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EU News: Click & Read

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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, legal professionals, as well as corporations with information about the latest legal developments in the European Union. Written in English or French, the newsletter offers links to documents in one of those languages.

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

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Highlights

Case C-633/22. Judgment of the Court (Grand Chamber) of 4 October 2024. Real Madrid Club de Fútbol and AE v EE and Soci t  Editrice du Monde SA. Request for a preliminary ruling from the Cour de cassation.

Reference for a preliminary ruling – Jurisdiction and the enforcement of judgments in civil and commercial matters – Regulation (EC) No 44/2001 – Articles 34 and 45 – **Recognition and enforcement of judgments** – Revocation of a declaration of enforceability of judgments – Grounds for refusal – Public policy in the State in which recognition is sought – **Penalty imposed on a newspaper and one of its journalists for harm caused to the reputation of a sports club** – Damages – Article 11 of the Charter of Fundamental Rights of the European Union – **Freedom of the press.**

[EUR-Lex - 62022CJ0633](#)

Joined Cases C-779/21 P and C-799/21 P. Judgment of the Court (Grand Chamber) of 4 October 2024. European Commission and Council of the European Union v Front populaire pour la lib ration de la Saguia el-Hamra et du Rio de oro (Front Polisario).

Appeals – External action – International agreements – **Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part – Allegations of infringements of international law resulting from the applicability of that second agreement to the territory of Western Sahara** – Action for annulment – Admissibility – Capacity to be a party to legal proceedings – Principle of the relative effect of treaties – **Principle of self-determination** – Non-self-governing territories – Article 73 of the Charter of the United Nations – Consent of the people of a non-self-governing territory which holds a right to self-determination as a third party to an international agreement.

[EUR-Lex - 62021CJ0779](#)

Case C-4/23. Judgment of the Court (Grand Chamber) of 4 October 2024. M.-A.A. v Direc ia de Eviden a a Persoanelor Cluj and Others. Request for a preliminary ruling from the Judec toria Sectorului 6 Bucure ti.

Reference for a preliminary ruling – Citizenship of the Union – Articles 20 and 21 TFEU – Articles 7 and 45 of the Charter of Fundamental Rights of the European Union – Right to move and reside freely within the territory of the Member States – **Union citizen who has lawfully acquired, during the exercise of that right and his residence in another Member State, a change of his first name and gender identity – Obligation on the part of that Member State to recognise and enter in the birth certificate that change of first name and gender identity** – National legislation which does not permit such recognition and entry, obliging the party concerned to bring new judicial proceedings for a change of gender identity in the Member State of origin

[EUR-Lex - 62023CJ0004](#)

1. EU-Swiss Relations

Community Legislation

Decision No 1/2024 of the Joint European Union/Switzerland Air Transport Committee set up under the Agreement between the European Community and the Swiss Confederation on Air Transport of 24 October 2024 replacing the Annex to the Agreement between the European Community and the Swiss Confederation on Air Transport [2024/2762]

[EUR-Lex - 22024D2762](#)

2. External Relations / Foreign Policy

Community Legislation

Regulation (EU) 2024/2773 of the European Parliament and of the Council of 24 October 2024 establishing the Ukraine Loan Cooperation Mechanism and providing exceptional macro-financial assistance to Ukraine

[Regulation - EU - 2024/2773](#)

Council Regulation (EU) 2024/2642 of 8 October 2024 concerning restrictive measures in view of Russia's destabilizing activities

[Regulation - EU - 2024/2642 - EN - EUR-Lex](#)

Case Law

Joined Cases C-779/21 P and C-799/21 P. Judgment of the Court (Grand Chamber) of 4 October 2024. European Commission and Council of the European Union v Front populaire pour la libération de la Saguia el-Hamra et du Rio de oro (Front Polisario).

Appeals – External action – International agreements – **Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part** – Agreement on the amendment of Protocols 1 and 4 to that agreement – Concluding act – **Allegations of infringements of international law resulting from the applicability of that second agreement to the territory of Western Sahara** – Action for annulment – Admissibility – Capacity to be a party to legal proceedings – Locus standi – Condition that an applicant must, in certain cases, be directly and individually concerned by the measure in question – Principle of the relative effect of treaties – **Principle of self-determination** – Non-self-governing territories – Article 73 of the Charter of the United Nations – Discretion of the Council of the European Union – Customary international law – General principles of EU law – Consent of the people of a non-self-governing territory which holds a right to self-determination as a third party to an international agreement.

[EUR-Lex - 62021CJ0779](#)

Case T-797/22. Judgment of the General Court (Grand Chamber) of 2 October 2024. Ordre néerlandais des avocats du barreau de Bruxelles and Others v Council of the European Union. Common foreign and security policy – Restrictive measures adopted in view of Russia's actions destabilising the situation in Ukraine – **Prohibition on the provision of legal advisory services to the Russian Government and entities established in Russia** – Fundamental role of lawyers in a democratic society – Right of lawyers to provide legal advisory services – **Right to be advised by a lawyer** – Articles 7 and 47 and Article 52(2) of the Charter of Fundamental Rights – Independence of lawyers – Rule of law – Proportionality – Legal certainty.

[EUR-Lex - 62022TJ0797](#)

Case C-399/22. Judgment of the Court (Grand Chamber) of 4 October 2024. Confédération paysanne v Ministre de l'Agriculture et de la Souveraineté alimentaire and Ministre de l'Économie, des Finances et de la Souveraineté industrielle et numérique. Request for a preliminary ruling from the Conseil d'État.

Reference for a preliminary ruling – Common commercial policy – International agreements – **Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part** – Amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement – Regulation (EU) No 1169/2011 – Article 9 – Article 26(2) – Implementing Regulation (EU) No 543/2011 – Article 3(1) and (2) – Article 5(1) and (2) – Article 8 – Article 15(1) and (4) – Annex I – Annex IV – Regulation (EU) No 1308/2013 – Article 76 – Provision of food information to consumers – Mandatory indication of the country of origin or place of provenance of foods – Fruit and vegetables harvested in Western Sahara – Request for a Member State unilaterally to ban imports of those goods in its territory – **Mandatory indication of Western Sahara as the place of provenance of tomatoes and melons harvested in that territory.**

[EUR-Lex - 62022CJ0399](#)

3. Agriculture and Fisheries / Maritime Affairs

Case Law

Case C-239/23. Judgment of the Court (Second Chamber) of 17 October 2024. Karl und Georg Anwander GbR Güterverwaltung v Land Baden-Württemberg. Request for a preliminary ruling from the Verwaltungsgericht Sigmaringen.

Reference for a preliminary ruling – Common agricultural policy (CAP) – Funding by the European Agricultural Fund for Rural Development (EAFRD) – Regulation (EU) No 1305/2013 – Articles 31 and 32 – **Payments for areas facing natural or other specific constraints** – Mountain areas – Compensatory allowance – National administrative provisions excluding payment of that allowance for eligible areas situated in a region, of the same Member State, other than the region where the place of business of the agricultural holding is located – Provisions using the place of business of the agricultural holding as a condition for the grant of that compensatory allowance.

[EUR-Lex - 62023CJ0239](#)

Case C-793/22. Judgment of the Court (Fourth Chamber) of 4 October 2024. Biohemp Concept SRL v Direcția pentru Agricultură Județeană Alba. Request for a preliminary ruling from the Curtea de Apel Alba Iulia.

Reference for a preliminary ruling – Common agricultural policy – Regulation (EU) No 1305/2013 – Regulation (EU) No 1307/2013 – Regulation (EU) No 1308/2013 – Cultivation of hemp (*Cannabis sativa*) – **Refusal to issue a permit for the cultivation of hemp using hydroponic systems in an indoor environment.**

[EUR-Lex - 62022CJ0793](#)

Case C-240/23. Judgment of the Court (Grand Chamber) of 4 October 2024. Herbaria Kräuterparadies GmbH v Freistaat Bayern. Request for a preliminary ruling from the Bundesverwaltungsgericht.

Reference for a preliminary ruling – Agriculture and fisheries – Organic products – Regulation (EU) 2018/848 – Organic production rules – Article 16 – Labelling – Article 30 – Terms referring to organic production – Article 33 – **Organic production logo of the European Union** – Conditions of use – Compliance of the product with Regulation 2018/848 – Articles 45 and 48 – **Import of products from a third country for the purpose of placing them on the market within the European Union as organic products** – Equivalence of the production rules of that third country with the rules of Regulation 2018/848 – Use of the third country's organic production logo.

[EUR-Lex - 62023CJ0240](#)

Case C-228/23. Judgment of the Court (First Chamber) of 4 October 2024. Association AFAÏA v Institut national de l'origine et de la qualité (INAO). Request for a preliminary ruling from the Conseil d'État.

Reference for a preliminary ruling – Agriculture – **Organic production and labelling of organic products** – Regulation (EU) 2018/848 – Use of certain products and substances in organic production and their listing – Derogation – Implementing Regulation (EU) 2021/1165 – Annex II – **Concepts of 'factory farming' and 'landless livestock production'** – Consumer confidence – Animal welfare – Respect for the environment and the climate – Criteria.

[EUR-Lex - 62023CJ0228](#)

4. Audiovisual and Media and Information Society

Case Law

Case C-21/23. Judgment of the Court (Grand Chamber) of 4 October 2024. ND v DR. Request for a preliminary ruling from the Bundesgerichtshof.

Reference for a preliminary ruling – Protection of personal data – Regulation (EU) 2016/679 – Chapter VIII – Remedies – **Medicinal products marketed by a pharmacist on an online platform – Action brought before the national civil courts by a competitor of that pharmacist on the basis of the prohibition of unfair commercial practices for infringement by the pharmacist of the obligations laid down by that regulation** – Standing to bring proceedings – Article 4(15) and Article 9(1) and (2) – Directive 95/46/EC – Article 8(1) and (2) – **Concept of ‘data concerning health’** – Conditions for the processing of those data.

[EUR-Lex - 62023CJ0021](#)

Case C-548/21. Judgment of the Court (Grand Chamber) of 4 October 2024. C.G. v Bezirkshauptmannschaft Landeck. Request for a preliminary ruling from the Landesverwaltungsgericht Tirol.

Reference for a preliminary ruling – **Protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences** – Directive (EU) 2016/680 – Article 3(2) – Concept of ‘processing’ – Article 4 – Principles relating to processing of personal data – Article 4(1)(c) – Principle of ‘data minimisation’ – Articles 7, 8 and 47 and Article 52(1) of the Charter of Fundamental Rights of the European Union – Requirement that a limitation on the exercise of a fundamental right must be ‘provided for by law’ – Proportionality – Assessment of proportionality in the light of all the relevant factors – Prior review by a court or independent administrative authority – Article 13 – Information to be made available or given to the data subject – Limits – Article 54 – Right to an effective judicial remedy against a controller or processor – Police investigation in relation to narcotics trafficking – **Attempt, by the police, to unlock a mobile telephone in order to gain access, for the purposes of that investigation, to the personal data stored in that telephone.**

[EUR-Lex - 62021CJ0548](#)

Case C-507/23. Judgment of the Court (Eighth Chamber) of 4 October 2024. A v Patērētāju tiesību aizsardzības centrs. Request for a preliminary ruling from the Augstākā tiesa (Senāts).

Reference for a preliminary ruling – Protection of personal data – Regulation (EU) 2016/679 – Article 82(1) – Right to compensation and liability – **Unlawful processing of data** – Infringement of the right to protection of personal data – Concept of ‘damage’ – **Compensation for non-material damage in the form of apologies** – Whether permissible – Principle of effectiveness – **Assessment of the form and level of compensation** – Whether possible to take into consideration the attitude and motivation of the controller.

[EUR-Lex - 62023CJ0507](#)

Case C-200/23. Judgment of the Court (First Chamber) of 4 October 2024. Agentsia po vpisvaniyata v OL. Request for a preliminary ruling from the Varhoven administrativen sad.

Reference for a preliminary ruling – Protection of natural persons with regard to the processing of personal data – **Regulation (EU) 2016/679 – Publication in the commercial register of a company’s constitutive instrument containing personal data** – Directive (EU) 2017/1132 – Non-compulsory personal data – Lack of consent of the data subject – Right to erasure – Non-material damage.

[EUR-Lex - 62023CJ0200](#)

Case C-621/22. Judgment of the Court (Ninth Chamber) of 4 October 2024. Koninklijke Nederlandse Lawn Tennisbond v Autoriteit Persoonsgegevens. Request for a preliminary ruling from the Rechtbank Amsterdam.

Reference for a preliminary ruling – **Protection of natural persons with regard to the processing of personal data** – Regulation (EU) 2016/679 – Article 5(1)(a) – Lawfulness of processing – Point (f) of the first subparagraph of Article 6(1) – Necessity of processing for the purposes of the legitimate interests pursued by the controller or by a third party – Concept of ‘legitimate interests’ – Commercial interest – Sports federation – **Disclosure, for consideration, of the personal data of the members of a sports federation to sponsors without the consent of those members.**

[EUR-Lex - 62022CJ0621](#)

Case C-446/21. Judgment of the Court (Fourth Chamber) of 4 October 2024. Maximilian Schrems v Meta Platforms Ireland Limited, anciennement Facebook Ireland Limited. Request for a preliminary ruling from the Oberster Gerichtshof.

Reference for a preliminary ruling – Protection of natural persons with regard to the processing of personal data – Regulation (EU) 2016/679 – **Online social networks** – General terms of use relating to contracts concluded between a digital platform and a user – Personalised advertising – Article 5(1)(b) – Principle of purpose limitation – Article 5(1)(c) – **Principle of data minimisation** – Article 9(1) and (2) – Processing of special categories of personal data – Data concerning sexual orientation – **Data which are made public by the data subject.**

[EUR-Lex - 62021CJ0446](#)

5. Competition and State Aid

Case Law

Case C-240/22 P. Judgment of the Court (Fifth Chamber) of 24 October 2024. European Commission v Intel Corporation Inc.

Appeal – Competition – **Abuse of dominant position – Microprocessors market** – Decision finding an infringement of Article 102 TFEU and Article 54 of the EEA Agreement – **Loyalty rebates** – Characterisation as abuse – Strategy aiming to exclude competitors that are at least as efficient as the dominant undertaking from the market.

[EUR-Lex - 62022CJ0240](#)

Case C-650/22. Judgment of the Court (Second Chamber) of 4 October 2024. Fédération internationale de football association (FIFA) v BZ.

Reference for a preliminary ruling – Internal market – Competition – **Rules introduced by an international sports association and implemented by that association with the assistance of its members** – Professional football – Private law entities vested with regulatory and control powers, and the power to impose sanctions – Regulations on the Status and Transfer of Players – **Regulations relating to the employment contracts concluded between clubs and players** – Early termination of an employment contract by the player – Player required to pay compensation – Joint and several liability of the new club – Sanctions – **Prohibition on issuing and registering the player's International Transfer Certificate while a dispute relating to the early termination of the employment contract is pending** – Prohibition of registration of other players – Article 45 TFEU – Restriction on the freedom of movement of workers – Justification – Article 101 TFEU – Decision by an association of undertakings having as its object the prevention or restriction of competition – Employment market – Recruitment of players by clubs – Market for interclub football competitions – Participation of clubs and players in sporting competitions – Restriction of competition by object – Exemption.

[EUR-Lex - 62022CJ0650](#)

6. Customs

Case Law

Case C-412/22. Judgment of the Court (Ninth Chamber) of 4 October 2024. Autoridade Tributária e Aduaneira v NT. Request for a preliminary ruling from the Supremo Tribunal Administrativo.

Reference for a preliminary ruling – **Dumping – Importation of certain iron or steel fasteners originating in the People's Republic of China** – Imports of certain iron or steel fasteners consigned from Malaysia – Implementing Regulation (EU) 2016/278 – Repeal of the anti-dumping duties imposed by Regulation (EC) No 91/2009 – Entry into effect of that repeal – Imports prior to that entry into effect – Post-clearance recovery of anti-dumping duties.

[EUR-Lex - 62022CJ0412](#)

7. Economic and Monetary Affairs, Taxation, Enterprise

Community Legislation

Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union

[Regulation - EU, Euratom - 2024/2509](#)

Case Law

Case C-60/23. Judgment of the Court (Fifth Chamber) of 17 October 2024. Skatteverket v Digital Charging Solutions GmbH. Request for a preliminary ruling from the Högsta förvaltningsdomstolen.

Reference for a preliminary ruling – Taxation – **Common system of value added tax (VAT)** – Directive 2006/112/EC – Articles 14 and 15 – **Electric vehicle charging** – Charging using devices provided by a company and allowing access to a network of charging points operated by different operators – Classification of the transaction for VAT purposes – **‘Supply of goods’** – Transfer made under commission contracts.

[EUR-Lex - 62023CJ0060](#)

Case C-171/23. Judgment of the Court (Fourth Chamber) of 4 October 2024. UP CAFFE d.o.o. v Ministarstvo financija Republike Hrvatske. Request for a preliminary ruling from the Upravni sud u Zagrebu.

Reference for a preliminary ruling – Taxation – Common system of value added tax (VAT) – Directive 2006/112/EC – Point 19 of Article 287 – **VAT exemption scheme for small enterprises – Abusive practice by forming a new company.**

[EUR-Lex - 62023CJ0171](#)

Case C-585/22. Judgment of the Court (First Chamber) of 4 October 2024. X BV v Staatssecretaris van Financiën. Request for a preliminary ruling from the Hoge Raad der Nederlanden.

Reference for a preliminary ruling – Freedom of establishment – Article 49 TFEU – **Corporation tax – Intra-group cross-border loan** for the purposes of financing the acquisition or the extension of an interest in a company not related to the group concerned that becomes, as a result of that transaction, related to that group – Deduction of interest paid on that loan – **Loan contracted on an arm’s length basis** – Concept of ‘wholly artificial arrangement’ – Principle of proportionality.

[EUR-Lex - 62022CJ0585](#)

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

Nothing to report for the period under review.

9. Employment and Social Affairs

Case Law

Case C-441/23. Judgment of the Court (Seventh Chamber) of 24 October 2024. LM v Omnitel Comunicaciones SL and Others. Request for a preliminary ruling from the Tribunal Superior de Justicia de Madrid.

Reference for a preliminary ruling – Social policy – Directive 2008/104/EC – **Temporary agency work** – Article 3(1) – Temporary-work agency – User undertaking – Definition – Assignment of a worker – Contract for the provision of services – Article 5(1) – Principle of equal treatment – Directive 2006/54/EC – Article 15 – **Maternity leave – Invalid or unfair dismissal** – Declaration that the temporary-work agency and the user undertaking are jointly and severally liable.

[EUR-Lex - 62023CJ0441](#)

Case C-408/23. Judgment of the Court (Seventh Chamber) of 17 October 2024. Rechtsanwältin und Notarin v Präsidentin des Oberlandesgerichts Hamm. Request for a preliminary ruling from the Oberlandesgericht Köln. Reference for a preliminary ruling – Social policy – Equal treatment in employment and occupation – Article 21 of the Charter of Fundamental Rights of the European Union – Directive 2000/78/EC – Article 2(2)(a) and Article 6(1) – **Prohibition of discrimination on grounds of age – Upper age limit of 60 years for first appointment to the position of lawyer commissioned as notary** – Vacant positions due to a lack of younger candidates – Justification – Appropriateness and necessity.

[EUR-Lex - 62023CJ0408](#)

Case C-349/23. Judgment of the Court (Second Chamber) of 17 October 2024. HB v Bundesrepublik Deutschland. Request for a preliminary ruling from the Verwaltungsgericht Karlsruhe.

Reference for a preliminary ruling – Social policy – Equal treatment in employment and occupation – Directive 2000/78/EC – Article 2(2)(a) – **Prohibition of discrimination on grounds of age** – Mandatory retirement age – **National legislation precluding any postponement of the retirement of federal judges** – Possibility for federal civil servants and Land judges to request the postponement of retirement – **Difference in treatment on grounds of membership of a socio-professional category or place of work.**

[EUR-Lex - 62023CJ0349](#)

Case C-322/23. Judgment of the Court (Seventh Chamber) of 17 October 2024. ED v Ministero dell'Istruzione e del Merito and Istituto nazionale della previdenza sociale (INPS). Request for a preliminary ruling from the Tribunale di Lecce.

Reference for a preliminary ruling – Social policy – Directive 1999/70/EC – **Framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP** – Clause 4 – Public sector – Teachers – Employment of fixed-term workers as career civil servants through recruitment based on qualifications – **Determination of the period of service deemed accrued** – Account taken only in part of periods of service completed under fixed-term contracts – Subsequent reinstatement of the period of service not taken into account – No effect on the assessment of the existence of discrimination.

[EUR-Lex - 62023CJ0322](#)

Joined Cases C-541/20 to C-555/20. Judgment of the Court (Grand Chamber) of 4 October 2024. Republic of Lithuania and Others v European Parliament and Council of the European Union.

Actions for annulment – **First package of mobility measures ('Mobility Package')** – Regulation (EU) 2020/1054 – **Maximum daily and weekly driving times** – Minimum breaks and daily and weekly rest periods – Organisation of the work of drivers in such a way that they are able to return every three or four weeks, as the case may be, to their place of residence or to the operational centre of their employer to start or spend their regular or compensatory weekly rest period there – Prohibition of regular or compensatory weekly rest in the vehicle – Time limit for the installation of second generation (V2) intelligent tachographs – Date of entry into force – Regulation (EU) 2020/1055 – Conditions relating to the requirement of establishment – Obligation to return the vehicle to the operational centre in the Member State of establishment – Obligation concerning the number of vehicles and drivers normally based at the operational centre of the Member State of establishment – Cabotage – Waiting period of four days for cabotage – Derogation for cabotage as part of combined transport operations – Directive (EU) 2020/1057 – Specific rules for posting drivers in the road transport sector – Transposition period – Internal market – Specific regime applicable to the freedom to provide transport services – Common transport policy – Articles 91 and 94 TFEU – Fundamental Freedoms – Principle of proportionality – Impact assessment – Principles of equal treatment and non-discrimination – Principles of legal certainty and protection of legitimate expectations – Protection of the environment – Article 11 TFEU – Consultation of the European Economic and Social Committee and the European Committee of the Regions.

[EUR-Lex - 62020CJ0541](#)

Case C-314/23. Judgment of the Court (Fourth Chamber) of 4 October 2024. Ministerio Fiscal v Air Nostrum, Líneas Aéreas del Mediterráneo SA and Others. Request for a preliminary ruling from the Audiencia Nacional.

Reference for a preliminary ruling – Social policy – **Equal treatment between men and women in matters of employment and occupation** – Directive 2006/54/EC – Article 2(1)(e) – **Concept of 'pay'** – Article 4 – Prohibition of indirect discrimination on grounds of sex.

[EUR-Lex - 62023CJ0314](#)

10. Energy and Environment

Case Law

Case C-461/23. Judgment of the Court (Seventh Chamber) of 17 October 2024. Umweltforum Osnabrücker Land e. V. v Landkreis Osnabrück. Request for a preliminary ruling from the Niedersächsisches Oberverwaltungsgericht.

Reference for a preliminary ruling – Environment – Directive 2001/42/EC – **Assessment of the effects of certain plans and programmes on the environment** – Article 3(2)(b) – Directive 92/43/EEC – Article 6(3) – **Acts for which an assessment is required** – National legislative act designating a site as a special area of conservation – List of human activities prohibited on that site, with certain exceptions.

[EUR-Lex - 62023CJ0461](#)

11. Food Safety, Public Health and Consumers

Case Law

Case C-347/23. Judgment of the Court (Tenth Chamber) of 24 October 2024. LB and JL v Getin Noble Bank S.A. Request for a preliminary ruling from the Sed Okręgowy w Warszawie.

Reference for a preliminary ruling – Consumer protection – Directive 93/13/EEC – Unfair terms in consumer contracts – Article 2(b) – **Definition of ‘consumer’ – Mortgage loan agreement indexed to a foreign currency** – Natural person who has acquired a residential property to be leased for consideration.

[EUR-Lex - 62023CJ0347](#)

Case C-339/23. Judgment of the Court (Tenth Chamber) of 24 October 2024. Horyzont Niestandaryzowany Sekurytyzacyjny Fundusz Inwestycyjny Zamknięty v LC. Request for a preliminary ruling from the Sąd Rejonowy w Siemianowicach Śląskich.

Reference for a preliminary ruling – Consumer protection – Credit agreements for consumers – Directive 2008/48/EC – **Risk of over-indebtedness** – Article 8 – **Obligation on the creditor to check the creditworthiness of the consumer** – Article 10 – Information to be included in credit agreements – Article 23 – Penalty in the event of failure to comply with that obligation – Equivalent penalties – Effective, proportionate and dissuasive nature of the penalty.

[EUR-Lex - 62023CJ0339](#)

Joined Cases C-650/23 and C-705/23. Judgment of the Court (Eighth Chamber) of 17 October 2024. E EAD and Flightright GmbH v DW and Condor Flugdienst GmbH. Requests for a preliminary ruling from the Landesgericht Korneuburg and Landgericht Düsseldorf.

Reference for a preliminary ruling – Air transport – Package tour – Regulation (EC) No 261/2004 – Article 3(6) – Directive (EU) 2015/2302 – Article 14(5) – Cumulative application – Limitations – Regulation No 261/2004 – Article 3(2) – Article 4(3) – **Compensation for passengers in the event of denied boarding** – Passengers informed in advance of denied boarding – **Incorrect information** – Tour operator transferring passengers to another flight – Flight nonetheless carried out by the operating air carrier as originally planned – Operating air carrier’s obligation to provide compensation – Article 13 – Possibility of seeking reimbursement from the tour operator.

[EUR-Lex - 62023CJ0650](#)

Case C-76/22. Judgment of the Court (Third Chamber) of 17 October 2024. QI v Santander Bank Polska S.A. Request for a preliminary ruling from the Sąd Rejonowy dla Warszawy-Woli w Warszawie.

Reference for a preliminary ruling – Consumer protection – Directive 2014/17/EU – **Credit agreements for consumers relating to residential immovable property** – Article 25(1) – Early repayment – Consumer’s right to a reduction in the total cost of the credit – Article 4(13) – **Concept of ‘total cost of the credit to the consumer’** – Costs that are dependent of the duration of the contract – Commission for granting the credit payable when concluding the contract – Methodology for calculating the reduction.

[EUR-Lex - 62022CJ0076](#)

Case C-409/23. Judgment of the Court (Fourth Chamber) of 17 October 2024. Riverty GmbH, successeur légal de Arvato Finance BV v MI. Request for a preliminary ruling from the Hoge Raad der Nederlanden.

Reference for a preliminary ruling – Consumer protection – Directive 2008/48/EC – Scope – Credit agreements for consumers – Exceptions – Article 2(2)(f) – **Interest-free credit agreements without other charges or providing for negligible charges** – Deferred payment service ‘Buy now, pay later’ – Late payment – Default interest and out-of-court collection costs.

[EUR-Lex - 62023CJ0409](#)

Case C-438/23. Judgment of the Court (Second Chamber) of 4 October 2024. Protéines France and Others v Ministre de l'Économie, des Finances et de la Souveraineté industrielle et numérique. Request for a preliminary ruling from the Conseil d'État.

Reference for a preliminary ruling – Regulation (EU) No 1169/2011 – **Provision of food information to consumers** – Article 2(2)(n) to (p), and Articles 7, 9 and 17 – Fair practices concerning the names of foods – Legal names, customary names and descriptive names – Substitution of components or ingredients of a food – Article 38(1) – Matters specifically harmonised – **National measures prohibiting the use of meat-related names to designate a product containing vegetable proteins.**

[EUR-Lex - 62023CJ0438](#)

Case C-546/22. Judgment of the Court (Seventh Chamber) of 4 October 2024. GF v Schauinsland-Reisen GmbH. Request for a preliminary ruling from the Oberster Gerichtshof.

Reference for a preliminary ruling – Package travel and linked travel arrangements – Directive (EU) 2015/2302 – Article 12(3) – **Termination of a package travel contract by the organiser** – Unavoidable and extraordinary circumstances – Performance of the trip prevented as a result of such circumstances – **Official recommendation advising against travel to the destination country due to the spread of COVID-19.**

[EUR-Lex - 62022CJ0546](#)

12. Human Rights

Case Law

Case C-408/23. Judgment of the Court (Seventh Chamber) of 17 October 2024. Rechtsanwältin und Notarin v Präsidentin des Oberlandesgerichts Hamm. Request for a preliminary ruling from the Oberlandesgericht Köln.

Reference for a preliminary ruling – Social policy – Equal treatment in employment and occupation – Article 21 of the Charter of Fundamental Rights of the European Union – Directive 2000/78/EC – Article 2(2)(a) and Article 6(1) – **Prohibition of discrimination on grounds of age – Upper age limit of 60 years for first appointment to the position of lawyer commissioned as notary** – Vacant positions due to a lack of younger candidates – Justification – Appropriateness and necessity.

[EUR-Lex - 62023CJ0408](#)

Case C-156/23. Judgment of the Court (Third Chamber) of 17 October 2024. K and Others v Staatssecretaris van Justitie en Veiligheid. Request for a preliminary ruling from the Rechtbank Den Haag, zittingsplaats Roermond.

Reference for a preliminary ruling – Area of freedom, security and justice – Immigration policy – Return of third-country nationals staying illegally in a Member State – Directive 2008/115/EC – Article 5 – Principle of non-refoulement – **Enforcement of a return decision adopted in the context of a procedure for international protection, as a result of the illegal stay of the third-country national concerned arising from the rejection of an application for a residence permit provided for by national law** – Obligation for the administrative authority to assess whether the enforcement of such a decision complies with the principle of non-refoulement – Article 13 – Remedies against decisions related to return – **Obligation, for the national court, to raise of its own motion infringement of the principle of non-refoulement when enforcing a return decision** – Scope – Article 4, Article 19(2) and Article 47 of the Charter of Fundamental Rights of the European Union.

[EUR-Lex - 62023CJ0156](#)

Case C-387/24 PPU. Judgment of the Court (First Chamber) of 4 October 2024. C v Staatssecretaris van Justitie en Veiligheid.

Request for a preliminary ruling from the Rechtbank Den Haag, zittingsplaats Roermond. Reference for a preliminary ruling – Urgent preliminary ruling procedure – Border control, asylum and immigration – Directive 2008/115/EC – Article 15(2)(b) – Detention of a third-country national for the purpose of removal – Directive 2013/33/EU – Article 9 – **Detention of an applicant for international protection** – Regulation (EU) No 604/2013 – Article 28(2) – **Detention for the purpose of transfer** – Unlawful detention – **Articles 6 and 47 of the Charter of Fundamental Rights of the European Union.**

[EUR-Lex - 62024CJ0387](#)

Case T-797/22. Judgment of the General Court (Grand Chamber) of 2 October 2024.

Ordre néerlandais des avocats du barreau de Bruxelles and Others v Council of the European Union.

Common foreign and security policy – Restrictive measures adopted in view of Russia’s actions destabilising the situation in Ukraine – **Prohibition on the provision of legal advisory services to the Russian Government and entities established in Russia** – Fundamental role of lawyers in a democratic society – Right of lawyers to provide legal advisory services – **Right to be advised by a lawyer** – Articles 7 and 47 and Article 52(2) of the Charter of Fundamental Rights – Independence of lawyers – Rule of law – Proportionality – Legal certainty.

[EUR-Lex - 62022TJ0797](#)

Case C-548/21. Judgment of the Court (Grand Chamber) of 4 October 2024. C.G. v Bezirkshauptmannschaft Landeck. Request for a preliminary ruling from the Landesverwaltungsgericht Tirol.

Reference for a preliminary ruling – **Protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences** – Directive (EU) 2016/680 – Article 3(2) – Concept of ‘processing’ – Article 4 – Principles relating to processing of personal data – Article 4(1)(c) – Principle of ‘data minimisation’ – Articles 7, 8 and 47 and Article 52(1) of the Charter of Fundamental Rights of the European Union – Requirement that a limitation on the exercise of a fundamental right must be ‘provided for by law’ – Proportionality – Assessment of proportionality in the light of all the relevant factors – Prior review by a court or independent administrative authority – Article 13 – Information to be made available or given to the data subject – Limits – Article 54 – Right to an effective judicial remedy against a controller or processor – Police investigation in relation to narcotics trafficking – **Attempt, by the police, to unlock a mobile telephone in order to gain access, for the purposes of that investigation, to the personal data stored in that telephone.**

[EUR-Lex - 62021CJ0548](#)

Case C-4/23. Judgment of the Court (Grand Chamber) of 4 October 2024. M.-A.A. v Direcția de Evidență a Persoanelor Cluj and Others. Request for a preliminary ruling from the Judecătoria Sectorului 6 București.

Reference for a preliminary ruling – Citizenship of the Union – Articles 20 and 21 TFEU – Articles 7 and 45 of the Charter of Fundamental Rights of the European Union – Right to move and reside freely within the territory of the Member States – **Union citizen who has lawfully acquired, during the exercise of that right and his residence in another Member State, a change of his first name and gender identity – Obligation on the part of that Member State to recognise and enter in the birth certificate that change of first name and gender identity** – National legislation which does not permit such recognition and entry, obliging the party concerned to bring new judicial proceedings for a change of gender identity in the Member State of origin – Effect of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union.

[EUR-Lex - 62023CJ0004](#)

Case C-134/23. Judgment of the Court (Fourth Chamber) of 4 October 2024. Somateio «Elliniko Symvoulío gia tous Prosfyges» and Astiki Mi Kerdoskopiki Etaireia «Ypostirixi Prosfygon sto Aigaiο» v Ypourgos Exoterikon and Ypourgos Metanastefsis kai Asylou. Request for a preliminary ruling from the Symvoulío tis Epikrateias.

Reference for a preliminary ruling – **Granting of international protection** – Directive 2013/32/EU – Article 38 – Article 18 of the Charter of Fundamental Rights of the European Union – Concept of ‘safe third country’ – **Classification of the Republic of Türkiye as a ‘safe third country’** – Readmission of applicants for international protection in third countries – Refusal.

[EUR-Lex - 62023CJ0134](#)

13. Internal Market and Free Movement

Case Law

Case C-513/23. Judgment of the Court (Ninth Chamber) of 24 October 2024. Obshtina Pleven v Rakovoditel na Upravlyavashtia organ na Operativna programa „Regioni v rastezh“ 2014-2020. Request for a preliminary ruling from the Administrativen sad - Pleven.

Reference for a preliminary ruling – **Procedures for the award of public works contracts, public supply contracts and public service contracts** – Directive 2014/24/EU – Public works contracts – Article 42(3)(b) – Technical specifications – **Words ‘or equivalent’** – Reference to technical standards – Regulation (EU) No 305/2011 – Directive 2014/35/EU.

[EUR-Lex - 62023CJ0513](#)

Case C-476/23. Judgment of the Court (Tenth Chamber) of 24 October 2024. „STAR POST“ EOOD v Komisija za regulirane na saobshstheniyata. Request for a preliminary ruling from the Varhoven administrativen sad.

Reference for a preliminary ruling – Postal services in the European Union – Directive 97/67/EC – Article 22(3) – **Concept of ‘postal service provider affected by a decision of a national regulatory authority’** – Right of appeal.

[EUR-Lex - 62023CJ0476](#)

Case C-652/22. Judgment of the Court (Grand Chamber) of 22 October 2024. Kolin İnşaat Turizm Sanayi ve Ticaret AŞ v Državna komisija za kontrolu postupaka javne nabave. Request for a preliminary ruling from the Visoki upravni sud.

Reference for a preliminary ruling – Public procurement in the European Union – Directive 2014/25/EU – Article 43 – **Economic operators of a third country which has not concluded an international agreement with the European Union which guarantees access to public procurement in a reciprocal and equal manner** – No right on the part of those economic operators to ‘no less favourable’ treatment – **Participation of such an economic operator in a public procurement procedure** – Inapplicability of Directive 2014/25 – Inadmissibility in the context of an action brought by that economic operator seeking a request for a preliminary ruling concerning the interpretation of provisions of that directive.

[EUR-Lex - 62022CJ0652](#)

Case C-16/23. Judgment of the Court (First Chamber) of 17 October 2024. FA.RO. di YK & C. Sas v Agenzia delle Dogane e dei Monopoli. Request for a preliminary ruling from the Tribunale Amministrativo Regionale della Liguria.

Reference for a preliminary ruling – Services in the internal market – Directive 2006/123/EC – Authorisation scheme – Article 10 – Conditions for the granting of authorisation – **Sale of tobacco products – National legislation making the grant of authorisation to establish a point of sale for tobacco products subject to compliance with conditions** – Conditions relating to distance and population – Protection of public health against smoking.

[EUR-Lex - 62023CJ0016](#)

Case C-4/23. Judgment of the Court (Grand Chamber) of 4 October 2024. M.-A.A. v Direcția de Evidență a Persoanelor Cluj and Others. Request for a preliminary ruling from the Judecătoria Sectorului 6 București.

Reference for a preliminary ruling – Citizenship of the Union – Articles 20 and 21 TFEU – Articles 7 and 45 of the Charter of Fundamental Rights of the European Union – Right to move and reside freely within the territory of the Member States – **Union citizen who has lawfully acquired, during the exercise of that right and his residence in another Member State, a change of his first name and gender identity – Obligation on the part of that Member State to recognise and enter in the birth certificate that change of first name and gender identity** – National legislation which does not permit such recognition and entry, obliging the party concerned to bring new judicial proceedings for a change of gender identity in the Member State of origin – Effect of the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union.

[EUR-Lex - 62023CJ0004](#)

Case C-650/22. Judgment of the Court (Second Chamber) of 4 October 2024. Fédération internationale de football association (FIFA) v BZ.

Reference for a preliminary ruling – Internal market – Competition – **Rules introduced by an international sports association and implemented by that association with the assistance of its members** – Professional football – Private law entities vested with regulatory and control powers, and the power to impose sanctions – Regulations on the Status and Transfer of Players – **Regulations relating to the employment contracts concluded between clubs and players** – Early termination of an employment contract by the player – Player required to pay compensation – Joint and several liability of the new club – Sanctions – **Prohibition on issuing and registering the player’s International Transfer Certificate while a dispute relating to the early termination of the employment contract is pending** – Prohibition of registration of other players – Article 45 TFEU – Restriction on the freedom of movement of workers – Justification – Article 101 TFEU – Decision by an association of undertakings having as its object the prevention or restriction of competition – Employment market – Recruitment of players by clubs – Market for interclub football competitions – Participation of clubs and players in sporting competitions – Restriction of competition by object – Exemption.

[EUR-Lex - 62022CJ0650](#)

Case C-242/23. Judgment of the Court (First Chamber) of 4 October 2024. Tecno*37 v Ministero dello Sviluppo Economico and Camera di Commercio Industria Artigianato e Agricoltura di Bologna. Request for a preliminary ruling from the Consiglio di Stato.

Reference for a preliminary ruling – Freedom to provide services – Directive 2006/123/EC – Article 25(1) – Restrictions on multidisciplinary activities – Regulated profession – **National legislation providing for, as a general rule, the incompatibility of the joint exercise of the activity of property brokerage and that of property manager** – Requirements of independence and impartiality – Proportionality of the restriction – Consequences of the closure of an infringement procedure brought by the European Commission against a Member State.

[EUR-Lex - 62023CJ0242](#)

Case C-585/22. Judgment of the Court (First Chamber) of 4 October 2024. X BV v Staatssecretaris van Financiën. Request for a preliminary ruling from the Hoge Raad der Nederlanden.

Reference for a preliminary ruling – Freedom of establishment – Article 49 TFEU – **Corporation tax – Intra-group cross-border loan** for the purposes of financing the acquisition or the extension of an interest in a company not related to the group concerned that becomes, as a result of that transaction, related to that group – Deduction of interest paid on that loan – **Loan contracted on an arm’s length basis** – Concept of ‘wholly artificial arrangement’ – Principle of proportionality.

[EUR-Lex - 62022CJ0585](#)

14. Intellectual Property

Case Law

Case C-227/23. Judgment of the Court (First Chamber) of 24 October 2024. Kwantum Nederland BV and Kwantum België BV v Vitra Collections AG. Request for a preliminary ruling from the Hoge Raad der Nederlanden.

Reference for a preliminary ruling – Intellectual and industrial property – Copyright – Directive 2001/29/EC – Articles 2 to 4 – Exclusive rights – **Copyright protection for subject matter of applied art the country of origin of which is not a Member State – Berne Convention** – Article 2(7) – **Criterion of material reciprocity** – Division of competences between the European Union and its Member States – Application by the Member States of the criterion of material reciprocity – First paragraph of Article 351 TFEU.

[EUR-Lex - 62023CJ0227](#)

Case C-159/23. Judgment of the Court (First Chamber) of 17 October 2024. Sony Computer Entertainment Europe Ltd v Datel Design and Development Ltd and Others. Request for a preliminary ruling from the Bundesgerichtshof.

Reference for a preliminary ruling – Intellectual property – Copyright and related rights – **Legal protection of computer programs** – Directive 2009/24/EC – Article 1 – Scope – Forms of expression of a computer program – Concept – Article 4(1)(b) – Alteration of a computer program – Change of the content of the variables stored in the computer’s RAM and used during the running of the program.

[EUR-Lex - 62023CJ0159](#)

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

Case Law

Case C-156/23. Judgment of the Court (Third Chamber) of 17 October 2024. K and Others v Staatssecretaris van Justitie en Veiligheid. Request for a preliminary ruling from the Rechtbank Den Haag, zittingsplaats Roermond.

Reference for a preliminary ruling – Area of freedom, security and justice – Immigration policy – Return of third-country nationals staying illegally in a Member State – Directive 2008/115/EC – Article 5 – Principle of non-refoulement – **Enforcement of a return decision adopted in the context of a procedure for international protection, as a result of the illegal stay of the third-country national concerned arising from the rejection of an application for a residence permit provided for by national law** – Obligation for the administrative authority to assess whether the enforcement of such a decision complies with the principle of non-refoulement – Article 13 – Remedies against decisions related to return – **Obligation, for the national court, to raise of its own motion infringement of the principle of non-refoulement when enforcing a return decision** – Scope – Article 4, Article 19(2) and Article 47 of the Charter of Fundamental Rights of the European Union.

[EUR-Lex - 62023CJ0156](#)

Case C-387/24 PPU. Judgment of the Court (First Chamber) of 4 October 2024. C v Staatssecretaris van Justitie en Veiligheid.

Request for a preliminary ruling from the Rechtbank Den Haag, zittingsplaats Roermond. Reference for a preliminary ruling – Urgent preliminary ruling procedure – Border control, asylum and immigration – Directive 2008/115/EC – Article 15(2)(b) – Detention of a third-country national for the purpose of removal – Directive 2013/33/EU – Article 9 – **Detention of an applicant for international protection** – Regulation (EU) No 604/2013 – Article 28(2) – **Detention for the purpose of transfer** – Unlawful detention – **Articles 6 and 47 of the Charter of Fundamental Rights of the European Union.**

[EUR-Lex - 62024CJ0387](#)

Joined Cases C-767/22, C-49/23 and C-161/23. Judgment of the Court (First Chamber) of 4 October 2024. 1Dream OÜ and Others v Latvijas Republikas Saeima. Requests for a preliminary ruling from the Satversmes tiesa.

Reference for a preliminary ruling – Judicial cooperation in criminal matters – Confiscation of crime-related proceeds, instrumentalities and property – Framework Decision 2005/212/JHA – Directive 2014/42/EU – Scope – **National criminal proceedings capable of leading to the confiscation of illegally obtained assets** – No finding of a criminal offence – **Confiscation without conviction** – Reasons other than illness or absconding.

[EUR-Lex - 62022CJ0767](#)

Case C-494/23. Judgment of the Court (Seventh Chamber) of 4 October 2024. QE and IJ v DP and EB. Request for a preliminary ruling from the Nejvyšší soud.

Reference for a preliminary ruling – Judicial cooperation in civil matters – Jurisdiction and the enforcement of judgments in civil and commercial matters – **Regulation (EU) No 1215/2012** – Article 1(1) – Scope – Civil and commercial matters – Concept – **Proceedings seeking to substitute the defendant’s consent to the release of property seized by the law enforcement authorities from the custody of the court** – Article 8(2) – Application to intervene – Concept of ‘third party’.

[EUR-Lex - 62023CJ0494](#)

Case C-406/22. Judgment of the Court (Grand Chamber) of 4 October 2024. CV v Ministerstvo vnitra České republiky, Odbor azylové a migrační politiky. Request for a preliminary ruling from the Krajský soud v Brně. Reference for a preliminary ruling – Asylum policy – International protection – Directive 2013/32/EU – **Common procedures for granting and withdrawing international protection** – Articles 36 and 37 – **Concept of ‘safe country of origin’** – Designation – Annex I – Criteria – Article 46 – Right to an effective remedy – Examination by the court of the designation of a third country as a safe country of origin.

[EUR-Lex - 62022CJ0406](#)

Case C-134/23. Judgment of the Court (Fourth Chamber) of 4 October 2024. Somateio «Elliniko Symvoulio gia tous Prosfyges» and Astiki Mi Kerdoskopiki Etaireia «Ypostirixi Prosfygon sto Aigaio» v Ypourgos Exoterikon and Ypourgos Metanastefsis kai Asylou. Request for a preliminary ruling from the Symvoulio tis Epikrateias. Reference for a preliminary ruling – **Granting of international protection** – Directive 2013/32/EU – Article 38 – Article 18 of the Charter of Fundamental Rights of the European Union – Concept of ‘safe third country’ – **Classification of the Republic of Türkiye as a ‘safe third country’** – Readmission of applicants for international protection in third countries – Refusal.

[EUR-Lex - 62023CJ0134](#)

Joined Cases C-608/22 and C-609/22. Judgment of the Court (Third Chamber) of 4 October 2024. AH and FN v Bundesamt für Fremdenwesen und Asyl. Requests for a preliminary ruling from the Verwaltungsgerichtshof. References for a preliminary ruling – Area of freedom, security and justice – Common asylum policy – Directive 2011/95/EU – **Conditions that must be fulfilled by third-country nationals in order to be granted refugee status** – Article 2(d) and (e) – Concept of ‘act of persecution’ – Level of seriousness required – Article 9 – **Sufficiently severe accumulation of measures that discriminate against women** – Article 9(1)(b) – Types of acts of persecution – Article 9(2) – Assessment of applications for international protection – Article 4(3) – **Obligation to carry out an individual assessment** – Scope.

[EUR-Lex - 62022CJ0608](#)

Case C-633/22. Judgment of the Court (Grand Chamber) of 4 October 2024. Real Madrid Club de Fútbol and AE v EE and Société Éditrice du Monde SA. Request for a preliminary ruling from the Cour de cassation. Reference for a preliminary ruling – Area of freedom, security and justice – Judicial cooperation in civil matters – Jurisdiction and the enforcement of judgments in civil and commercial matters – Regulation (EC) No 44/2001 – Articles 34 and 45 – **Recognition and enforcement of judgments** – Revocation of a declaration of enforceability of judgments – Grounds for refusal – Public policy in the State in which recognition is sought – **Penalty imposed on a newspaper and one of its journalists for harm caused to the reputation of a sports club** – Damages – Article 11 of the Charter of Fundamental Rights of the European Union – **Freedom of the press.**

[EUR-Lex - 62022CJ0633](#)

16. Transport

Case Law

Joined Cases C-650/23 and C-705/23. Judgment of the Court (Eighth Chamber) of 17 October 2024. E EAD and Flightright GmbH v DW and Condor Flugdienst GmbH. Requests for a preliminary ruling from the Landesgericht Korneuburg and Landgericht Düsseldorf.

Reference for a preliminary ruling – Air transport – Package tour – Regulation (EC) No 261/2004 – Article 3(6) – Directive (EU) 2015/2302 – Article 14(5) – Cumulative application – Limitations – Regulation No 261/2004 – Article 3(2) – Article 4(3) – **Compensation for passengers in the event of denied boarding** – Passengers informed in advance of denied boarding – **Incorrect information** – Tour operator transferring passengers to another flight – Flight nonetheless carried out by the operating air carrier as originally planned – Operating air carrier’s obligation to provide compensation – Article 13 – Possibility of seeking reimbursement from the tour operator.

[EUR-Lex - 62023CJ0650](#)

Joined Cases C-541/20 to C-555/20. Judgment of the Court (Grand Chamber) of 4 October 2024. Republic of Lithuania and Others v European Parliament and Council of the European Union.

Actions for annulment – **First package of mobility measures ('Mobility Package')** – Regulation (EU) 2020/1054 – **Maximum daily and weekly driving times** – Minimum breaks and daily and weekly rest periods – Organisation of the work of drivers in such a way that they are able to return every three or four weeks, as the case may be, to their place of residence or to the operational centre of their employer to start or spend their regular or compensatory weekly rest period there – Prohibition of regular or compensatory weekly rest in the vehicle – Time limit for the installation of second generation (V2) intelligent tachographs – Date of entry into force – Regulation (EU) 2020/1055 – Conditions relating to the requirement of establishment – Obligation to return the vehicle to the operational centre in the Member State of establishment – Obligation concerning the number of vehicles and drivers normally based at the operational centre of the Member State of establishment – Cabotage – Waiting period of four days for cabotage – Derogation for cabotage as part of combined transport operations – Directive (EU) 2020/1057 – Specific rules for posting drivers in the road transport sector – Transposition period – Internal market – Specific regime applicable to the freedom to provide transport services – Common transport policy – Articles 91 and 94 TFEU – Fundamental Freedoms – Principle of proportionality – Impact assessment – Principles of equal treatment and non-discrimination – Principles of legal certainty and protection of legitimate expectations – Protection of the environment – Article 11 TFEU – Consultation of the European Economic and Social Committee and the European Committee of the Regions.

[EUR-Lex - 62020CJ0541](#)

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

Case Law

Case C-701/22. Judgment of the Court (Third Chamber) of 17 October 2024. SC AA SRL v MFE. Request for a preliminary ruling from the Curtea de Apel Cluj.

Reference for a preliminary ruling – European Regional Development Fund (ERDF) – Regulation (EC) No 1083/2006 – Article 60 – Principle of sound financial management – Article 80 – Right of beneficiaries to receive payments as soon as possible and in full – Right to obtain interest for late payment – **Principles of effectiveness and equivalence – Termination of an ERDF financing contract on account of irregularities in its performance** – Annulment of that termination – Correction of the irregularities – Combating late payment in commercial transactions – Directive 2011/7/EU – Scope.

[EUR-Lex - 62022CJ0701](#)

Case C-144/23. Judgment of the Court (Grand Chamber) of 15 October 2024. KUBERA, trgovanje s hrano in pijačo, d.o.o. v Republika Slovenija. Request for a preliminary ruling from the Vrhovno sodišče Republike Slovenije.

Reference for a preliminary ruling – Article 267 TFEU – **Scope of the obligation on national courts or tribunals of last instance to make a reference for a preliminary ruling** – Proceedings relating to the grant of leave to appeal on a point of law to the supreme court of a Member State – **Request by the party seeking leave to appeal on a point of law that a question concerning the interpretation of EU law be referred to the Court of Justice** – National legislation under which leave to appeal on a point of law is to be granted if the appeal raises a question of law that is important for ensuring legal certainty, the uniform application of the law or its development – Obligation for the national supreme court to consider, in proceedings relating to the grant of leave to appeal on a point of law, whether a reference for a preliminary ruling should be made – Statement of reasons for the decision refusing leave to appeal on a point of law.

[EUR-Lex - 62023CJ0144](#)