Charter of Fundamental Rights of the European Union — Systemic flaws in the asylum procedure in that other Member State — Systematic rejection of applications for asylum — Substantial risk of suffering inhuman or degrading treatment — Living conditions of those granted subsidiary protection in that other State
CURIA — Judgment of the Court of Justice in Case C-297/17 of 19 March 2019

Case C-444/17: JUDGMENT OF THE COURT (Grand Chamber) of 19 March 2019 - Préfet des Pyrénées-Orientales v Abdelaziz Arib, Procureur de la République près le tribunal de grande instance de Montpellier and Procureur général près la cour d’appel de Montpellier - REQUEST for a preliminary ruling under Article 267 TFEU from the Cour de cassation (Court of Cassation, France) - Reference for a preliminary ruling — Area of freedom, security and justice — Border control, asylum and immigration — Regulation (EU) 2016/399 — Article 32 — Temporary reintroduction of border control by a Member State at its internal borders — Illegal entry of a third-country national — Equation of internal borders with external borders — Directive 2008/115/EC — Scope — Article 2(2)(a)
CURIA — Judgment of the Court of Justice in Case C-444/17 of 19 March 2019

CURIA — Conclusions de l’Avocat Général dans l’affaire C-38/18 du 14 mars 2019
Case C-635/17: JUDGMENT OF THE COURT (Second Chamber) of 13 March 2019 - E. v Staatssecretaris van Veiligheid en Justitie - REQUEST for a preliminary ruling under Article 267 TFEU from the rechtbank Den Haag zittingsplaats Haarlem (District Court, The Hague, sitting in Haarlem, Netherlands) - Reference for a preliminary ruling — Area of freedom, security and justice — Immigration policy — Right to family reunification — Directive 2003/86/EC — Exclusions from the scope of the directive — Article 3(2)(c) — Exclusion of persons benefiting from subsidiary protection — Extension of the right to family reunification to those persons under national law — Jurisdiction of the Court — Article 11(2) — Lack of official documentary evidence of the family relationship — Explanations regarded as insufficiently plausible — Obligations on the authorities of the Member States to take additional steps — Limits 
CURIA — Judgment of the Court of Justice in Case C-635/17 of 13 March 2019

Case C-22/18: OPINION OF ADVOCATE GENERAL TANCHEV of 7 March 2019 - TopFit e.V. and Daniele Biffi v Deutscher Leichtathletikverband e.V. - Request for a preliminary ruling from the Amtsgericht Darmstadt (Local Court, Darmstadt, Germany) - Freedom of establishment — Citizenship — Articles 18, 21, 49 and 165 TFEU — Discrimination on the basis of nationality — Rule withdrawing from an EU citizen established in a host Member State the right to compete in national amateur athletics championships in the age group of over 35 years on an equal footing with nationals of that Member State — Facility for participation ‘without classification’ precluding placement ranking of non-nationals and across all age categories — Absence of a transitional period for EU citizens established in that Member State at the time of rule change — Horizontal effect of freedom of establishment — Restriction — Justification — Proportionality 
CURIA — Opinion of Advocate General in Case C-22/18 of 7 March 2019

CURIA — Conclusions de l’Avocat Général dans l’affaire C-41/18 du 7 mars 2019

CURIA — Conclusions de l’Avocat Général dans l’affaire C-123/18 du 5 mars 2019

16. Transport

Community Legislation

COMMISSION IMPLEMENTING REGULATION (EU) 2019/444 of 19 March 2019 amending Implementing Regulation (EU) 2015/2447 as regards the forms for guarantor’s undertakings and the inclusion of air transport costs in the customs value in view of the withdrawal of the United Kingdom from the Union 
OJ of the EU, L 77/61 of 20 March 2019

COMMISSION IMPLEMENTING REGULATION (EU) 2019/430 of 18 March 2019 amending Regulation (EU) No 1178/2011 as regards the exercise of limited privileges without supervision before the issuance of a light aircraft pilot licence (Text with EEA relevance) 
OJ of the EU, L 75/66 of 19 March 2019
COMMISSION IMPLEMENTING REGULATION (EU) 2019/413 of 14 March 2019 amending Implementing Regulation (EU) 2015/1998 as regards third countries recognised as applying security standards equivalent to the common basic standards on civil aviation security (Text with EEA relevance)
OJ of the EU, L 73/98 of 15 March 2019

Case Law

Case C-127/17: JUDGMENT OF THE COURT (Fourth Chamber) of 21 March 2019 - European Commission v Republic of Poland - ACTION under Article 258 TFEU for failure to fulfil obligations - Failure of a Member State to fulfil obligations — Transport — Directive 96/53/EC — International traffic — Vehicles complying with the limit values for weights and dimensions laid down in that directive — Use of such vehicles, which were registered or put into circulation in one Member State, on the territory of another Member State — Special permit regime — Articles 3 and 7 — 2003 Act of Accession — Transitional arrangements — Point 8.3 of Annex XII
CURIA – Judgment of the Court of Justice in Case C-127/17 of 21 March 2019

CURIA – Judgment of the Court of Justice in Case C-266/17 of 21 March 2019

Joined Cases C-350/17 and C-351/17: JUDGMENT OF THE COURT (Fourth Chamber) of 21 March 2019 - Mobit Soc. cons. Arl v Regione Toscana, Autolinee Toscane SpA and Régie Autonome des Transports Parisiens (RATP) (C-350/17) - Autolinee Toscane SpA v Mobit Soc. cons. arl, Regione Toscana and Régie Autonome des Transports Parisiens (RATP) (C-351/17) - REQUESTS for a preliminary ruling under Article 267 TFEU from the Oberlandesgericht Düsseldorf (Higher Regional Court, Düsseldorf, Germany) - Reference for a preliminary ruling — Transport — Public passenger transport services by rail and by road — Regulation (EC) No 1370/2007 — Article 5 — Award of public service contracts — Article 8(2) — Direct award — Authority exercising similar control — Article 8(2) — Transitional arrangements — Deadline for the expiry of the direct award
CURIA – Judgment of the Court of Justice in Case C-350/17 of 21 March 2019

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

Community Legislation

EUROPEAN COUNCIL DECISION (EU) 2019/476 taken in agreement with the United Kingdom of 22 March 2019 extending the period under Article 50(3) TEU
OJ of the EU, LI 80/1 of 22 March 2019

OJ of the EU, L 80/8 of 22 March 2019

OJ of the EU, L 80/10 of 22 March 2019
OJ of the EU, L 80/13 of 22 March 2019

OJ of the EU, L 80/16 of 22 March 2019

REGULATION (EU) 2019/452 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union
OJ of the EU, L 179/1 of 21 March 2019

OJ of the EU, L 77/1 of 20 March 2019

COMMISSION IMPLEMENTING REGULATION (EU) 2019/410 of 29 November 2018 laying down implementing technical standards with regard to the details and structure of the information to be notified, in the field of payment services, by competent authorities to the European Banking Authority pursuant to Directive (EU) 2015/2366 of the European Parliament and of the Council (Text with EEA relevance)
OJ of the EU, L 73/20 of 15 March 2019

COMMISSION DELEGATED REGULATION (EU) 2019/411 of 29 November 2018 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards setting technical requirements on development, operation and maintenance of the electronic central register within the field of payment services and on access to the information contained therein (Text with EEA relevance)
OJ of the EU, L 73/84 of 15 March 2019

COMMISSION IMPLEMENTING REGULATION (EU) 2019/386 of 11 March 2019 laying down rules with regard to the apportionment of tariff rate quotas for certain agricultural products included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union and with regard to import licences issued and import rights allocated under those tariff rate quotas
OJ of the EU, L 70/4 of 12 March 2019

OJ of the EU, L 68/1 of 8 March 2019

EUROPEAN INVESTMENT BANK DECISION of 6 February 2019 laying down internal rules concerning the processing of personal data by the Fraud Investigations Division within the Inspectorate General and the Office of the Chief Compliance Officer of the European Investment Bank in relation to the provision of information to data subjects and the restriction of certain of their rights
OJ of the EU, L 65/1 of 6 March 2019

COUNCIL DECISION (EU) 2019/349 of 22 February 2019 establishing the position to be taken on behalf of the European Union within the Committee on Government Procurement of the World Trade Organisation on the accession of the United Kingdom of Great Britain and Northern Ireland to the Revised Agreement on Government Procurement in the context of its withdrawal from the European Union
OJ of the EU, L 63/12 of 4 March 2019
Case Law

Case C-221/17: JUDGMENT OF THE COURT (Grand Chamber) of 12 March 2019 - M.G. Tjebbes, G.J.M. Koopman, E. Saleh Abady and L. Duboux v Minister van Buitenlandse Zaken - REQUEST for a preliminary ruling under Article 267 TFEU from the Raad van State (Council of State, Netherlands) - Reference for a preliminary ruling — Citizenship of the European Union — Article 20 TFUE — Articles 7 and 24 of the Charter of Fundamental Rights of the European Union — Nationalities of a Member State and of a third country — Loss of the nationality of a Member State and of citizenship of the Union by operation of law — Consequences — Proportionality
CURIA — Judgment of the Court of Justice in Case C-221/17 of 12 March 2019

Case C-22-18: OPINION OF ADVOCATE GENERAL TANCHEV of 7 March 2019 - TopFit e.V. and Daniele Biffi v Deutscher Leichtathletikverband e.V. - Request for a preliminary ruling from the Amtsgericht Darmstadt (Local Court, Darmstadt, Germany) - Freedom of establishment — Citizenship — Articles 18, 21, 49 and 165 TFEU — Discrimination on the basis of nationality — Rule withdrawing from an EU citizen established in a host Member State the right to compete in national amateur athletics championships in the age group of over 35 years on an equal footing with nationals of that Member State — Facility for participation ‘without classification’ precluding placement ranking of non-nationals and across all age categories — Absence of a transitional period for EU citizens established in that Member State at the time of rule change — Horizontal effect of freedom of establishment — Restriction — Justification — Proportionality
CURIA — Opinion of Advocate General in Case C-22-18 of 7 March 2019

Case C-420/16 P: JUDGMENT OF THE COURT (First Chamber) of 7 March 2019 - Balázs-Árpád Izsák, residing in Târgu Mureş (Romania) and Attila Dabis, residing in Budapest (Hungary) v European Commission, Hungary, Hellenic Republic, Romania and Slovak Republic - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union -Appeal — Law governing the institutions — Citizens’ initiative — Regulation (EU) No 211/2011 — Registration of the proposed citizens’ initiative — Article 4(2)(b) — Condition that the proposed initiative does not manifestly fall outside the framework of the European Commission’s powers to submit a proposal for a legal act for the purpose of implementing the Treaties — Burden of proof — Economic, social and territorial cohesion — Article 174 TFEU — Citizens’ initiative ‘Cohesion policy for the equality of the regions and sustainability of the regional cultures’ — Application for registration — Refusal by the Commission
CURIA — Judgment of the Court of Justice in Case C-420/16 of 7 March 2019

CURIA — Arrêt de la Cour de Justice dans l’affaire C-728/17 du 7 mars 2019

Preparatory Acts, Reports, Calls, Memos, Common Positions

OJ of the EU, C 84/1 of 6 March 2019