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133 - May 2019

European Documentation Centre

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

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

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2. External Relations / Foreign Policy

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4. Audiovisual and Court of Justice in Case C-611/17 of 30 April 2019

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Case C-484/18: OPINION OF ADVOCATE GENERAL HOGAN of 16 May 2019 - Société de perception et de distribution des droits des artistes-interprètes de la musique et de la danse (Spedidam), PG and GF v Institut national de l’audiovisuel, Syndicat indépendant des artistes-interprètes (SIA-UNSA) and Syndicat français des artistes-interprètes (CGT) - Request for a preliminary ruling from the Cour de cassation (Court of Cassation, France) - Reference for a preliminary ruling — Copyright and related rights — Directive 2001/29/EC — Articles 2(b) and 3(2) — Exclusive rights of the performers — National legislation providing for the benefit of the French National Audiovisual Institute (INA), a special regime in favour of the exploitation of audiovisual archives not provided by Article 5(2) and (3) of Directive 2001/29 — Benefit from the rights of exploitation of audiovisual archives without the need to prove the authorisation given by the performer — Legal presumption of the performers’ consent
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6. Customs

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OJ of the EU, L 134/1 of 22 May 2019

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Case C-127/18: JUDGMENT OF THE COURT (First Chamber) of 8 May 2019 - A-PACK CZ s. r. o. V Odvolací finanční ředitelství — REQUEST for a preliminary ruling under Article 267 TFEU from the Nejvyšší správní soud (Supreme Administrative Court, Czech Republic) — Reference for a preliminary ruling — Common system of value added tax (VAT) — Directive 2006/112/EC — Articles 90 and 273 — Total or partial non-payment, by the debtor, of a sum due to the taxable person in respect of a transaction subject to VAT — Taxable amount — Reduction — Principles of fiscal neutrality and proportionality
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Joined Cases C-80/18 to C-83/18: OPINION OF ADVOCATE GENERAL HOGAN of 8 May 2019 - Asociación Española de la Industria Eléctrica (UNESA) (C-80/18) and Endesa Generación, SA (C-82/18) v Administración General del Estado and Iberdrola Generación Nuclear SAU (C-80/18 and C-82/18) - Endesa Generación, SA (C-81/18) and Iberdrola Generación Nuclear SAU (C-83/18) v Administración General del Estado (C-81/18 and C-83/18) - (Request for a preliminary ruling from the Tribunal Supremo (Supreme Court, Spain) - Request for a preliminary ruling — Article 191 TFEU — Polluter-pays principle — Directive 2009/72/EC — Common rules for the internal market in electricity — Articles 3(1) and (2) — Non-discrimination principle — Directive 2005/89/EC — Financing the tariff deficit — Taxes levied only on companies that use nuclear energy to produce electricity CURIA – Opinion of Advocate General in Case C-80/18 of 8 May 2019

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Case C-598/17: JUDGMENT OF THE COURT (First Chamber) of 2 May 2019 - A-Fonds v Inspecteur van de Belastingdienst - REQUEST for a preliminary ruling under Article 267 TFEU from the Gerechtshof ’s-Hertogenbosch (Court of Appeal, ’s-Hertogenbosch, Netherlands) - Reference for a preliminary ruling — Existing aid and new aid — Concept of new aid — Refund of dividend tax — Scheme widened to companies established outside the Member State concerned — Free movement of capital — Obligations of national courts CURIA – Judgment of the Court of Justice in Case C-598/17 of 2 May 2019


Case C-224/18: JUDGMENT OF THE COURT (Seventh Chamber) of 2 May 2019 - Budimex S.A. v Minister Finansów - REQUEST for a preliminary ruling under Article 267 TFEU from the Naczelną Sąd Administracyjny (Supreme Administrative Court, Poland) - Reference for a preliminary ruling — Common system of value added tax (VAT) — Directive 2006/112/EC – Article 66 — Chargeable event and chargeability of the tax — Time of the supply of the services — Construction and installation work — Taking into account the time of the acceptance of the work stipulated in the contract for the supply of services CURIA – Judgment of the Court of Justice in Case C-224/18 of 2 May 2019

Case C-225/18: JUDGMENT OF THE COURT (Eighth Chamber) of 2 May 2019 - Grupa Lotos S.A. v Minister Finansów - REQUEST for a preliminary ruling under Article 267 TFEU from the Naczelną Sąd Administracyjny (Supreme Administrative Court, Poland) - Reference for a preliminary ruling — Taxation — Value added tax (VAT) — Deduction of input tax — Sixth Directive 77/388/EEC – Article 17(2) and (6) — Directive 2006/112/EC — Articles 168 and 176 — Exclusion from the right to deduct — Purchase of overnight accommodation and catering services — Standstill clause — Accession to the European Union CURIA – Judgment of the Court of Justice in Case C-225/18 of 2 May 2019

CURIA – Arrêt de la Cour de Justice dans l’affaire C-265/18 du 2 mai 2019

Affaire C-692/17: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE du 2 mai 2019 - Paulo Nascimento Consulting – Mediação Imobiliária Lda contre Autoridade Tributária e Aduaneira - demande de décision préjudicielle formée par le Supremo Tribunal Administrativo (Cour administrative suprême, Portugal) - Renvoi préjudiciel – Taxe sur la valeur ajoutée (TVA) – Directive 2006/112/CE – Exonérations – Article 135, paragraphe 1, sous b) et d) – Opérations relatives à l’octroi et la négociation de crédits ainsi que la gestion de crédits – Opérations concernant les créances, à l’exception du recouvrement de créances – Cession à titre onéreux, au profit d’un tiers, d’une position dans une procédure en recouvrement forcé d’une créance reconnue judiciairement

CURIA – Conclusions de l’Avocat Général dans l’affaire C-692/17 du 2 mai 2019

Case C-28/18: OPINION OF ADVOCATE GENERAL SZPUNAR of 2 May 2019 - Verein für Konsumenteninformation v Deutsche Bahn AG - Request for a preliminary ruling from the Oberster Gerichtshof (Supreme Court, Austria) - Request for a preliminary ruling — Regulation (EU) No 260/2012 — Article 9(2) — Technical and commercial requirements for credit transfers and direct debits in euro — Accessibility of payments — Payment by SEPA (single euro payments area) direct debit — General conditions requiring the payer to have a residence in the same Member State as the payee

CURIA – Opinion of Advocate General in Case C-28/18 of 2 May 2019

Case C-42/18: OPINION OF ADVOCATE GENERAL BOT of 2 May 2019 - Finanzamt Trier v Cardpoint GmbH, successor in law to Moneybox Deutschland GmbH - Request for a preliminary ruling from the Bundesfinanzhof (Federal Finance Court, Germany) - Reference for a preliminary ruling — Taxation — Value added tax (VAT) — Sixth Directive 77/388/EEC — Exemptions — Article 138(d)(3) — Payments — Transactions concerning payments — Concepts — Cash withdrawal from an automated teller machine (ATM) — Service supplied by an undertaking to a bank in circumstances in which the operation of ATMs has been outsourced

CURIA – Opinion of Advocate General in Case C-42/18 of 2 May 2019

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

Case Law

Case C-703/17: OPINION OF ADVOCATE GENERAL BOBEK of 23 May 2019 - Adelheid Krah v Universität Wien - (Request for a preliminary ruling from the Oberlandesgericht Wien (Higher Regional Court, Vienna, Austria) - Reference for a preliminary ruling — Free movement of workers — Postdoctoral senior lecturers — Limit of four years on the recognition, upon recruitment, of previous relevant work-related experience — Seniority-based system of remuneration — Seniority accrued with the same employer only — Concept of obstacle to free movement — Justification — Proportionality

CURIA – Opinion of Advocate General in Case C-703/17 of 23 May 2019
9. Employment and Social Affairs

Community Legislation

COUNCIL DECISION (EU) 2019/683 of 9 April 2019 authorising Member States to become parties, in the interest of the European Union, to the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events (CETS No 218)
OJ of the EU, L 115/9 of 2 May 2019

EUROPEAN INVESTMENT BANK DECISION of 26 February 2019 laying down internal rules concerning the processing of personal data by the Personnel Directorate 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 112/1 of 26 April 2019

Case Law

Case C-703/17: OPINION OF ADVOCATE GENERAL BOBEK of 23 May 2019 - Adelheid Krah v Universität Wien - (Request for a preliminary ruling from the Oberlandesgericht Wien (Higher Regional Court, Vienna, Austria) - Reference for a preliminary ruling — Free movement of workers — Postdoctoral senior lecturers — Limit of four years on the recognition, upon recruitment, of previous relevant work-related experience — Seniority-based system of remuneration — Seniority accrued with the same employer only — Concept of obstacle to free movement — Justification — Proportionality
CURIA — Opinion of Advocate General in Case C-703/17 of 23 May 2019

Case C-509/17: JUDGMENT OF THE COURT (Third Chamber) of 16 May 2019 - Christa Plessers v Prefaco NV and Belgische Staat - REQUEST for a preliminary ruling under Article 267 TFEU from the arbeidshof te Antwerpen, afdeling Hasselt (Antwerp Labour Court, Hasselt Section, Belgium) - Reference for a preliminary ruling — Transfers of undertakings — Directive 2001/23/EC — Articles 3 to 5 — Safeguarding of employees’ rights — Exceptions — Insolvency proceedings — Proceedings for judicial restructuring by transfer under judicial supervision — Total or partial safeguard of the undertaking — National legislation authorising the transferee, after the transfer, to choose which employees to keep on
CURIA — Judgment of the Court of Justice in Case C-509/17 of 16 May 2019

CURIA — Judgment of the Court of Justice in Case C-677/17 of 15 May 2019
Case C-132/18 P: JUDGMENT OF THE COURT (Eighth Chamber) of 15 May 2019 - European Commission v Sabine Tuerck, residing in Woluwe-Saint-Pierre (Belgium) - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Civil service — Pensions — Transfer of pension rights acquired in a national pension scheme to the European Union pension scheme — Deduction of the appreciation between the date of the application for a transfer and the actual date of the transfer
CURIA – Judgment of the Court of Justice in Case C-132/18 of 15 May 2019

Case C-170/18 P: JUDGMENT OF THE COURT (First Chamber) of 15 May 2019 - CJ, residing in Agios Stefanos (Greece) v European Centre for Disease Prevention and Control (ECDC) - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Civil service — Contract staff — European Centre for Disease Prevention and Control — Fixed-term contract — Termination of the contract — Compliance with a judgment of the European Union Civil Service Tribunal — Res judicata by means of a judgment annulling a decision — Limits
CURIA – Judgment of the Court of Justice in Case C-170/18 of 15 May 2019

Case C-55/18: JUDGMENT OF THE COURT (Grand Chamber) of 14 May 2019 - Federación de Servicios de Comisiones Obreras (CCOO) v Deutsche Bank SAE, Federación Estatal de Servicios de la Unión General de Trabajadores (FES-UGT), Confederación General del Trabajo (CGT), Confederación Solidaridad de Trabajadores Vascos (ELA) and Confederación Intersindical Galega (CIG) - REQUEST for a preliminary ruling under Article 267 TFEU from the Audiencia Nacional (National High Court, Spain) - Reference for a preliminary ruling — Social policy — Protection of the safety and health of workers — Organisation of working time — Article 31(2) of the Charter of Fundamental Rights of the European Union — Directive 2003/88/EC — Articles 3 and 5 — Daily and weekly rest — Article 6 — Maximum weekly working time — Directive 89/391/EEC — Safety and health of workers at work — Requirement to set up a system enabling the duration of time worked each day by each worker to be measured
CURIA – Judgment of the Court of Justice in Case C-55/18 of 14 May 2019

Case C-24/17: JUDGMENT OF THE COURT (First Chamber) of 8 May 2019 - Österreichischer Gewerkschaftsbund, Gewerkschaft Öffentlicher Dienst v Republik Österreich - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberster Gerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — Social policy — Prohibition of all discrimination on grounds of age — Directive 2000/78/EC — Exclusion of professional experience obtained before the age of 18 — New system of remuneration and advancement — Maintenance of the difference in treatment — Freedom of movement for workers — Article 45 TFEU — Regulation (EU) No 492/2011 — Article 7(1) — National legislation providing for account to be taken of a proportion of previous periods of service
CURIA – Judgment of the Court of Justice in Case C-24/17 of 8 May 2019

Case C-396/17: JUDGMENT OF THE COURT (First Chamber) of 8 May 2019 - Martin Leitner v Landespolizeidirektion Tirol - REQUEST for a preliminary ruling under Article 267 TFEU from the Bundesverwaltungsgericht (Federal Administrative Court, Austria) - Reference for a preliminary ruling — Social policy — Prohibition of all discrimination on grounds of age — Directive 2000/78/EC — Exclusion of professional experience acquired before the age of 18 — New system of remuneration and advancement — Maintaining a difference in treatment — Right to an effective remedy — Article 47 of the Charter of Fundamental Rights of the European Union — Justifications
CURIA – Judgment of the Court of Justice in Case C-396/17 of 8 May 2019

Case C-494/17: JUDGMENT OF THE COURT (First Chamber) of 8 May 2019 - Ministero dell’Istruzione, dell’Università e della Ricerca — MIUR v Fabio Rossato and Conservatorio di Musica F.A. Bonporti - REQUEST for a preliminary ruling under Article 267 TFEU from the Corte d’appello di Trento (Court of Appeal, Trento, Italy) - Reference for a preliminary ruling — Social policy — Fixed-term work — Contracts concluded with a public sector employer — Measures to penalise misuse of fixed-term employment contracts — Conversion of the employment relationship into a relationship of indefinite duration — Limitation on the retroactive effect of the conversion — No financial remedies
CURIA – Judgment of the Court of Justice in Case C-494/17 of 8 May 2019
Case C-631/17: JUDGMENT OF THE COURT (Third Chamber) of 8 May 2019 - SF v Inspecteur van de Belastingdienst - REQUEST for a preliminary ruling under Article 267 TFEU from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands) - Reference for a preliminary ruling — Social security for migrant workers — Regulation (EC) No 883/2004 — Article 11(3)(e) — National of a Member State employed as a seaman on board a vessel flying the flag of a third State — Employer established in a Member State other than the worker’s State of residence — Determination of the applicable legislation
CURIA – Judgment of the Court of Justice in Case C-631/17 of 8 May 2019

Case C-161/18: JUDGMENT OF THE COURT (Third Chamber) of 8 May 2019 - Violeta Villar Láiz v Instituto Nacional de la Seguridad Social (INSS) and Tesorería General de la Seguridad Social (TGSS) - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Superior de Justicia de Castilla y León (High Court of Justice of Castile and León, Spain) - Reference for a preliminary ruling — Equal treatment for men and women in matters of social security — Directive 79/7/EEC — Article 4 — Prohibition of any discrimination on the ground of sex — Indirect discrimination — Part-time work — Calculation of retirement pension
CURIA – Judgment of the Court of Justice in Case C-161/18 of 8 May 2019

Case C-194/18: JUDGMENT OF THE COURT (Ninth Chamber) of 8 May 2019 - Jadran Dodič v Banka Koper and Alta Invest - REQUEST for a preliminary ruling under Article 267 TFEU from the Vrhovno sodišče (Supreme Court, Slovenia) - Reference for a preliminary ruling — Social policy — Transfers of undertakings — Directive 2001/23/EC — Article 1(1) — Scope — Criteria for assessment of the transfer — Transfer of clients — Transfer of all the financial services of a bank, excluding staff, to a stock brokering company
CURIA – Judgment of the Court of Justice in Case C-194/18 of 8 May 2019

CURIA – Arrêt de la Cour de Justice dans l’affaire C-243/18 du 8 mai 2019

Case C-486/18: JUDGMENT OF THE COURT (First Chamber) of 8 May 2019 - RE v Praxair MRC SAS - REQUEST for a preliminary ruling under Article 267 TFEU from the Cour de cassation (France) - Reference for a preliminary ruling — Social policy — Directive 96/34/EC — Framework agreement on parental leave — Clause 2.6 — Worker employed full-time and for indefinite duration on part-time parental leave — Dismissal — Compensation payment for dismissal and redeployment leave allowance — Method of calculation — Article 157 TFEU — Equal pay for male and female workers — Part-time parental leave taken primarily by female workers — Indirect discrimination — Objective factors unrelated to any sex discrimination — None
CURIA – Judgment of the Court of Justice in Case C-486/18 of 8 May 2019

Case C-168/18: OPINION OF ADVOCATE GENERAL HOGAN of 8 May 2019 - Pensions-Sicherungs-Verein VVaG v Günther Bauer - Request for a preliminary ruling from the Bundesarbeitsgericht (Federal Labour Court, Germany) - Reference for a preliminary ruling — Protection of employees in the event of the insolvency of their employer — Directive 2008/94/EC — Article 8 — Supplementary pension schemes — Protection of entitlement to old-age benefits — Scope of application — Offset of a previous pension reduction by the former employer — Minimum level of protection guaranteed — Direct effect against a supplementary occupational pension institution
CURIA – Opinion of Advocate General in Case C-168/18 of 8 May 2019
Case C-431/17: JUDGMENT OF THE COURT (Grand Chamber) of 7 May 2019 - Monachos Eirinaios, kata kosmon Antonios Giakoumakis tou Emmanouil v Dikigorikos Sylogos Athinon - REQUEST for a preliminary ruling under Article 267 TFEU from the Symvoulio tis Epikrateias (Council of State, Greece) - Reference for a preliminary ruling — Directive 98/5/EC — Access to the profession of lawyer — Monk who has obtained the professional qualification of lawyer in a Member State other than the host Member State — Article 3(2) — Condition requiring registration with the competent authority of the host Member State — Certificate attesting to registration with the competent authority of the home Member State — Refusal to register — Rules of professional conduct — Incompatibility of the status of monk with practice of the profession of lawyer CURIA – Judgment of the Court of Justice in Case C-431/17 of 7 May 2019


Case C-390/18: OPINION OF ADVOCATE GENERAL SZPUNAR of 30 April 2019 - YA, AIRBNB Ireland UC, Hotelière Turenne SAS, Association pour un hébergement et un tourisme professionnel (AHTOP) and Valhotel - Request for a preliminary ruling from the Tribunal de grande instance de Paris (Regional Court, Paris) (France) - Reference for a preliminary ruling — Freedom to provide services — Directive 2000/31/EC — Connection of hosts, whether businesses or individuals, with accommodation available to rent with persons seeking that type of accommodation — Additional provision of various other services — National legislation laying down restrictive rules for the exercise of the profession of real estate agent CURIA – Opinion of Advocate General in Case C-390/18 of 30 April 2019

10. Energy and Environment

Community Legislation


COUNCIL DECISION (EU) 2019/668 of 15 April 2019 on the position to be taken on behalf of the European Union at the ninth meeting of the Conference of the Parties as regards the listing of certain chemicals in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade OJ of the EU, L 113/4 of 29 April 2019

Case Law


CURIA – Conclusions de l’Avocat Général dans l’affaire C-31/18 du 16 mai 2019

CURIA – Conclusions de l’Avocat Général dans l’affaire C-68/18 du 16 mai 2019

Case C-706/17: JUDGMENT OF THE COURT (Fourth Chamber) of 15 May 2019 - AB ‘Achema’, AB ‘Orlen Lietuva’ and AB ‘Lifosa’ v Valstybinė kainų ir energetikos kontrolės komisija (VKEKK), Lietuvos Respublikos energetikos ministerija and UAB ‘Baltpool’ - REQUEST for a preliminary ruling under Article 267 TFEU from the Lietuvos ministerija and UAB ‘Baltpool’ - REQUEST for a preliminary ruling under Article 267 TFEU from the Lietuvos vyriausiasis administracinis teismas (Supreme Administrative Court of Lithuania) - Reference for a preliminary ruling — State aid — Concept of ‘aid granted by a Member State or through State resources’ — Measures intended to compensate providers of public interest services in the electricity sector — Concept of aid ‘affecting trade between Member States’ and ‘distorting or threatening to distort competition’ — Concept of ‘selective advantage’ — Service of general economic interest — Offsetting of costs involved in the discharging of public service obligations
CURIA – Judgment of the Court of Justice in Case C-706/17 of 15 May 2019

Case C-305/18: JUDGMENT OF THE COURT (Sixth Chamber) of 8 May 2019 - Verdi Ambiente e Società (VAS) — Aps Onlus and Movimento Legge Rifiuti Zero per l’Economia Circolare Aps v Presidenza dei Consiglio dei Ministri, Ministero dell’Ambiente e della Tutela del Territorio e del Mare, Regione Lazio, Regione Toscana, Regione Lombardia, Associazione Mamme per la Salute e l’Ambiente Onlus and Comitato Donne 29 Agosto - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunale amministrativo regionale per il Lazio (Regional Administrative Court, Lazio, Italy) - Reference for a preliminary ruling — Environment — Directive 2008/98/EC — Disposal or recovery of waste — Establishment of an integrated waste management system guaranteeing national self-sufficiency — Construction of incineration facilities or increase in capacity of existing facilities — Classification of incineration facilities as ‘strategic infrastructure and installations of major national importance’ — Compliance with the ‘waste hierarchy’ principle — Directive 2001/42/EC — Need to carry out an ‘environmental assessment’
CURIA – Judgment of the Court of Justice in Case C-305/18 of 2 May 2019

Case C-674/17: OPINION OF ADVOCATE GENERAL SAUGMANDSGAARD ØE of 8 May 2019 - Luonnonsoojeluyhtystys Tapiola Pohjois-Savo — Kaiu ku ry v Risto Mustonen, Kai Ruhanen and Suomen riistakeskus - Request for a preliminary ruling from the Korkein hallinto-oikeus (Supreme Administrative Court, Finland) - Reference for a preliminary ruling — Directive 92/43/EC — Conservation of natural habitats and of wild fauna and flora — Article 12(1)(a) — Prohibition on the deliberate killing of the species referred to in Annex IV (a) — Species Canis lupus (wolf) — Article 16(1)(e) — Derogation — Conditions — Practice of ‘hunting for population management purposes’
CURIA – Opinion of Advocate General in Case C-674/17 of 8 May 2019

CURIA – Arrêt de la Cour de Justice dans l’affaire C-250/18 du 2 mai 2019

Case C-294/18: JUDGMENT OF THE COURT (Tenth Chamber) of 2 May 2019 - Oulun Sähkömyyntity Oy - REQUEST for a preliminary ruling under Article 267 TFUE from the markkinoikeus (Market Court, Finland) - Reference for a preliminary ruling — Energy efficiency — Directive 2012/27/EU — Article 11(1) — Cost of access to metering and billing information — Right of final customers to receive all their bills and billing information relating to their energy consumption free of charge — Electricity network charges — Discount on electricity network charges granted by an electricity retail sales company to customers who use nuclear energy to produce electricity — Financing the tariff deficit — Taxes levied only on companies that use nuclear energy to produce electricity

CURIA – Judgment of the Court of Justice in Case C-294/18 of 2 May 2019


CURIA – Conclusions de l’Avocat Général dans l’affaire C-708/17 du 30 avril 2019
11. Food Safety, Public Health and Consumers

Community Legislation

OJ of the EU, L 136/28 of 22 May 2019

OJ of the EU, L 127/4 of 16 May 2019

COMMISSION DECISION (EU) 2019/691 of 2 May 2019 authorising, in accordance with Article 4(5) of Commission Implementing Regulation (EU) 2018/574, economic operators to use the services of another ID issuer (Text with EEA relevance)
OJ of the EU, L 116/80 of 3 May 2019

Case Law

Case C-52/18: JUDGMENT OF THE COURT (First Chamber) of 23 May 2019 - Christian Fülla v Toolport GmbH - REQUEST for a preliminary ruling under Article 267 TFEU from the Amtsgericht Norderstedt (District Court, Norderstedt, Germany) - Reference for a preliminary ruling — Consumer protection — Directive 1999/44/EC — Lack of conformity of the goods delivered — Article 3 — Right of the consumer to repair or replacement of the goods free of charge, within a reasonable time and without any significant inconvenience — Determination of where the consumer must make goods acquired under a distance contract available to the seller to be brought into conformity — Concept of bringing the goods into conformity ‘free of charge’ — Right of the consumer to rescind the contract
CURIA – Judgment of the Court of Justice in Case C-52/18 of 23 May 2019

Case C-383/18: OPINION OF ADVOCATE GENERAL HOGAN of 23 May 2019 - Lexitor Sp. z o.o v Spółdzielcza Kasa Oszczędnościowo — Kredytowa im. Franciszka Stefczyka z siedzibą w Gdyni, Santander Consumer Bank S.A. z siedzibą we Wrocławiu and mBank S.A. z siedzibą w Warszawie - Request for a preliminary ruling from the Sąd Rejonowy Lublin-Wschód w Lublinie z siedzibą w Świdniku (Lublin-Wschód District Court in Lublin with its seat in Świdnik, Poland) - Reference for a preliminary ruling — Consumer protection — Directive 2008/48/EC — Article 16(1) — Credit agreements — Early repayment — Right of the consumer to a reduction in the total cost of the credit corresponding to the interest and costs due for the remaining term of the agreement
CURIA – Opinion of Advocate General in Case C-383/18 of 23 May 2019

Case C-621/17: OPINION OF ADVOCATE GENERAL HOGAN of 15 May 2019 - Gyula Kiss and CIB Bank Zrt. v Emil Kiss and Gyuláné Kiss - Request for a preliminary ruling from the Kúria (Supreme Court, Hungary) - Reference for a preliminary ruling — Consumer protection — Unfair terms — Council Directive 93/13/EEC — Article 4(2) — Requirement for terms related to the definition of the main subject-matter of the contract to be drafted in plain and intelligible language — Article 5 — Requirement for contract to be drafted in plain and intelligible language
CURIA – Opinion of Advocate General in Case C-621/17 of 15 May 2019

Case C-230/18: JUDGMENT OF THE COURT (Sixth Chamber) of 8 May 2019 - Pl v Landespolizeidirektion Tirol - REQUEST for a preliminary ruling under Article 267 TFEU from the Landesverwaltungsgericht Tirol (Regional Administrative Court, Tyrol, Austria) - Reference for a preliminary ruling — Article 49 TFEU — Article 15(2) and Article 16 of the Charter of Fundamental Rights of the European Union — Freedom of establishment and freedom to provide services — Restriction — Decision to immediately close a commercial enterprise — No statement of reasons — Overriding reasons in the public interest — Prevention of criminal offences against persons engaged in prostitution — Protection of public health — Proportionality of the restriction on the freedom of establishment — Articles 47 and 48 of the Charter of Fundamental Rights — Effectiveness of judicial review — Rights of defence — General principle of the right to good administration CURIA – Judgment of the Court of Justice in Case C-230/18 of 8 May 2019

Case C-347/18: OPINION OF ADVOCATE GENERAL BOBEK of 7 May 2019 - Alessandro Salvoni v Anna Maria Fiermonte - Request for a preliminary ruling from the Tribunale di Milano (District Court, Milan, Italy) - Judicial cooperation in civil matters — Regulation (EU) No 1215/2012 — Article 53 — Certificate certifying that the judgment delivered by the court of origin is enforceable — Procedure — Powers of the court of origin — Consumer protection — Article 47 of the Charter of Fundamental Rights of the European Union CURIA – Opinion of Advocate General in Case C-347/18 of 7 May 2019

Case C-614/17: JUDGMENT OF THE COURT (Fourth Chamber) of 2 May 2019 - Fundación Consejo Regulador de la Denominación de Origen Protegida Queso Manchego v Industrial Quesera Cuquerella SL and Juan Ramón Cuquerella Montagud - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Supremo (Supreme Court, Spain) - Reference for a preliminary ruling — Agriculture — Regulation (EC) No 510/2006 — Article 13(1)(b) — Protection of geographical indications and designations of origin for agricultural products and foodstuffs — Manchego cheese (‘queso manchego’) — Use of signs capable of evoking the region with which a protected designation of origin (PDO) is associated — Concept of the ‘average consumer who is reasonably well informed and reasonably observant and circumspect’ — European consumers or consumers of the Member State in which the product covered by the PDO is made and mainly consumed CURIA – Judgment of the Court of Justice in Case C-614/17 of 2 May 2019


CURIA – Arrêt de la Cour de Justice dans l’affaire C-250/18 du 2 mai 2019

Case C-294/18: JUDGMENT OF THE COURT (Tenth Chamber) of 2 May 2019 - Oulun Sähkönmyynti Oy - REQUEST for a preliminary ruling under Article 267 TFEU from the markkinaoikeus (Market Court, Finland) - Reference for a preliminary ruling — Energy efficiency — Directive 2012/27/EU — Article 11(1) — Cost of access to metering and billing information — Right of final customers to receive all their bills and billing information relating to their energy consumption free of charge — Electricity network charges — Discount on electricity network charges granted by an electricity retail sales company to customers who have chosen electronic billing
CURIA – Judgment of the Court of Justice in Case C-294/18 of 2 May 2019

CURIA – Conclusions de l’Avocat Général dans l’affaire C-708/17 du 30 avril 2019

12. Human Rights

Community Legislation

OJ of the EU, L 135/85 of 22 May 2019

DECISION OF THE BUREAU OF THE EUROPEAN PARLIAMENT of 3 April 2019 on the implementing rules on the restriction of certain data subject rights in relation to the transfer of personal data by the European Parliament to national authorities in the context of criminal or financial investigations (2019/C 163/01)
OJ of the EU, C 163/1 of 13 May 2019

COUNCIL DECISION (EU) 2019/682 of 9 April 2019 authorising Member States to ratify, in the interest of the European Union, the Protocol amending the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data
OJ of the EU, L 115/7 of 2 May 2019

EUROPEAN INVESTMENT BANK DECISION of 26 February 2019 laying down internal rules concerning the processing of personal data by the Personnel Directorate 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 112/1 of 26 April 2019
Case Law

Case C-720/17: JUDGMENT OF THE COURT (Fifth Chamber) of 23 May 2019 - Mohammed Bilali v Bundesamt für Fremdenwesen und Asyl - REQUEST for a preliminary ruling under Article 267 TFEU from the Verwaltungsgerichtshof (Supreme Administrative Court, Austria) - Reference for a preliminary ruling — Area of freedom, security and justice — Asylum policy — Subsidiary protection — Directive 2011/95/EU — Article 19 — Revocation of subsidiary protection status — Error on the part of the administrative authorities with respect to the facts
CURIA – Judgment of the Court of Justice in Case C-720/17 of 23 May 2019

Case C-235/17: JUDGMENT OF THE COURT (Grand Chamber) of 21 May 2019 - European Commission v Hungary - ACTION under Article 258 TFEU for failure to fulfil obligations - Failure of a Member State to fulfil obligations — Article 63 TFEU — Free movement of capital — Article 17 of the Charter of Fundamental Rights of the European Union — Right to property — National legislation extinguishing, without compensation, the rights of usufruct over agricultural and forestry land acquired by legal persons or by natural persons who cannot demonstrate a close family tie with the owner of the land
CURIA – Judgment of the Court of Justice in Case C-235/17 of 21 May 2019

Case C-314/18: OPINION OF ADVOCATE GENERAL PIKAMÄE of 16 May 2019 - Openbaar Ministerie v SF - Request for a preliminary ruling from the Rechtbank Amsterdam (District Court, Amsterdam, the Netherlands) - Reference for a preliminary ruling — Judicial cooperation in criminal matters — Framework Decisions 2002/584/JHA and 2008/909/JHA — Return of a requested person to the issuing Member State subject to a guarantee of return to the executing Member State in order to serve there a custodial sentence or a measure involving deprivation of liberty — Moment of return — Penalty or additional measure
CURIA – Opinion of Advocate General in Case C-314/18 of 16 May 2019

Joined Cases C-391/16, C-77/17 and C-78/17: JUDGMENT OF THE COURT (Grand Chamber) of 14 May 2019 - M v Ministerstvo vnitra (C-391/16) - X (C-77/17) and X (C-78/17) v Commissaire général aux réfugiés et auxapatrides - THREE REQUESTS for a preliminary ruling under Article 267 TFEU from the Nejvyšší správní soud (Supreme Administrative Court, Czech Republic) in Case C-391/16 and from the Conseil du contentieux des étrangers (Council for asylum and immigration proceedings, Belgium) in Cases C-77/17 and C-78/17 - Reference for a preliminary ruling — Area of freedom, security and justice — Asylum policy — International protection — Directive 2011/95/EU — Refugee status — Article 14(4) to (6) — Refusal to grant or revocation of refugee status in the event of danger to the security or the community of the host Member State — Validity — Article 18 of the Charter of Fundamental Rights of the European Union — Article 78(1) TFEU — Article 6(3) TEU — Geneva Convention
CURIA – Judgment of the Court of Justice in Case C-391/16 of 14 May 2019

Case C-55/18: JUDGMENT OF THE COURT (Grand Chamber) of 14 May 2019 - Federación de Servicios de Comisiones Obreras (CCOO) v Deutsche Bank SAE, Federación Estatal de Servicios de la Unión General de Trabajadores (FES-UGT), Confederación General del Trabajo (CGT), Confederación Solidaridad de Trabajadores Vascos (ELA) and Confederación Intersindical Galega (CIG) - REQUEST for a preliminary ruling under Article 267 TFEU from the Audiencia Nacional (National High Court, Spain) - Reference for a preliminary ruling — Social policy — Protection of the safety and health of workers — Organisation of working time — Article 31(2) of the Charter of Fundamental Rights of the European Union — Directive 2003/88/EC — Articles 3 and 5 — Daily and weekly rest — Article 6 — Maximum weekly working time — Directive 89/391/EEC — Safety and health of workers at work — Requirement to set up a system enabling the duration of time worked each day by each worker to be measured
CURIA – Judgment of the Court of Justice in Case C-55/18 of 14 May 2019
Case C-24/17: JUDGMENT OF THE COURT (First Chamber) of 8 May 2019 - Österreichischer Gewerkschaftsbund, Gewerkschaft Öffentlicher Dienst v Republik Österreich - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberster Gerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — Social policy — Prohibition of all discrimination on grounds of age — Directive 2000/78/EC — Exclusion of professional experience obtained before the age of 18 — New system of remuneration and advancement — Maintenance of the difference in treatment — Freedom of movement for workers — Article 45 TFEU — Regulation (EU) No 492/2011 — Article 7(1) — National legislation providing for account to be taken of a proportion of previous periods of service
CURIA – Judgment of the Court of Justice in Case C-24/17 of 8 May 2019

Case C-396/17: JUDGMENT OF THE COURT (First Chamber) of 8 May 2019 - Martin Leitner v Landespolizeidirektion Tirol - REQUEST for a preliminary ruling under Article 267 TFEU from the Bundesverwaltungsgericht (Federal Administrative Court, Austria) - Reference for a preliminary ruling — Social policy — Prohibition of all discrimination on grounds of age — Directive 2000/78/EC — Exclusion of professional experience acquired before the age of 18 — New system of remuneration and advancement — Maintaining a difference in treatment — Right to an effective remedy — Article 47 of the Charter of Fundamental Rights of the European Union — Justifications
CURIA – Judgment of the Court of Justice in Case C-396/17 of 8 May 2019

Case C-230/18: JUDGMENT OF THE COURT (Sixth Chamber) of 8 May 2019 - PI v Landespolizeidirektion Tirol - REQUEST for a preliminary ruling under Article 267 TFEU from the Landesverwaltungsgericht Tirol (Regional Administrative Court, Tyrol, Austria) - Reference for a preliminary ruling — Article 49 TFEU — Article 15(2) and Article 16 of the Charter of Fundamental Rights of the European Union — Freedom of establishment and freedom to provide services — Restriction — Decision to immediately close a commercial enterprise — No statement of reasons — Overriding reasons in the public interest — Prevention of criminal offences against persons engaged in prostitution — Protection of public health — Proportionality of the restriction on the freedom of establishment — Articles 47 and 48 of the Charter of Fundamental Rights — Effectiveness of judicial review — Rights of defence — General principle of the right to good administration
CURIA – Judgment of the Court of Justice in Case C-230/18 of 8 May 2019

Case C-347/18: OPINION OF ADVOCATE GENERAL BOBEK of 7 May 2019 - Alessandro Salvoni v Anna Maria Fiermonte - Request for a preliminary ruling from the Tribunale di Milano (District Court, Milan, Italy) - Judicial cooperation in civil matters — Regulation (EU) No 1215/2012 — Article 53 — Certificate certifying that the judgment delivered by the court of origin is enforceable — Procedure — Powers of the court of origin — Consumer protection — Article 47 of the Charter of Fundamental Rights of the European Union
CURIA – Opinion of Advocate General in Case C-347/18 of 7 May 2019

CURIA – Opinion of Advocate General in Case C-70/18 of 2 May 2019

Case C-556/17: OPINION OF ADVOCATE GENERAL BOBEK of 30 April 2019 - Alekszij Torubarov v Bevándorlás- és Menekültügyi Hivatal - Request for a preliminary ruling from the Pécsi Közigazgatási és Munkaügyi Bíróság (Administrative and Labour Court, Pécs, Hungary) - Reference for a preliminary ruling — Area of freedom, security and justice — Border control, asylum and immigration — Common procedures for granting and withdrawing international protection — Judicial review of administrative decisions on application for international protection — Right to an effective remedy — Jurisdiction of the national court limited to the power to annul
CURIA – Opinion of Advocate General in Case C-556/17 of 30 April 2019
CURIA – Opinion of Advocate General in Case C-128/18 of 30 April 2019

13. Internal Market and Single Market

Community Legislation

OJ of the EU, L 116/75 of 3 May 2019

Case Law

CURIA – Opinion of Advocate General in Case C-236/18 of 22 May 2019

Case C-235/17: JUDGMENT OF THE COURT (Grand Chamber) of 21 May 2019 - European Commission v Hungary - ACTION under Article 258 TFEU for failure to fulfil obligations - Failure of a Member State to fulfil obligations — Article 63 TFEU — Free movement of capital — Article 17 of the Charter of Fundamental Rights of the European Union — Right to property — National legislation extinguishing, without compensation, the rights of usufruct over agricultural and forestry land acquired by legal persons or by natural persons who cannot demonstrate a close family tie with the owner of the land
CURIA – Judgment of the Court of Justice in Case C-235/17 of 21 May 2019

Case C-53/18: JUDGMENT OF THE COURT (Second Chamber) of 8 May 2019 - Antonio Pasquale Mastromartino v Commissione Nazionale per le Società e la Borsa (Consob) - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunale amministrativo regionale per il Lazio (Regional Administrative Court for Lazio, Italy) - Reference for a preliminary ruling — Markets in financial instruments — Directive 2004/39/EC — Articles 8, 23, 50 and 51 — Scope — Financial adviser authorised to provide offsite services — Staff member who has become a defendant in criminal proceedings — National legislation providing for the possibility of temporarily prohibiting the exercise of the activity — Fundamental freedoms — Purely internal situation — Not applicable
CURIA – Judgment of the Court of Justice in Case C-53/18 of 8 May 2019
CURIAR - Conclusions de l’Avocat Général dans l’affaire C-267/18 du 8 mai 2019

Case C-431/17: JUDGMENT OF THE COURT (Grand Chamber) of 7 May 2019 - Monachos Eirinaios, kata kosmon Antonios Giakoumakis tou Emmanouil v Dikigorikos Syllogos Athinon - REQUEST for a preliminary ruling under Article 267 TFEU from the Symvoulio tis Epiokrateias (Council of State, Greece) - Reference for a preliminary ruling — Directive 98/5/EC — Access to the profession of lawyer — Monk who has obtained the professional qualification of lawyer in a Member State other than the host Member State — Article 3(2) — Condition requiring registration with the competent authority of the host Member State — Certificate attesting to compliance with the competent authority of the home Member State — Refusal to register — Rules of professional conduct — Incompatibility of the status of monk with practice of the profession of lawyer
CURIAR - Judgment of the Court of Justice in Case C-431/17 of 7 May 2019

CURIAR - Opinion of Advocate General in Case C-285/18 of 7 May 2019

Case C-598/17: JUDGMENT OF THE COURT (First Chamber) of 2 May 2019 - A-Fonds v Inspecteur van de Belastingdienst - REQUEST for a preliminary ruling under Article 267 TFEU from the Gerechtshof ‘s-Hertogenbosch (Court of Appeal, ’s-Hertogenbosch, Netherlands) - Reference for a preliminary ruling — Existing aid and new aid — Concept of new aid — Refund of dividend tax — Scheme widened to companies established outside the Member State concerned — Free movement of capital — Obligations of national courts
CURIAR - Judgment of the Court of Justice in Case C-598/17 of 2 May 2019

Case C-259/18: JUDGMENT OF THE COURT (Eighth Chamber) of 2 May 2019 - Sociedad Estatal Correos y Telégrafos SA v Asendia Spain SLU - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Mercantil no 3 de Madrid (Commercial Court No 3, Madrid, Spain) - Reference for a preliminary ruling — Directive 97/67/EC — Common rules for the development of the internal market in postal services — Provision of the universal postal service — Exclusive rights of the designated operator — Issue of means of payment for postage other than postage stamps
CURIAR - Judgment of the Court of Justice in Case C-259/18 of 2 May 2019

CURIAR - Arrêt de la Cour de Justice dans l’affaire C-309/18 du 2 mai 2019
Case C-620/17: OPINION OF ADVOCATE GENERAL BOBEK of 30 April 2019 - Hochtief Solutions AG Magyarországi Fióktelepe v Fővárosi Törvényszék - Request for a preliminary ruling from the Székesfehérvári Törvényszék (Székesfehérvár High Court, Hungary) - Reference for a preliminary ruling — Public procurement — Review procedures — Binding force of preliminary rulings — Member State procedural autonomy — Motion for retrial — Equivalence and effectiveness — Member State liability for breaches of EU law arising from decisions of national courts — Failure to refer under the third paragraph of Article 267 TFEU

Case C-390/18: OPINION OF ADVOCATE GENERAL SZPUNAR of 30 April 2019 - YA, AIRBNB Ireland UC, Hotelière Turenne SAS, Association pour un hébergement et un tourisme professionnel (AHTOP) and Valhotel - Request for a preliminary ruling from the investigating judge of the Tribunal de grande instance de Paris (Regional Court, Paris) (France) - Reference for a preliminary ruling — Freedom to provide services — Directive 2000/31/EC — Connection of hosts, whether businesses or individuals, with accommodation available to persons seeking that type of accommodation — Additional provision of various other services — National legislation laying down restrictive rules for the exercise of the profession of real estate agent


Community Legislation


OJ of the EU, L 130/92 of 17 May 2019


OJ of the EU, L 130/82 of 17 May 2019

Case Law

Case C-281/18 P: OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA of 16 May 2019 - Repower AG v European Union Intellectual Property Office (EUIPO) - Appeal — EU trade mark — Invalidity proceedings — Revocation of the Board of Appeal’s original decision partially refusing the application for a declaration of invalidity of the EU word mark REPOWER

CURIA – Opinion of Advocate General in Case C-281/18 of 16 May 2019

Case C-484/18: OPINION OF ADVOCATE GENERAL HOGAN of 16 May 2019 - Société de perception et de distribution des droits des artistes-interprètes de la musique et de la danse (Spedidam), PG and GF v Institut national de l’audiovisuel, Syndicat indépendant des artistes-interprètes (SIA-UNSA) and Syndicat français des artistes-interprètes (CGT) - Request for a preliminary ruling from the Cour de cassation (Court of Cassation, France) - Reference for a preliminary ruling — Copyright and related rights — Directive 2001/29/EC — Articles 2(b) and 3(2) — Exclusive rights of the performers — National legislation providing for the benefit of the French National Audiovisual Institute (INA), a special regime in favour of the exploitation of audiovisual archives not provided by Article 5(2) and (3) of Directive 2001/29 — Benefit from the rights of exploitation of audiovisual archives without the need to prove the authorisation given by the performer — Legal presumption of the performers’ consent

CURIA – Opinion of Advocate General in Case C-484/18 of 16 May 2019

CURIA – Judgment of the Court of Justice in Case C-653/17 of 15 May 2019

Case C-614/17: JUDGMENT OF THE COURT (Fourth Chamber) of 2 May 2019 - Fundación Consejo Regulador de la Denominación de Origen Protegida Queso Manchego v Industrial Quesera Cuquerella SL and Juan Ramón Cuquerella Montagud - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Supremo (Supreme Court, Spain) - Reference for a preliminary ruling — Agriculture — Regulation (EC) No 510/2006 — Article 13(1)(b) — Protection of geographical indications and designations of origin for agricultural products and foodstuffs — Manchego cheese (‘queso manchego’) — Use of signs capable of evoking the region with which a protected designation of origin (PDO) is associated — Concept of the ‘average consumer who is reasonably well informed and reasonably observant and circumspect’ — European consumers or consumers of the Member State in which the product covered by the PDO is made and mainly consumed

CURIA – Judgment of the Court of Justice in Case C-614/17 of 2 May 2019


CURIA – Conclusions de l’Avocat Général dans l’affaire C-683/17 du 2 mai 2019


International Agreements

COUNCIL DECISION (EU) 2019/837 of 14 May 2019 on the conclusion, on behalf of the Union, of the Arrangement between the European Union, of the one part, and the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein, of the other part, on the participation by those States in the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice

OJ of the EU, L 138/9 of 24 May 2019

ARRANGEMENT between the European Union, of the one part, and the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein, of the other part, on the participation by those states in the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice

OJ of the EU, L 138/11 of 24 May 2019

Community Legislation

REGULATION (EU) 2019/816 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726

OJ of the EU, L 135/1 of 22 May 2019
OJ of the EU, L 135/27 of 22 May 2019

OJ of the EU, L 135/85 of 22 May 2019

COUNCIL REGULATION (EU) 2019/796 of 17 May 2019 concerning restrictive measures against cyber-attacks threatening the Union or its Member States
OJ of the EU, L 129/1 of 17 May 2019

COUNCIL DECISION (CFSP) 2019/797 of 17 May 2019 concerning restrictive measures against cyber-attacks threatening the Union or its Member States
OJ of the EU, L 129/13 of 17 May 2019

COMMISSION DELEGATED REGULATION (EU) 2019/758 of 31 January 2019 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council with regard to regulatory technical standards for the minimum action and the type of additional measures credit and financial institutions must take to mitigate money laundering and terrorist financing risk in certain third countries (Text with EEA relevance)
OJ of the EU, L 125/4 of 14 May 2019

DECISION OF THE BUREAU OF THE EUROPEAN PARLIAMENT of 3 April 2019 on the implementing rules on the restriction of certain data subject rights in relation to the transfer of personal data by the European Parliament to national authorities in the context of criminal or financial investigations (2019/C 163/01)
OJ of the EU, C 163/1 of 13 May 2019

OJ of the EU, L 123/18 of 10 May 2019

OJ of the EU, L 116/1 of 3 May 2019

Case Law

Case C-658/17: JUDGMENT OF THE COURT (First Chamber) of 23 May 2019 - WB v Przemysława Bac, acting in her capacity as notary - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Okręgowy w Gorzowie Wielkopolskim (Regional Court, Gorzów Wielkopolski, Poland) - Reference for a preliminary ruling — Judicial cooperation in civil matters — Regulation (EU) No 650/2012 — Article 3(1)(g) and (i) — Definition of a ‘decision’ in a matter of succession — Definition of an ‘authentic instrument’ in a matter of succession — Legal classification of the national deed of certification of succession — Article 3(2) — Definition of a ‘court’ — Failure by the Member State to notify the European Commission of notaries as non-judicial authorities exercising judicial functions like courts
CURIA – Judgment of the Court of Justice in Case C-658/17 of 23 May 2019
Case C-720/17: JUDGMENT OF THE COURT (Fifth Chamber) of 23 May 2019 - Mohammed Bilali v Bundesamt für Fremdenwesen und Asyl - REQUEST for a preliminary ruling under Article 267 TFEU from the Verwaltungsgerichtshof (Supreme Administrative Court, Austria) - Reference for a preliminary ruling — Area of freedom, security and justice — Asylum policy — Subsidiary protection — Directive 2011/95/EU — Article 19 — Revocation of subsidiary protection status — Error on the part of the administrative authorities with respect to the facts
CURIA – Judgment of the Court of Justice in Case C-720/17 of 23 May 2019

CURIA – Opinion of Advocate General in Case C-280/18 of 23 May 2019

Case C-314/18: OPINION OF ADVOCATE GENERAL PIKAMÄE of 16 May 2019 - Openbaar Ministerie v SF - Request for a preliminary ruling from the Rechtbank Amsterdam (District Court, Amsterdam, the Netherlands) - Reference for a preliminary ruling — Judicial cooperation in criminal matters — Framework Decisions 2002/584/JHA and 2008/909/JHA — Return of a requested person to the issuing Member State subject to a guarantee of return to the executing Member State in order to serve there a custodial sentence or a measure involving deprivation of liberty — Moment of return — Penalty or additional measure
CURIA – Opinion of Advocate General in Case C-314/18 of 16 May 2019

Case C-170/18 P: JUDGMENT OF THE COURT (First Chamber) of 15 May 2019 - CJ, residing in Agios Stefanos (Greece) v European Centre for Disease Prevention and Control (ECDC) - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Civil service — Contract staff — European Centre for Disease Prevention and Control — Fixed-term contract — Termination of the contract — Compliance with a judgment of the European Union Civil Service Tribunal — Res judicata by means of a judgment annulling a decision — Limits
CURIA – Judgment of the Court of Justice in Case C-170/18 of 15 May 2019

CURIA – Judgment of the Court of Justice in Case C-653/17 of 15 May 2019

Joined Cases C-391/16, C-77/17 and C-78/17: JUDGMENT OF THE COURT (Grand Chamber) of 14 May 2019 - M v Ministerstvo vnitra (C-391/16) - X (C-77/17) and X (C-78/17) v Commissaire général aux réfugiés et auxapatrides - THREE REQUESTS for a preliminary ruling under Article 267 TFEU from the Nejvyšší správní soud (Supreme Administrative Court, Czech Republic) in Case C-391/16 and from the Conseil du contentieux des étrangers (Council for asylum and immigration proceedings, Belgium) in Cases C-77/17 and C-78/17 - Reference for a preliminary ruling — Area of freedom, security and justice — Asylum policy — International protection — Directive 2011/95/EU — Refugee status — Article 14(4) to (6) — Refusal to grant or revocation of refugee status in the event of danger to the security or the community of the host Member State — Validity — Article 18 of the Charter of Fundamental Rights of the European Union — Article 78(1) TFEU — Article 6(3) TEU — Geneva Convention
CURIA – Judgment of the Court of Justice in Case C-391/16 of 14 May 2019
Case C-25/18: JUDGMENT OF THE COURT (First Chamber) of 8 May 2019 - Bryan Andrew Kerr v Pavlo Postnov and Natalia Postnova

- REQUEST for a preliminary ruling under Article 267 TFEU from the Okrazhen sad - Blagoevgrad (Regional Court of Blagoevgrad, Bulgaria)
- Reference for a preliminary ruling — Judicial cooperation in civil matters — Jurisdiction and the recognition and enforcement of judgments in civil and commercial matters — Regulation (EU) No 1215/2012 — Article 7(1)(a) — Special jurisdiction in matters relating to contract — Concept of ‘matters relating to a contract’ — Decision of the general meeting of the owners of property in a building — Obligation of the owners to pay annual financial contributions to the budget of the association of property owners as determined by that decision — Law applicable to contractual obligations — Regulation (EC) No 593/2008 — Article 4(1)(b) and (c) — Concepts of ‘contract for the provision of services’ and ‘a contract relating to a right in rem in immovable property’ — Decision of the general meeting of the owners of property in a building relating to maintenance costs for communal areas

CURIA – Judgment of the Court of Justice in Case C-25/18 of 8 May 2019

Case C-230/18: JUDGMENT OF THE COURT (Sixth Chamber) of 8 May 2019 - PI v Landespolizeidirektion Tirol

- REQUEST for a preliminary ruling under Article 267 TFEU from the Landesverwaltungsgericht Tirol (Regional Administrative Court, Tyrol, Austria)
- Reference for a preliminary ruling — Article 49 TFEU — Article 15(2) and Article 16 of the Charter of Fundamental Rights of the European Union — Freedom of establishment and freedom to provide services — Restriction — Decision to immediately close a commercial enterprise — No statement of reasons — Overriding reasons in the public interest — Prevention of criminal offences against persons engaged in prostitution — Protection of public health — Proportionality of the restriction on the freedom of establishment — Articles 47 and 48 of the Charter of Fundamental Rights — Effectiveness of judicial review — Rights of defence — General principle of the right to good administration

CURIA – Judgment of the Court of Justice in Case C-230/18 of 8 May 2019

Case C-347/18: OPINION OF ADVOCATE GENERAL BOBEK of 7 May 2019 - Alessandro Salvoni v Anna Maria Fiermonte

- Request for a preliminary ruling from the Tribunale di Milano (District Court, Milan, Italy)

CURIA – Opinion of Advocate General in Case C-347/18 of 7 May 2019

Case C-694/17: JUDGMENT OF THE COURT (Third Chamber) of 2 May 2019 - Pillar Securitisation Sàrl v Hildur Arnadottir

- REQUEST for a preliminary ruling under Article 267 TFEU from the Cour de cassation (Court of Cassation, Luxembourg)
- Reference for a preliminary ruling — Jurisdiction and the recognition and enforcement of judgments in civil and commercial matters — Lugano II Convention — Article 15 — Contract concluded by a consumer — Relationship with Directive 2008/48/EC — Consumer credit agreements — Articles 2 and 3 — Concepts of ‘consumer’ and of ‘transactions covered by the directive’ — Maximum amount of credit — Irrelevant for the purposes of Article 15 of the Lugano II Convention

CURIA – Judgment of the Court of Justice in Case C-694/17 of 2 May 2019

Case C-70/18: OPINION OF ADVOCATE GENERAL PITRUZZELLA of 2 May 2019 - Staatssecretaris van Justitie en Veiligheid v A, B and P

- Request for a preliminary ruling from the Raad van State (Council of State, Netherlands)

CURIA – Opinion of Advocate General in Case C-70/18 of 2 May 2019
Case C-556/17: OPINION OF ADVOCATE GENERAL BOBEK of 30 April 2019 - Alekszij Töörbarov v Bevándorlásügyi Hivatal - Request for a preliminary ruling from the Pécsi Közigazgatási és Munkaügyi Bíróság (Administrative and Labour Court, Pécs, Hungary) - Reference for a preliminary ruling — Area of freedom, security and justice — Border control, asylum and immigration — Common procedures for granting and withdrawing international protection — Judicial review of administrative decisions on application for international protection — Right to an effective remedy — Jurisdiction of the national court limited to the power to annul

CURIA – Opinion of Advocate General in Case C-556/17 of 30 April 2019


CURIA – Opinion of Advocate General in Case C-128/18 of 30 April 2019


CURIA – Opinion of Advocate General in Case C-198/18 of 30 April 2019

Joined Cases C-508/18 and C-82/19 PPU: OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA of 30 April 2019 - Minister for Justice and Equality v O.G. and P.I. - Requests for a preliminary ruling from the Supreme Court (Ireland) and the High Court (Ireland) - Reference for a preliminary ruling — Police and judicial cooperation in criminal matters — Framework Decision 2002/584/JHA — Article 6(1) — European arrest warrant — Concept of ‘judicial authority’ — Public Prosecutor’s Office — Independence from the executive

CURIA – Opinion of Advocate General in Case C-82/19 of 30 April 2019

16. Transport

Community Legislation


OJ of the EU, L 123/4 of 10 May 2019

Case Law


CURIA – Arrêt de la Cour de Justice dans l’affaire C-253/18 du 8 mai 2019
17. Community Institutions, Principles and the Communities’ own Resources

Community Legislation

COMMISSION DELEGATED REGULATION (EU) 2019/819 of 1 February 2019 supplementing Regulation (EU) No 346/2013 of the European Parliament and of the Council with regard to conflicts of interest, social impact measurement and information to investors in the area of European social entrepreneurship funds (Text with EEA relevance)
OJ of the EU, L 134/1 of 22 May 2019

OJ of the EU, L 134/8 of 22 May 2019

OJ of the EU, L 122/1 of 10 May 2019

OJ of the EU, L 116/75 of 3 May 2019

EUROPEAN SECURITIES AND MARKETS AUTHORITY DECISION (EU) 2019/679 of 17 April 2019 renewing the temporary restriction on the marketing, distribution or sale of contracts for differences to retail clients
OJ of the EU, L 114/22 of 30 April 2019

DECISION (EU) 2019/669 OF THE EUROPEAN CENTRAL BANK of 4 April 2019 amending Decision ECB/2013/10 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (ECB/2019/9)
OJ of the EU, L 113/6 of 29 April 2019

OJ of the EU, L 113/9 of 29 April 2019

GUIDELINE (EU) 2019/671 OF THE EUROPEAN CENTRAL BANK of 9 April 2019 on domestic asset and liability management operations by the national central banks (recast) (ECB/2019/7)
OJ of the EU, L 113/11 of 29 April 2019

EUROPEAN INVESTMENT BANK DECISION of 26 February 2019 laying down internal rules concerning the processing of personal data by the Personnel Directorate 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 112/1 of 26 April 2019
Case Law

Case C-94/18: OPINION OF ADVOCATE GENERAL SZPUNAR of 21 May 2019 - Nalini Chenchooliah v Minister for Justice and Equality - Request for a preliminary ruling from the High Court (Ireland) - Reference for a preliminary ruling — Citizenship of the Union — Directive 2004/38/EC — Right of citizens of the Union and their family members to move and reside freely within the territory of a Member State — Beneficiaries — Third-country national who is the spouse of a Union citizen who has exercised his freedom of movement and then returned to the Member State of which he is a national where he is serving a prison sentence — Applicability of Directive 2004/38 to the expulsion of that third-country national — Scope of Article 15 and of Chapter VI
CURIA – Opinion of Advocate General in Case C-94/18 of 21 May 2019

Affaire C-450/17 P: ARRÊT DE LA COUR (première chambre) du 8 mai 2019 - Landeskreditbank Baden-Württemberg – Förderbank, établie à Karlsruhe (Allemagne) contre Banque centrale européenne (BCE) et Commission européenne - ayant pour objet un pourvoi au titre de l’article 56 du statut de la Cour de justice de l’Union européenne - Pourvoi — Politique économique et monétaire — Règlement (UE) n° 1024/2013 — Article 6, paragraphe 4 — Règlement (UE) n° 468/2014 — Article 70, paragraphe 1 — Surveillance prudentielle des établissements de crédit — Missions confiées à la Banque centrale européenne (BCE) — Mécanisme de surveillance unique — Exercice de ces missions par les autorités compétentes nationales — Établissement de crédit “moins important” — “Circonstances particulières” justifiant de considérer un établissement de crédit comme étant “moins important”
CURIA – Arrêt de la Cour de Justice dans l’affaire C-450/17 du 8 mai 2019

CURIA – Arrêt de la Cour de Justice dans l’affaire C-243/18 du 8 mai 2019

Case C-28/18: OPINION OF ADVOCATE GENERAL SZPUNAR of 2 May 2019 - Verein für Konsumenteninformation v Deutsche Bahn AG - Request for a preliminary ruling from the Oberster Gerichtshof (Supreme Court, Austria) - Request for a preliminary ruling — Regulation (EU) No 260/2012 — Article 9(2) — Technical and commercial requirements for credit transfers and direct debits in euro — Accessibility of payments — Payment by SEPA (single euro payments area) direct debit — General conditions requiring the payer to have a residence in the same Member State as the payee
CURIA – Opinion of Advocate General in Case C-42/18 of 2 May 2019