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Highlights

Case C-483/14: JUDGMENT OF THE COURT (Third Chamber) of 7 April 2016 - KA Finanz AG v Sparkassen Versicherung AG Vienna Insurance Group - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberster Gerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — **Rome Convention** — **Applicable law** — **Cross-border merger** — Directive 78/855/EEC — Directive 2005/56/EC — **Merger by acquisition** — **Protection of creditors** — **Transfer of all the assets and liabilities of the company being acquired to the acquiring company**

[CURIA – Judgment of the Court of Justice in Case C-483/14 of 7 April 2016](#)

Case C-572/14: JUDGMENT OF THE COURT (First Chamber) of 21 April 2016 - Austro-Mechana Gesellschaft zur Wahrnehmung mechanisch-musikalischer Urheberrechte GmbH v Amazon EU Sàrl, Amazon Services Europe Sàrl, Amazon.de GmbH, Amazon Logistik GmbH and Amazon Media Sàrl - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberster Gerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — Regulation (EC) No 44/2001— **Jurisdiction in civil and commercial matters** — Article 5(3) — **Concept of 'tort, delict or quasi-delict'** — Directive 2001/29/EC — **Harmonisation of certain aspects of copyright and related rights in the information society** — Article 5(2)(b) — **Reproduction right** — **Exceptions and limitations** — **Reproduction for private use** — **Fair compensation** — **Non-payment** — **Whether included in the scope of Article 5(3) of Regulation (EC) No 44/2001**

[CURIA – Judgment of the Court of Justice in Case C-572/14 of 21 April 2016](#)

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EU News: Click & Read

April 2016

European Documentation Centre

Editor: **Alfredo Santos** Legal Adviser

This monthly 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 both languages.

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

1. EU-Swiss Relations

Community Legislation

COUNCIL DECISION (CFSP) 2016/612 of 23 March 2016 on the **signing and conclusion of the Participation Agreement between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union CSDP mission in Mali** (EUCAP Sahel Mali)
[OJ of the EU, L 105/1 of 21 April 2016](#)

PARTICIPATION AGREEMENT between the **European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union CSDP mission in Mali** (EUCAP Sahel Mali)
[OJ of the EU, L 105/3 of 21 April 2016](#)

COUNCIL DECISION (CFSP) 2016/602 of 23 March 2016 on the **signing and conclusion of the Participation Agreement between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union Advisory Mission for Civilian Security Sector Reform Ukraine** (EUAM Ukraine)
[OJ of the EU, L 104/1 of 20 April 2016](#)

PARTICIPATION AGREEMENT between the **European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union Advisory Mission for Civilian Security Sector Reform in Ukraine** (EUAM Ukraine)
[OJ of the EU, L 104/3 of 20 April 2016](#)

2. External Relations / Foreign Policy

Community Legislation

COUNCIL DECISION (CFSP) 2016/612 of 23 March 2016 on the **signing and conclusion of the Participation Agreement between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union CSDP mission in Mali** (EUCAP Sahel Mali)
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[OJ of the EU, L 104/1 of 20 April 2016](#)

PARTICIPATION AGREEMENT between the **European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union Advisory Mission for Civilian Security Sector Reform in Ukraine** (EUAM Ukraine)
[OJ of the EU, L 104/3 of 20 April 2016](#)

COUNCIL DECISION (EU) 2016/551 of 23 March 2016 establishing the **position to be taken on behalf of the European Union within the Joint Readmission Committee** on a Decision of the Joint Readmission Committee on **implementing arrangements** for the application of Articles 4 and 6 of the **Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation from 1 June 2016**
[OJ of the EU, L 95/9 of 9 April 2016](#)

EFTA SURVEILLANCE AUTHORITY DECISION No 277/15/COL of 6 July 2015 **exempting certain logistic services of Posten Norge AS from the application of Directive 2004/17/EC of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors** [2016/488]

[OJ of the EU, L 92/68 of 7 April 2016](#)

Case Law

Case C-200/13 P: JUDGMENT OF THE COURT (Fifth Chamber) of 21 April 2016 - Council of the European Union and United Kingdom of Great Britain and Northern Ireland v Bank Saderat Iran, established in Tehran (Iran) and European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Common foreign and security policy — Combating nuclear proliferation — Restrictive measures taken against the Islamic Republic of Iran — Freezing of funds of an Iranian bank** — Obligation to state reasons — Procedure for the adoption of the act — **Manifest error of assessment**

[CURIA – Judgment of the Court of Justice in Case C-200/13 of 21 April 2016](#)

Case C-561/14: JUDGMENT OF THE COURT (Grand Chamber) of 12 April 2016 - REQUEST for a preliminary ruling under Article 267 TFEU from the Østre Landsret (Eastern Regional Court, Denmark) - Caner Genc v Integrationsministeriet - Reference for a preliminary ruling — **EEC-Turkey Association Agreement — Decision No 1/80 — Article 13 — **Standstill clause — Family reunification — National legislation laying down new, more stringent conditions on access to family reunification for family members, who are not economically active, of economically active Turkish nationals who are resident and have a residence permit in the Member State in question** — Condition requiring ties sufficient to enable successful integration**

[CURIA – Judgment of the Court of Justice in Case C-561/14 of 12 April 2016](#)

Case C-455/14 P: OPINION OF ADVOCATE GENERAL WAHL of 7 April 2016 – H v Council of the European Union and European Commission - Appeal — **Common Foreign and Security Policy — National expert seconded to the European Union Police Mission in Bosnia and Herzegovina — Decision to redeploy — Article 24(1) TEU — Article 275 TFEU — **Jurisdiction of the Court of Justice of the European Union — Powers of national courts** — Categories of CFSP acts — **Notion of ‘restrictive measures’****

[CURIA – Opinion of Advocate General in Case C-455/14 of 7 April 2016](#)

Case C-193/15 P: JUDGMENT OF THE COURT (Third Chamber) of 7 April 2016 - Tarif Akhras v Council of the European Union and European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Common foreign and security policy (CFSP) — Restrictive measures against the Syrian Arab Republic — Measures directed against persons and entities benefiting from or supporting the regime** — Proof that inclusion on the lists is well founded — Set of indicia — **Distortion of the sense of the evidence**

[CURIA – Judgment of the Court of Justice in Case C-193/15 of 7 April 2016](#)

Case C-266/15 P: JUDGMENT OF THE COURT (Second Chamber) of 7 April 2016 - Central Bank of Iran, established in Tehran (Iran) v Council of the European Union - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Restrictive measures taken against the Islamic Republic of Iran — List of persons and entities subject to the freezing of funds and economic resources** — Criterion relating to the provision of material, logistical or financial support to the Government of Iran — **Financial services of a central bank**

[CURIA – Judgment of the Court of Justice in Case C-266/15 of 7 April 2016](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

EFTA SURVEILLANCE AUTHORITY DECISION No 447/14/COL of 5 November 2014 adopting **guidelines for the management of the Rapid Information System ‘RAPEX’** as established under Articles 11 and 12 of Directive 2001/95/EC (the General Product Safety Directive) [2016/487]

[OJ of the EU, L 92/1 of 7 April 2016](#)

3. Agriculture and Fisheries / Maritime Affairs

Community Legislation

COMMISSION IMPLEMENTING REGULATION (EU) 2016/561 of 11 April 2016 amending Annex IV to Implementing Regulation (EU) No 577/2013 as regards the **model of animal health certificate for dogs, cats and ferrets moved into a Member State from a territory or a third country for non-commercial purposes** (Text with EEA relevance)

[OJ of the EU, L 96/26 of 12 April 2016](#)

REGULATION (EU) 2016/429 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 2016 on **transmissible animal diseases** and amending and **repealing certain acts in the area of animal health ('Animal Health Law')** (Text with EEA relevance)

[OJ of the EU, L 84/1 of 31 March 2016](#)

Case Law

Case C-270/15 P: OPINION OF ADVOCATE GENERAL BOBEK of 21 April 2016 - Kingdom of Belgium v Commission - Appeal — **State aid — Prevention, control and eradication of transmissible spongiform encephalopathies (TSE)** — Financing of screening tests of bovine spongiform encephalopathies (BSE) — **Concept of selectivity — Reference framework — Comparability**

[CURIA – Opinion of Advocate General in Case C-270/15 of 21 April 2016](#)

Affaire C-111/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE du 20 avril 2016 - **Občina Gorje contre Republika Slovenija** - demande de décision préjudicielle formée par l'Upravno sodišče (Tribunal administratif, Slovénie) - Renvoi préjudiciel – **Politique agricole commune** – Financement par le Feader – **Soutien au développement rural** – Règlement (CE) n° 1698/2005 – Article 71, paragraphe 3 – Condition temporelle d'éligibilité des dépenses – Règlement (UE) n° 65/2011 – Article 30, paragraphe 1 – **Rejet de la demande de paiement dans son intégralité au cas où cette demande inclut à la fois des dépenses éligibles et non éligibles**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-111/15 du 20 avril 2016 \(FR seulement\)](#)

Affaire C-113/14: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 20 avril 2016 - République fédérale d'Allemagne contre Parlement européen et Conseil de l'Union européenne - Recours en annulation – **Choix de la base juridique** – Traité FUE – Article 43, paragraphes 2 et 3 – **Organisation commune des marchés des produits agricoles** – Règlement (UE) n° 1308/2013 – Article 7 – Règlement (UE) n° 1370/2013 – Article 2 – **Mesures relatives à la fixation des prix – Seuils de référence – Prix d'intervention**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-113/14 du 20 avril 2016 \(FR seulement\)](#)

Case C-131/14: JUDGMENT OF THE COURT (Second Chamber) of 14 April 2016 - Malvino Cervati, and Società Malvi Sas di Cervati Malvino, having ceased to trade v Agenzia delle Dogane, Agenzia delle Dogane — Ufficio delle Dogane di Livorno and Roberto Cervati - REQUEST for a preliminary ruling under Article 267 TFEU, from the Corte suprema di cassazione (Court of cassation, Italy) - Reference for a preliminary ruling — **Agriculture — Common organisation of the markets** — Regulation (EC) No 565/2002 — Article 3(3) — **Tariff quota — Garlic of Argentinian origin — Import licences — Non-transferability of rights deriving from import licences** — Circumvention — **Abuse of rights — Conditions** — Regulation (EC, Euratom) No 2988/95 — Article 4(3)

[CURIA – Judgment of the Court of Justice in Case C-131/14 of 14 April 2016](#)

Case C-673/13 P: OPINION OF ADVOCATE GENERAL KOKOTT of 7 April 2016 - European Commission v Stichting Greenpeace Nederland and Pesticide Action Network Europe (PAN Europe) - Appeal — Regulation (EC) No 1049/2001 — Access to the documents of the institutions — Regulation (EC) No 1367/2006 — Access to environmental information — Information relating to emissions into the environment — Documents relating to the first authorisation of the placing on the market of the active substance glyphosate — Partial refusal of access — Risk of an adverse effect on the commercial interests of a natural or legal person — Overriding public interest

CURIA – Opinion of Advocate General in Case C-673/13 of 7 April 2016

Case C-442/14: OPINION OF ADVOCATE GENERAL KOKOTT of 7 April 2016 - Bayer CropScience SA-NV and Stichting De Bijenstichting v College voor de toelating van gewasbeschermingsmiddelen en biociden - Request for a preliminary ruling from the College van Beroep voor het bedrijfsleven (Administrative Court of Appeal in matters of Trade and Industry, Netherlands) - Directive 2003/4/EC — Access to environmental information — Exceptions — Industrial and commercial secrets — Information on emissions into the environment — Confidentiality — Regulation (EC) No 1107/2009 — Plant protection products — Directive 98/8/EC — Biocidal products

CURIA – Opinion of Advocate General in Case C-442/14 of 7 April 2016

4. Audiovisual and Media and Information Society

Case Law

Affaire C-28/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. PAOLO MENGOZZI du 28 avril 2016 - Koninklijke KPN NV, KPN BV, T-Mobile Netherlands BV, Vodafone Libertel BV, Tele2 Nederland BV, Ziggo BV, Ziggo Services BV, anciennement UPC Nederland BV et Ziggo Zakelijk Services BV, anciennement UPC Business BV contre Autoriteit Consument en Markt (ACM) - demande de décision préjudicielle formée par le College van Beroep voor het bedrijfsleven (cour d'appel du contentieux administratif en matière économique, Pays-Bas) - Renvoi préjudiciel – Cadre réglementaire commun pour les réseaux et services de communications électroniques – Directive 2002/19/CE – Articles 8 et 13 – Directive 2002/21/CE – Articles 4, 8 et 19 – Recommandation 2009/396/CE – Portée juridique – Contrôle des prix et obligations relatives au système de comptabilisation des coûts – Tarifs des services de terminaison d'appels fixe et mobile – Obligations imposées par une autorité réglementaire nationale (ARN) à des opérateurs disposant d'une puissance significative sur le marché – Étendue du contrôle juridictionnel sur les appréciations d'ordre économique d'une ARN

CURIA – Conclusions de l'Avocat Général dans l'affaire C-28/15 du 28 avril 2016 (FR seulement)

Affaire C-240/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MANUEL CAMPOS SÁNCHEZ-BORDONA du 28 avril 2016 - Autorità per le Garanzie nelle Comunicazioni contre Istituto Nazionale di Statistica – ISTAT, Presidenza del Consiglio dei Ministri et Ministero dell'Economia e delle Finanze - demande de décision préjudicielle formée par le Consiglio di Stato (Conseil d'État, Italie) - Réseaux et services de communications électroniques – Atteinte à l'impartialité et à l'indépendance des autorités réglementaires nationales – Soumission des autorités réglementaires nationales aux dispositions concernant la limitation et la rationalisation des dépenses publiques

CURIA – Conclusions de l'Avocat Général dans l'affaire C-240/15 du 28 avril 2016 (FR seulement)

Case C-397/14: JUDGMENT OF THE COURT (Second Chamber) of 14 April 2016 - Polkomtel sp. z o.o. v Prezes Urzędu Komunikacji Elektronicznej and Orange Polska S.A., formerly Telekomunikacja Polska S.A. - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Najwyższy (Supreme Court, Poland) - Reference for a preliminary ruling — Electronic communications networks and services — Directive 2002/22/EC — Article 28 — Non-geographic numbers — Access by end-users residing in the Member State for operators to services using non-geographic numbers — Directive 2002/19/EC — Articles 5, 8 and 13 — Powers and responsibilities of the national regulatory authorities with regard to access and interconnection — Imposition, amendment or withdrawal of obligations — Imposition of obligations on undertakings that control access to end-users — Price control — Undertaking not having significant market power on the market — Directive 2002/21/EC — Resolution of disputes between undertakings — Decision of the national regulatory authority laying down the conditions of cooperation and the pricing procedures for services between undertakings

CURIA – Judgment of the Court of Justice in Case C-397/14 of 14 April 2016

Case C-160/15: OPINION OF ADVOCATE GENERAL WATHELET of 7 April 2016 - GS Media BV v Sanoma Media Netherlands BV, Playboy Enterprises International Inc. and Britt Geertruida Dekker - Request for a preliminary ruling from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands) - Reference for a preliminary ruling — **Copyright and related rights** — Directive 2001/29/EC — **Information society** — Article 3(1) — **Communication to the public** — **Website** — **Making available to the public of hyperlinks to works freely accessible on another website** — **No authorisation from the holder**
[CURIA – Opinion of Advocate General in Case C-160/15 of 7 April 2016](#)

5. Competition

Community Legislation

EFTA SURVEILLANCE AUTHORITY DECISION No 277/15/COL of 6 July 2015 exempting certain logistic services of Posten Norge AS from the application of Directive 2004/17/EC of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors [2016/488]
[OJ of the EU, L 92/68 of 7 April 2016](#)

Case Law

Case C-270/15 P: OPINION OF ADVOCATE GENERAL BOBEK of 21 April 2016 - Kingdom of Belgium v Commission - Appeal — **State aid** — **Prevention, control and eradication of transmissible spongiform encephalopathies (TSE)** — Financing of screening tests of bovine spongiform encephalopathies (BSE) — **Concept of selectivity** — **Reference framework** — **Comparability**
[CURIA – Opinion of Advocate General in Case C-270/15 of 21 April 2016](#)

Affaire C-492/14: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. YVES BOT du 14 avril 2016 - Essent Belgium NV contre Vlaams Gewest, Inter Energa e.a. et Vlaamse Regulator van de Elektriciteits- en Gasmarkt (VREG) - demande de décision préjudicielle formée par le rechtbank van eerste aanleg te Brussel (tribunal de première instance de Bruxelles, Belgique) - Renvoi préjudiciel — **Régimes de distribution gratuite de l'électricité verte injectée directement sur les réseaux de distribution** — **Refus de prise en compte de l'électricité verte produite en dehors de l'État membre concerné** — **Libre circulation des marchandises** — Article 28 CE
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-492/14 du 14 avril 2016 \(FR seulement\)](#)

Affaire C-574/14: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. CAMPOS SÁNCHEZ-BORDONA du 14 avril 2016 - PGE Górnictwo i Energetyka Konwencjonalna S.A. contre Prezes Urzędu Regulacji Energetyki - demande de décision préjudicielle formée par le Sąd Najwyższy (Cour suprême) (Pologne) - **Marché intérieur de l'électricité** — **Aides d'État** — **Décision de la Commission constatant la compatibilité d'une aide d'État avec le marché commun** — Article 107 TFUE — Article 4, paragraphe 3, TUE — **Décision 2009/287/CE** — **Méthodologie des coûts échoués** — **Calcul de l'ajustement annuel de la compensation des coûts échoués** — **Situation du marché en cause** — **Compétences des autorités et juridictions nationales**
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-574/14 du 14 avril 2016 \(FR seulement\)](#)

Case C-101/15 P: OPINION OF ADVOCATE GENERAL KOKOTT of 14 April 2016 - Pilkington Group Ltd and Others v European Commission - Appeal — **Competition** — Cartels (Article 81 EC and Article 53 of the EEA Agreement) — **Fines** — **2006 Guidelines on the method of setting fines** — **Turnover to be taken into account** — **Exchange rate for calculating the 10% upper limit on fines under Article 23(2) of Regulation (EC) No 1/2003** — **European market for automotive glass**
[CURIA – Opinion of Advocate General in Case C-101/15 of 14 April 2016](#)

Case C-397/14: JUDGMENT OF THE COURT (Second Chamber) of 14 April 2016 - Polkomtel sp. z o.o. v Prezes Urzędu Komunikacji Elektronicznej and Orange Polska S.A., formerly Telekomunikacja Polska S.A. - REQUEST for a preliminary ruling under Article 267 TFEU from the Sąd Najwyższy (Supreme Court, Poland) - Reference for a preliminary ruling — **Electronic communications networks and services** — Directive 2002/22/EC — Article 28 — Non-geographic numbers — **Access by end-users residing in the Member State for operators to services using non-geographic numbers** — Directive 2002/19/EC — Articles 5, 8 and 13 — **Powers and responsibilities of the national regulatory authorities with regard to access and interconnection** — Imposition, amendment or withdrawal of obligations — **Imposition of obligations on undertakings that control access to end-users** — **Price control** — **Undertaking not having significant market power on the market** — Directive 2002/21/EC — Resolution of disputes between undertakings — **Decision of the national regulatory authority laying down the conditions of cooperation and the pricing procedures for services between undertakings**

[CURIA – Judgment of the Court of Justice in Case C-397/14 of 14 April 2016](#)

Case C-100/15 P: JUDGMENT OF THE COURT (Sixth Chamber) of 14 April 2016 - Netherlands Maritime Technology Association v European Commission and Kingdom of Spain - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **State aid** — **Spanish scheme of early depreciation of certain assets acquired through financial leasing** — **Decision finding no State aid** — Formal investigation procedure not initiated — **Insufficient and incomplete examination** — **Obligation to state reasons** — **Selectivity**

[CURIA – Judgment of the Court of Justice in Case C-100/15 of 14 April 2016](#)

Affaire C-121/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. PAOLO MENGOLZI du 12 avril 2016 - Association nationale des opérateurs détaillants en énergie (ANODE) contre Premier ministre, Ministre de l'Économie, de l'Industrie et du Numérique, Commission de régulation de l'énergie et ENGIE, anciennement GDF Suez - demande de décision préjudicielle formée par le Conseil d'État (France) - Renvoi préjudiciel – Directive 2009/73/CE – **Marché intérieur du gaz naturel – Intervention de l'État sur le prix de fourniture du gaz naturel – Entrave à la réalisation d'un marché du gaz naturel concurrentiel** – **Obligation de service public** – Intérêt économique général – **Objectifs de sécurité d'approvisionnement et de cohésion territoriale** – **Couverture des coûts complets**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-121/15 du 12 avril 2016 \(FR seulement\)](#)

Joined Cases C-186/14 P and C-193/14 P: JUDGMENT OF THE COURT (Second Chamber) of 7 April 2016 - ArcelorMittal Tubular Products Ostrava a.s. and others v Hubei Xinyegang Steel Co. Ltd, Council of the European Union and European Commission (C-186/14 P) - Council of the European Union and Italian Republic and Hubei Xinyegang Steel Co. Ltd v European Commission, and others (C-193/14 P) - TWO APPEALS under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Dumping** — Regulation (EC) No 384/96 — Article 3(5), (7) and (9) — Article 6(1) — Regulation (EC) No 926/2009 — **Imports of certain seamless pipes and tubes of iron or steel originating in China** — **Definitive anti-dumping duty** — **Determination of a threat of injury** — **Taking into account of post-investigation period data**

[CURIA – Judgment of the Court of Justice in Case C-186/14 of 7 April 2016](#)

6. Customs

Community Legislation

COMMISSION DELEGATED REGULATION (EU) 2016/651 of 5 April 2016 **correcting Delegated Regulation (EU) 2015/2446** supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards **detailed rules concerning certain provisions of the Union Customs Code**

[OJ of the EU, L 111/1 of 27 April 2016](#)

COMMISSION IMPLEMENTING DECISION (EU) 2016/578 of 11 April 2016 establishing the **Work Programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code**

[OJ of the EU, L 99/6 of 15 April 2016](#)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/481 of 1 April 2016 repealing Commission Regulation (EEC) No 2454/93 laying down **provisions for the implementation** of Council Regulation (EEC) No 2913/92 establishing the **Community Customs Code**
[OJ of the EU, L 87/24 of 2 April 2016](#)

Corrigendum to Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards **detailed rules concerning certain provisions of the Union Customs Code**
[OJ of the EU, L 87/35 of 2 April 2016](#)

Case Law

Case C-233/15: JUDGMENT OF THE COURT (Eighth Chamber) of 28 April 2016 - SIA 'Oniors Bio' v Valsts ieņēmumu dienests - REQUEST for a preliminary ruling under Article 267 TFEU from the Administratīvā apgabaltiesa (Regional Administrative Court, Latvia) - Reference for a preliminary ruling — Regulation (EEC) No 2658/87 — **Common Customs Tariff — Tariff classification — Combined Nomenclature** — Subheadings 1517 90 91 and 1518 00 31 — **Mixture of fluid vegetable oil, unprocessed, non-volatile, composed of rapeseed oil (88%) and sunflower oil (12%)**
[CURIA – Judgment of the Court of Justice in Case C-233/15 of 28 April 2016](#)

Affaire C-4/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE du 7 avril 2016 - Staatssecretaris van Financiën contre Argos Supply Trading BV - demande de décision préjudicielle formée par le Hoge Raad der Nederlanden (Cour suprême des Pays-Bas) - Renvoi préjudiciel – **Régime du perfectionnement passif – Produits compensateurs – Droits à l'importation – Exonération totale ou partielle** – Délivrance d'une autorisation – **Conditions économiques – Transformateurs communautaires** – Règlement (CEE) n° 2913/92 – Article 148, sous c) – Abus de droit
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-4/15 du 7 avril 2016 \(FR seulement\)](#)

Case C-528/14: JUDGMENT OF THE COURT (Fourth Chamber) of 27 April 2016 - X v Staatssecretaris van Financiën - REQUEST for a preliminary ruling under Article 267 TFEU from the Hoge Raad der Nederlanden (Supreme Court, Netherlands) - Reference for a preliminary ruling — **Common Customs Tariff** – Regulation (EC) No 1186/2009 — Article 3 — **Relief from import duties — Personal property — Transfer of residence from a third country to a Member State — Definition of 'normal place of residence'** — Impossible to have at the same time a normal place of residence in a Member State and in a third country — **Criteria for determining the normal place of residence**
[CURIA – Judgment of the Court of Justice in Case C-528/14 of 27 April 2016](#)

Case C-294/14: JUDGMENT OF THE COURT (Fourth Chamber) of 7 April 2016 - ADM Hamburg AG v Hauptzollamt Hamburg-Stadt - REQUEST for a preliminary ruling under Article 267 TFEU from the Finanzgericht Hamburg (Finance Court, Hamburg, Germany) - Reference for a preliminary ruling — **Customs Union and Common Customs Tariff — Community Customs Code** — Tariff Preferences — Regulation (EEC) No 2454/93 — Article 74(1) — **Products originating from a beneficiary country — Transport — Consignments composed of a mixture of crude palm kernel oil originating in several countries benefiting from the same preferential treatment**
[CURIA – Judgment of the Court of Justice in Case C-294/14 of 7 April 2016](#)

7. Economic and Monetary Affairs, Taxation, Enterprise

Community Legislation

COMMISSION DECISION (EU) 2016/634 of 21 January 2016 on **aid measure SA.25338 (2014/C) (ex E 3/2008 and ex CP 115/2004) implemented by the Netherlands — Corporate tax exemption for public undertakings** (notified under document C(2016) 167) (Only the Dutch text is authentic) (Text with EEA relevance)
[OJ of the EU, L 113/148 of 27 April 2016](#)

COMMISSION IMPLEMENTING DECISION (EU) 2016/650 of 25 April 2016 laying down standards for the **security assessment of qualified signature and seal creation devices** pursuant to Articles 30(3) and 39(2) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on **electronic identification and trust services for electronic transactions in the internal market** (Text with EEA relevance)

[OJ of the EU, L 109/40 of 26 April 2016](#)

COMMISSION DELEGATED REGULATION (EU) 2016/592 of 1 March 2016 **supplementing Regulation** (EU) No 648/2012 of the European Parliament and of the Council with regard to **regulatory technical standards on the clearing obligation** (Text with EEA relevance)

[OJ of the EU, L 103/5 of 19 April 2016](#)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/557 of 7 April 2016 amending Council Regulation (EC) No 2368/2002 **implementing the Kimberley Process certification scheme for the international trade in rough diamonds**

[OJ of the EU, L 96/8 of 12 April 2016](#)

COMMISSION DELEGATED REGULATION (EU) 2016/522 of 17 December 2015 supplementing Regulation (EU) No 596/2014 of the European Parliament and of the Council as regards an **exemption for certain third countries public bodies and central banks, the indicators of market manipulation, the disclosure thresholds, the competent authority for notifications of delays, the permission for trading during closed periods and types of notifiable managers' transactions** (Text with EEA relevance)

[OJ of the EU, L 88/1 of 5 April 2016](#)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/523 of 10 March 2016 laying down **implementing technical standards with regard to the format and template for notification and public disclosure of managers' transactions** in accordance with Regulation (EU) No 596/2014 of the European Parliament and of the Council (Text with EEA relevance)

[OJ of the EU, L 88/19 of 5 April 2016](#)

COMMISSION DELEGATED REGULATION (EU) 2016/467 of 30 September 2015 amending Commission Delegated Regulation (EU) 2015/35 concerning the **calculation of regulatory capital requirements for several categories of assets held by insurance and reinsurance undertakings** (Text with EEA relevance)

[OJ of the EU, L 85/6 of 1 April 2016](#)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/428 of 23 March 2016 amending Implementing Regulation (EU) No 680/2014 laying down implementing **technical standards with regard to supervisory reporting of institutions as regards the reporting of the Leverage Ratio** (Text with EEA relevance)

[OJ of the EU, L 83/1 of 31 March 2016](#)

DECISION (EU) 2016/457 OF THE EUROPEAN CENTRAL BANK of 16 March 2016 on the **eligibility of marketable debt instruments issued or fully guaranteed by the Republic of Cyprus** (ECB/2016/5)

[OJ of the EU, L 79/41 of 30 March 2016](#)

DECISION (EU) 2016/456 OF THE EUROPEAN CENTRAL BANK of 4 March 2016 concerning the **terms and conditions for European Anti-Fraud Office investigations of the European Central Bank**, in relation to the **prevention of fraud, corruption and any other illegal activities affecting the financial interests of the Union** (ECB/2016/3) (recast)

[OJ of the EU, L 79/34 of 30 March 2016](#)

COMMISSION DELEGATED REGULATION (EU) 2016/451 of 16 December 2015 laying down **general principles and criteria for the investment strategy and rules for the administration of the Single Resolution Fund**

[OJ of the EU, L 79/2 of 30 March 2016](#)

Case Law

Case C-128/14: JUDGMENT OF THE COURT (First Chamber) of 28 April 2016 - Staatssecretaris van Financiën v Het Oudeland Beheer BV - REQUEST for a preliminary ruling under Article 267 TFEU from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands, Netherlands) - Reference for a preliminary ruling — **Taxation — VAT — Taxable transactions — Application for the purposes of the business of goods acquired 'in the course of the business'** — Treatment as supplies effected for consideration — Taxable amount
[CURIA – Judgment of the Court of Justice in Case C-128/14 of 28 April 2016](#)

Case C-15/15: OPINION OF ADVOCATE GENERAL SAUGMANDSGAARD ØE of 21 April 2016 - New Valmar BVBA v Global Pharmacies Partner Health Srl - Request for a preliminary ruling from the Rechtbank van Koophandel te Gent (Commercial Court, Ghent, Belgium) - Reference for a preliminary ruling — **Free movement of goods — Article 35 TFEU — Prohibition of measures having an effect equivalent to quantitative restrictions on exports — Company established in the Dutch-speaking region of the Kingdom of Belgium — Legislation requiring invoices to be drawn up in Dutch, failing which they are null and void — Contract with a cross-border element — Restriction — Justification — Proportionality**
[CURIA – Opinion of Advocate General in Case C-15/15 of 21 April 2016](#)

Joined Cases C-8/15 P, C-9/15 P and C-10/15 P: OPINION OF ADVOCATE GENERAL WAHL of 21 April 2016 - Ledra Advertising Ltd (C-8/15 P), Andreas Eleftheriou (C-9/15 P), Eleni Eleftheriou (C-9/15 P), Lilia Papachristofi (C-9/15 P), Christos Theophilou (C-10/15 P) and Eleni Theophilou (C-10/15 P) v European Commission and European Central Bank - Appeals — **European stability mechanism — Stability support programme for Cyprus — Memorandum of Understanding on Specific Economic Policy Conditionality concluded between the Republic of Cyprus and European Central Bank (ECB), the International Monetary Fund (IMF) and the European Commission** — Actions for compensation and annulment — Obligations of the Commission
[CURIA – Opinion of Advocate General in Case C-8/15 of 21 April 2016](#)

Joined Cases C-105/15 P to C-109/15 P : OPINION OF ADVOCATE GENERAL WATHELET of 21 April 2016 - Konstantinos Mallis and Elli Konstantinou Malli (C-105/15 P), Tameio Pronoias Prosopikou Trapezis Kyprou (C-106/15 P), Petros Chatzithoma and Elenitsa Chatzithoma (C-107/15 P), Lella Chatziioannou (C-108/15 P) and Marinos Nikolaou (C-109/15 P) v European Commission and European Central Bank (ECB) - Appeal — **Programme of stability support for the Republic of Cyprus** — Agreement concluded between the Euro Group countries and the Cypriot authorities concerning, inter alia, the restructuring of the banking sector in the Republic of Cyprus — **Implementation of that part of the agreement by the Central Bank of Cyprus — Actions for annulment**
[CURIA – Opinion of Advocate General in Case C-105/15 of 21 April 2016](#)

Case C-189/15: OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA of 21 April 2016 - Istituto di Ricovero e Cura a Carattere Scientifico (IRCCS) — Fondazione Santa Lucia v Cassa congraglio per il settore elettrico, Ministero dello Sviluppo economico, Ministero dell'Economia e delle Finanze and Autorità per l'energia elettrica e il gas - Request for a preliminary ruling from the Consiglio di Stato (Council of State, Italian Republic) - **Taxation — Tax on energy products and electricity — Definition of 'tax reductions' — Energy-intensive businesses in the manufacturing sector — Mechanism for reduction of general electricity network costs**
[CURIA – Opinion of Advocate General in Case C-189/15 of 21 April 2016](#)

Case C-221/15: OPINION OF ADVOCATE GENERAL WAHL of 21 April 2016 - Openbaar Ministerie v Etablissements Fr. Colruyt NV - Request for a preliminary ruling from the hof van beroep te Brussel (Court of Appeal, Brussels, Belgium) - Directive 2011/64/EU — **Excise duties applicable to manufactured tobacco** — Retail price of manufactured tobacco — **Revenue stamp** — Minimum prices — Free movement of goods — Quantitative restrictions — Article 101 TFEU
[CURIA – Opinion of Advocate General in Case C-221/15 of 21 April 2016](#)

Joined Cases C-381/14 and C-385/14: JUDGMENT OF THE COURT (First Chamber) of 14 April 2016 - Jorge Sales Sinués v Caixabank SA (C-381/14) and Youssouf Drame Ba v Catalunya Caixa SA (Catalunya Banc SA) (C-385/14) - REQUESTS for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Mercantil No 9 de Barcelona (Commercial Court No 9, Barcelona, Spain) - Reference for a preliminary ruling — Directive 93/13/EEC — **Contracts concluded between sellers or suppliers and consumers — Mortgage contracts — ‘Floor’ clause — Examination of the clause with a view to its invalidation — Collective proceedings** — Action for an injunction — Stay of an individual action with the same subject matter

[CURIA – Judgment of the Court of Justice in Case C-381/14 of 14 April 2016](#)

Case C-522/14: JUDGMENT OF THE COURT (Third Chamber) of 14 April 2016 - Sparkasse Allgäu v Finanzamt Kempten - REQUEST for a preliminary ruling under Article 267 TFEU from the Bundesfinanzhof (Federal Finance Court, Germany) - Reference for a preliminary ruling — **Freedom of establishment** — Article 49 TFEU — **Legislation of a Member State requiring credit institutions to notify the tax authorities of deceased customers’ assets for purposes related to the collection of inheritance tax** — Application of that legislation to branches established in another Member State in which banking secrecy prohibits, in principle, the disclosure of such information

[CURIA – Judgment of the Court of Justice in Case C-522/14 of 14 April 2016](#)

Affaire C-176/15: CONCLUSIONS DE L’AVOCAT GÉNÉRAL MME JULIANE KOKOTT du 12 avril 2016 - Guy Riskin et Geneviève Timmermans contre État belge - demande de décision préjudicielle formée par le Tribunal de première instance de Liège (Belgique) - **Droit fiscal – Libre circulation des capitaux (article 63, paragraphe 1, TFUE) – Impôt sur le revenu national – Revenus de dividendes – Imputation de retenues à la source perçues à l’étranger – Conventions préventives de double imposition** – Traitement moins favorable des participations détenues dans des sociétés ayant leur siège dans un autre État membre par rapport à celles ayant leur siège dans un État tiers

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-176/15 du 12 avril 2016 \(FR seulement\)](#)

Case C-673/13 P: OPINION OF ADVOCATE GENERAL KOKOTT of 7 April 2016 - European Commission v Stichting Greenpeace Nederland and Pesticide Action Network Europe (PAN Europe) - Appeal — Regulation (EC) No 1049/2001 — **Access to the documents of the institutions** — Regulation (EC) No 1367/2006 — **Access to environmental information** — Information relating to emissions into the environment — **Documents relating to the first authorisation of the placing on the market of the active substance glyphosate — Partial refusal of access — Risk of an adverse effect on the commercial interests of a natural or legal person** — Overriding public interest

[CURIA – Opinion of Advocate General in Case C-673/13 of 7 April 2016](#)

Case C-442/14: OPINION OF ADVOCATE GENERAL KOKOTT of 7 April 2016 - Bayer CropScience SA-NV and Stichting De Bijenstichting v College voor de toelating van gewasbeschermingsmiddelen en biociden - Request for a preliminary ruling from the College van Beroep voor het bedrijfsleven (Administrative Court of Appeal in matters of Trade and Industry, Netherlands) - Directive 2003/4/EC — **Access to environmental information — Exceptions — Industrial and commercial secrets — Information on emissions into the environment** — Confidentiality — Regulation (EC) No 1107/2009 — Plant protection products — Directive 98/8/EC — **Biocidal products**

[CURIA – Opinion of Advocate General in Case C-442/14 of 7 April 2016](#)

Case C-546/14: JUDGMENT OF THE COURT (Second Chamber) of 7 April 2016 - Degano Trasporti Sas di Ferruccio Degano & C., in liquidation v Pubblico Ministero presso il Tribunale di Udine - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunale di Udine (District Court, Udine, Italy) - Reference for a preliminary ruling — **Taxation — VAT** — Article 4(3) TEU — Directive 2006/112/EC — **Insolvency — Procedure for an arrangement with creditors — Partial payment of VAT debts**

[CURIA – Judgment of the Court of Justice in Case C-546/14 of 7 April 2016](#)

Affaire C-24/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE du 6 avril 2016 - Josef Plöckl contre Finanzamt Schrobenhausen - demande de décision préjudicielle formée par le Finanzgericht München (tribunal des finances de Munich, Allemagne) - Renvoi préjudiciel – **Fiscalité – Taxe sur la valeur ajoutée – Sixième directive** – Article 28 quater, A, sous a) et d) – **Transfert intracommunautaire – Exonération – Possibilité pour l'État d'origine de refuser l'exonération en raison de la non-communication du numéro d'identification à la TVA attribué par l'État de destination**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-24/15 du 6 avril 2016 \(FR seulement\)](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

GUIDELINE (EU) 2016/579 OF THE EUROPEAN CENTRAL BANK of 16 March 2016 amending **Guideline ECB/2012/27 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2)** (ECB/2016/6)

[OJ of the EU, L 99/21 of 15 April 2016](#)

GUIDELINE (EU) 2016/450 OF THE EUROPEAN CENTRAL BANK of 4 December 2015 amending **Guideline ECB/2014/15 on monetary and financial statistics** (ECB/2015/44)

[OJ of the EU, L 86/42 of 1 April 2016](#)

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

No legislative or judicial activity was reported in this section for the period under review.

9. Employment and Social Affairs

Community Legislation

REGULATION (EU) 2016/589 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 April 2016 on a **European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets**, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 (Text with EEA relevance)

[OJ of the EU, L 107/1 of 22 April 2016](#)

REGULATION (EU) 2016/425 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 2016 on **personal protective equipment** and repealing Council Directive 89/686/EEC (Text with EEA relevance)

[OJ of the EU, L 81/51 of 31 March 2016](#)

Case Law

Affaire C-135/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 20 avril 2016 - République hellénique contre Grigorios Nikiforidis - demande de décision préjudicielle formée par le Bundesarbeitsgericht (Cour fédérale du travail, Allemagne) - Renvoi préjudiciel – **Coopération judiciaire en matière civile – Droit applicable au contrat de travail – Règlement (CE) n° 593/2008 (Rome I) – Article 28 – Champ d'application ratione temporis** – Article 9, paragraphe 3 – Lois de police étrangères – **Législation d'un État membre portant réduction de la rémunération des salariés du secteur public pour cause de crise financière**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-135/15 du 20 avril 2016 \(FR seulement\)](#)

Case C-441/14: JUDGMENT OF THE COURT (Grand Chamber) of 19 April 2016 - Dansk Industri (DI), acting on behalf of Ajos A/S, v Estate of Karsten Eigil Rasmussen - REQUEST for a preliminary ruling under Article 267 TFEU from the Højesteret (Supreme Court, Denmark) - Reference for a preliminary ruling — **Social policy — Charter of Fundamental Rights of the European Union** — Directive 2000/78/EC — **Principle prohibiting discrimination on grounds of age — National legislation incompatible with the directive** — Possibility for a private person to bring proceedings to establish the liability of the State for breach of EU law — **Dispute between private persons — Balancing of various rights and principles — Principles of legal certainty and the protection of legitimate expectations — Role of the national court**

[CURIA – Judgment of the Court of Justice in Case C-441/14 of 19 April 2016](#)

Case C-315/14: JUDGMENT OF THE COURT (Fourth Chamber) of 7 April 2016 - Marchon Germany GmbH v Yvonne Karaszkiwicz - REQUEST for a preliminary ruling under Article 267 TFEU from the Bundesgerichtshof (Federal Court of Justice, Germany) - Reference for a preliminary ruling — **Self-employed commercial agents** — Directive 86/653/EEC — Article 17(2) — **Indemnity in respect of customers** — Conditions for granting — **Acquisition of new customers — Concept of ‘new customers’ — Principal’s customers purchasing, for the first time, goods which the commercial agent was assigned to sell**

[CURIA – Judgment of the Court of Justice in Case C-315/14 of 7 April 2016](#)

Case C-460/14: JUDGMENT OF THE COURT (Tenth Chamber) of 7 April 2016 - Johannes Evert Antonius Massar v DAS Nederlandse Rechtsbijstand Verzekeringsmaatschappij NV - REQUEST for a preliminary ruling under Article 267 TFEU from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands, Netherlands) - Reference for a preliminary ruling — **Legal expenses insurance** — Directive 87/344/EEC — Article 4(1) — **Free choice of lawyer for an insured person** — Inquiry or proceedings — Definition — **Authorisation granted by a public body to an employer for the purpose of terminating an employment contract**

[CURIA – Judgment of the Court of Justice in Case C-460/14 of 7 April 2016](#)

Case C-284/15: JUDGMENT OF THE COURT (Sixth Chamber) of 7 April 2016 - Office national de l’emploi (ONEm) v M. and M. v Office national de l’emploi (ONEm) and Caisse auxiliaire de paiement des allocations de chômage (CAPAC) - REQUEST for a preliminary ruling under Article 267 TFEU from the cour du travail de Brussels (Belgium) - Reference for a preliminary ruling — Article 45 TFEU and Article 48 TFEU — **Charter of Fundamental Rights of the European Union** — Article 15(2) — Regulation (EEC) No 1408/71 — Article 67(3) — **Social security — Unemployment benefit to supplement income from part-time employment — Award of that benefit** — Completion of periods of employment — Aggregation of periods of insurance or employment — **Taking into account of periods of insurance or employment completed under the legislation of another Member State**

[CURIA – Judgment of the Court of Justice in Case C-284/15 of 7 April 2016](#)

10. Energy and Environment

Community Legislation

COMMISSION DECISION (EU) 2016/611 of 15 April 2016 on the reference **document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the tourism** sector under Regulation (EC) No 1221/2009 on the **voluntary participation by organisations in a Community eco-management and audit scheme** (EMAS) (notified under document C(2016) 2137) (Text with EEA relevance)

[OJ of the EU, L 104/27 of 20 April 2016](#)

COMMISSION IMPLEMENTING DECISION (EU) 2016/587 of 14 April 2016 on the **approval of the technology used in efficient vehicle exterior lighting using light emitting diodes as an innovative technology for reducing CO2 emissions from passenger cars** pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (Text with EEA relevance)

[OJ of the EU, L 101/17 of 16 April 2016](#)

COMMISSION IMPLEMENTING DECISION (EU) 2016/588 of 14 April 2016 on the **approval of the technology used in 12 Volt efficient alternators as an innovative technology for reducing CO² emissions from passenger cars** pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (Text with EEA relevance)

[OJ of the EU, L 101/25 of 16 April 2016](#)

COMMISSION RECOMMENDATION (Euratom) 2016/538 of 4 April 2016 on the **application of Article 103 of the Euratom Treaty (notified under document C(2016) 1168)**

[OJ of the EU, L 89/20 of 6 April 2016](#)

Case Law

Joined Cases C-191/14, C-192/14, C-295/14, C-389/14 and C-391/14 to C-393/14: JUDGMENT OF THE COURT (Second Chamber) of 28 April 2016 - Borealis Polyolefine GmbH v Bundesminister für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft (C-191/14) - OMV Refining & Marketing GmbH v Bundesminister für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft (C-192/14) - DOW Benelux BV and Others v Staatssecretaris van Infrastructuur en Milieu (C-295/14) - Esso Italiana Srl, Eni SpA and Linde Gas Italia Srl v Comitato nazionale per la gestione della direttiva 2003/87/CE e per il supporto nella gestione delle attività di progetto del protocollo di Kyoto, Ministero dell’Ambiente e della Tutela del Territorio e del Mare, Ministero dell’Economia e delle Finanze, Presidenza del Consiglio dei Ministri - Edison SpA (C-389/14) and Api Raffineria di Ancona SpA v Comitato nazionale per la gestione della direttiva 2003/87/CE e per il supporto nella gestione delle attività di progetto del protocollo di Kyoto, Ministero dell’Ambiente e della Tutela del Territorio e del Mare and Ministero dello Sviluppo economico - Edison SpA (C-391/14) and Lucchini in Amministrazione Straordinaria SpA v Comitato nazionale per la gestione della direttiva 2003/87/CE e per il supporto nella gestione delle attività di progetto del protocollo di Kyoto, Ministero dell’Ambiente e della Tutela del Territorio e del Mare and Ministero dello Sviluppo economico, Cofely Italia SpA (C-392/14) and Dalmine SpA - Comitato nazionale per la gestione della direttiva 2003/87/CE e per il supporto nella gestione delle attività di progetto del protocollo di Kyoto, Ministero dell’Ambiente e della Tutela del Territorio e del Mare and Ministero dello Sviluppo economico, Cofely Italia SpA and Buzzi Unicem SpA (C-393/14) - REQUESTS for a preliminary ruling under Article 267 TFEU from the Landesverwaltungsgericht Niederösterreich (Regional Administrative Court, Lower Austria, Austria), the Raad van State (Council of State, the Netherlands) and the Tribunale amministrativo regionale per il Lazio (Regional Administrative Court, Lazio, Italy), made by decisions of 10 April 2014 (Cases C-191/14 and C-192/14), 11 June 2014 (Case C-295/14) and 3 July 2014 (Cases C-389/14 and C-391/14 to C-393/14) - References for a preliminary ruling — **Scheme for greenhouse gas emission allowance trading in the European Union — Directive 2003/87/EC — Article 10a(5) — **Method for allocating allowances — Free allocation of allowances — Method for calculating the uniform cross-sectoral correction factor** — Decision 2011/278/EU — Article 15(3) — Decision 2013/448/EU — Article 4 — Annexe II — Validity**

[CURIA – Judgment of the Court of Justice in Case C-191/14 of 28 April 2016](#)

Affaire C-379/15: CONCLUSIONS DE L’AVOCAT GÉNÉRAL Mme Juliane Kokott du 28 avril 2016 - Association France Nature Environnement contre Premier ministre et Ministre de l’Écologie, du Développement durable et de l’Énergie - demande de décision préjudicielle formée par le Conseil d’État (France) - **Office du juge national – Réglementation nationale contraire au droit de l’Union – Maintien provisoire des effets d’une telle réglementation – Effets dans le temps – Obligation de saisir la CJUE – **Protection de l’environnement** – Directive 2001/42/CE – **Évaluation de l’incidence de certains plans et programmes sur l’environnement – Violation des règles de procédure du droit de l’Union****

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-379/15 du 28 avril 2016 \(FR seulement\)](#)

Case C-147/15: OPINION OF ADVOCATE GENERAL KOKOTT of 21 April 2016 - Provincia di Bari v Edilizia Mastrodonato srl - Request for a preliminary ruling from the Consiglio di Stato (Council of State, Italy) - Directive 2006/21/EC — **Mining waste — Directive 1999/31/EC — **Landfill of waste — Backfilling of a disused quarry with waste — Recovery of waste****

[CURIA – Opinion of Advocate General in Case C-147/15 of 21 April 2016](#)

Case C-189/15: OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA of 21 April 2016 - Istituto di Ricovero e Cura a Carattere Scientifico (IRCCS) — Fondazione Santa Lucia v Cassa conguaglio per il settore elettrico, Ministero dello Sviluppo economico, Ministero dell'Economia e delle Finanze and Autorità per l'energia elettrica e il gas - Request for a preliminary ruling from the Consiglio di Stato (Council of State, Italian Republic) - **Taxation — Tax on energy products and electricity — Definition of 'tax reductions' — Energy-intensive businesses in the manufacturing sector — Mechanism for reduction of general electricity network costs**

[CURIA – Opinion of Advocate General in Case C-189/15 of 21 April 2016](#)

Affaire C-492/14: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. YVES BOT du 14 avril 2016 - Essent Belgium NV contre Vlaams Gewest, Inter Energa e.a. et Vlaamse Regulator van de Elektriciteits- en Gasmarkt (VREG) - demande de décision préjudicielle formée par le rechtbank van eerste aanleg te Brussel (tribunal de première instance de Bruxelles, Belgique) - Renvoi préjudiciel – **Régimes de distribution gratuite de l'électricité verte injectée directement sur les réseaux de distribution – Refus de prise en compte de l'électricité verte produite en dehors de l'État membre concerné – Libre circulation des marchandises** – Article 28 CE

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-492/14 du 14 avril 2016 \(FR seulement\)](#)

Affaire C-574/14: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. CAMPOS SÁNCHEZ-BORDONA du 14 avril 2016 - PGE Górnictwo i Energetyka Konwencjonalna S.A. contre Prezes Urzędu Regulacji Energetyki - demande de décision préjudicielle formée par le Sąd Najwyższy (Cour suprême) (Pologne) - **Marché intérieur de l'électricité — Aides d'État — Décision de la Commission constatant la compatibilité d'une aide d'État avec le marché commun** — Article 107 TFUE — Article 4, paragraphe 3, TUE — Décision 2009/287/CE — **Méthodologie des coûts échoués — Calcul de l'ajustement annuel de la compensation des coûts échoués — Situation du marché en cause — Compétences des autorités et juridictions nationales**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-574/14 du 14 avril 2016 \(FR seulement\)](#)

Case C-673/13 P: OPINION OF ADVOCATE GENERAL KOKOTT of 7 April 2016 - European Commission v Stichting Greenpeace Nederland and Pesticide Action Network Europe (PAN Europe) - Appeal — Regulation (EC) No 1049/2001 — **Access to the documents of the institutions** — Regulation (EC) No 1367/2006 — **Access to environmental information** — Information relating to emissions into the environment — **Documents relating to the first authorisation of the placing on the market of the active substance glyphosate — Partial refusal of access — Risk of an adverse effect on the commercial interests of a natural or legal person** — Overriding public interest

[CURIA – Opinion of Advocate General in Case C-673/13 of 7 April 2016](#)

Case C-442/14: OPINION OF ADVOCATE GENERAL KOKOTT of 7 April 2016 - Bayer CropScience SA-NV and Stichting De Bijenstichting v College voor de toelating van gewasbeschermingsmiddelen en biociden - Request for a preliminary ruling from the College van Beroep voor het bedrijfsleven (Administrative Court of Appeal in matters of Trade and Industry, Netherlands) - Directive 2003/4/EC — **Access to environmental information — Exceptions — Industrial and commercial secrets — Information on emissions into the environment** — Confidentiality — Regulation (EC) No 1107/2009 — Plant protection products — Directive 98/8/EC — **Biocidal products**

[CURIA – Opinion of Advocate General in Case C-442/14 of 7 April 2016](#)

Case C-556/14 P: JUDGMENT OF THE COURT (Fifth Chamber) of 7 April 2016 - Holcim (Romania) SA v European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Environment — Scheme for greenhouse gas emission allowance trading in the European Union** — Directive 2003/87/EC — Articles 19 and 20 – Regulation (EC) No 2216/2004 — Article 10 — **System of registries for transactions concerning emission allowances — Liability for fault** – Commission's refusal to disclose information on and to prohibit all transactions involving stolen emission allowances — **Strict liability**

[CURIA – Judgment of the Court of Justice in Case C-556/14 of 7 April 2016](#)

11. Food Safety, Public Health and Consumers

Community Legislation

COMMISSION IMPLEMENTING REGULATION (EU) 2016/662 of 1 April 2016 concerning a **coordinated multiannual control programme of the Union for 2017, 2018 and 2019 to ensure compliance with maximum residue levels of pesticides and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin** (Text with EEA relevance)

[OJ of the EU, L 115/2 of 29 April 2016](#)

COMMISSION IMPLEMENTING DECISION (EU) 2016/629 of 20 April 2016 **authorising Member States to adopt certain derogations** pursuant to Directive 2008/68/EC of the European Parliament and of the Council on the **inland transport of dangerous goods** (notified under document C(2016) 2229)

[OJ of the EU, L 106/26 of 22 April 2016](#)

COMMISSION DECISION (EU) 2016/611 of 15 April 2016 on the reference **document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the tourism sector** under Regulation (EC) No 1221/2009 on the **voluntary participation by organisations in a Community eco-management and audit scheme** (EMAS) (notified under document C(2016) 2137) (Text with EEA relevance)

[OJ of the EU, L 104/27 of 20 April 2016](#)

COMMISSION IMPLEMENTING DECISION (EU) 2016/586 of 14 April 2016 on **technical standards for the refill mechanism of electronic cigarettes** (notified under document C(2016) 2093) (Text with EEA relevance)

[OJ of the EU, L 101/15 of 16 April 2016](#)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/561 of 11 April 2016 amending Annex IV to Implementing Regulation (EU) No 577/2013 as regards the **model of animal health certificate for dogs, cats and ferrets moved into a Member State from a territory or a third country for non-commercial purposes** (Text with EEA relevance)

[OJ of the EU, L 96/26 of 12 April 2016](#)

COMMISSION REGULATION (EU) 2016/479 of 1 April 2016 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the **use of steviol glycosides (E 960) as a sweetener in certain energy-reduced or with no added sugars beverages** (Text with EEA relevance)

[OJ of the EU, L 87/1 of 2 April 2016](#)

REGULATION (EU) 2016/429 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 2016 on **transmissible animal diseases** and amending and **repealing certain acts in the area of animal health ('Animal Health Law')** (Text with EEA relevance)

[OJ of the EU, L 84/1 of 31 March 2016](#)

REGULATION (EU) 2016/426 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 2016 on **appliances burning gaseous fuels** and repealing Directive 2009/142/EC (Text with EEA relevance)

[OJ of the EU, L 81/99 of 31 March 2016](#)

Case Law

Case C-377/14: JUDGMENT OF THE COURT (Third Chamber) of 21 April 2016 - Ernst Georg Radlinger and Helena Radlingerová v Finway a.s. - REQUEST for a preliminary ruling under Article 267 TFEU from the Krajský soud v Praze (Regional Court, Prague, Czech Republic) - Reference for a preliminary ruling — Directive 93/13/EEC — Article 7 — **National rules governing insolvency proceedings — Debts arising from a consumer credit agreement — Effective judicial remedy** — Point 1(e) of the annex — **Disproportionate amount of compensation** — Directive 2008/48/EC — Article 3(l) — **Total amount of credit** — Point I of Annex I — Amount of drawdown — **Calculation of the annual percentage rate** — Article 10(2) — **Obligation to provide information — Ex officio examination — Penalty**

[CURIA – Judgment of the Court of Justice in Case C-377/14 of 21 April 2016](#)

Case C-270/15 P: OPINION OF ADVOCATE GENERAL BOBEK of 21 April 2016 - Kingdom of Belgium v Commission - Appeal — **State aid — Prevention, control and eradication of transmissible spongiform encephalopathies (TSE)** — Financing of screening tests of bovine spongiform encephalopathies (BSE) — **Concept of selectivity — Reference framework — Comparability**

[CURIA – Opinion of Advocate General in Case C-270/15 of 21 April 2016](#)

Affaire C-168/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. NILS WAHL du 14 avril 2016 - Milena Tomášová contre Ministerstvo spravodlivosti SR et Pohotovosť s. r. o. - demande de décision préjudicielle formée par l'Okresný súd Prešov (tribunal de district de Prešov, Slovaquie) - Renvoi préjudiciel — **Protection des consommateurs – Clauses abusives dans les contrats conclus avec les consommateurs** – Directive 93/13/CEE – **Contrat de crédit à la consommation – Exécution forcée d'une sentence arbitrale – Omission du juge de l'exécution d'appréciation du caractère abusif des clauses contenues dans le contrat – Responsabilité d'un État membre pour des dommages causés aux particuliers en raison de violations du droit de l'Union imputables à une juridiction nationale** – Conditions d'engagement – Existence d'une violation suffisamment caractérisée du droit de l'Union

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-168/15 du 14 avril 2016 \(FR seulement\)](#)

Joined Cases C-381/14 and C-385/14: JUDGMENT OF THE COURT (First Chamber) of 14 April 2016 - Jorge Sales Sinués v Caixabank SA (C-381/14) and Youssouf Drame Ba v Catalunya Caixa SA (Catalunya Banc SA) (C-385/14) - REQUESTS for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Mercantil No 9 de Barcelona (Commercial Court No 9, Barcelona, Spain) - Reference for a preliminary ruling — Directive 93/13/EEC — **Contracts concluded between sellers or suppliers and consumers — Mortgage contracts — 'Floor' clause — Examination of the clause with a view to its invalidation — Collective proceedings** — Action for an injunction — Stay of an individual action with the same subject matter

[CURIA – Judgment of the Court of Justice in Case C-381/14 of 14 April 2016](#)

Affaire C-149/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. Henrik Saugmandsgaard Øe du 7 avril 2016 - Sabrina Wathélet contre Garage Bietheres & Fils SPRL - demande de décision préjudicielle formée par la Cour d'appel de Liège (Belgique) - Renvoi préjudiciel — **Protection des consommateurs** – Directive 1999/44/CE – **Vente et garanties des biens de consommation** – Article 1er, paragraphe 2, sous c) – **Notion de vendeur – Responsabilité d'un professionnel agissant comme intermédiaire pour un vendeur non professionnel**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-149/15 du 7 avril 2016 \(FR seulement\)](#)

Case C-5/15: JUDGMENT OF THE COURT (Tenth Chamber) of 7 April 2016 - Gökhan Büyüktipi v Achmea Schadeverzekeringen NV and Stichting Achmea Rechtsbijstand - REQUEST for a preliminary ruling under Article 267 TFEU from the Gerechtshof Amsterdam (Court of Appeal, Amsterdam, Netherlands) - Reference for a preliminary ruling — **Legal expenses insurance** — Directive 87/344/EEC — Article 4(1) — **Free choice of lawyer for an insured person** — Inquiry or proceedings — Definition — **Objection to refusal of authorisation for care**

[CURIA – Judgment of the Court of Justice in Case C-5/15 of 7 April 2016](#)

Case C-113/15: OPINION OF ADVOCATE GENERAL SHARPSTON of 5 April 2016 - Breitsamer und Ulrich GmbH & Co. KG v Landeshauptstadt München - Reference for a preliminary ruling from the Bayerischer Verwaltungsgerichtshof (Bavarian Higher Administrative Court, Germany) - Directive 2001/110/EC — Article 2(4) — **Indication of the country or countries of origin where honey has been harvested** — Directive 2000/13/EC — Article 1(3)(b) — **Meaning of ‘pre-packaged foodstuff’ — Whether to indicate the country of origin on individual portions of honey sold in cartons to mass caterers and subsequently sold separately or included in purchased meals** — Article 13(4) — **Scope of the exception for small packaging** — Regulation (EU) No 1169/2011 — Article 2(2)(e) — **Meaning of ‘pre-packed food’** — Article 16(2) — **Scope of exception for small packaging**
[CURIA – Opinion of Advocate General in Case C-113/15 of 5 April 2016](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

EFTA SURVEILLANCE AUTHORITY DECISION No 447/14/COL of 5 November 2014 adopting **guidelines for the management of the Rapid Information System ‘RAPEX’** as established under Articles 11 and 12 of Directive 2001/95/EC (the General Product Safety Directive) [2016/487]
[OJ of the EU, L 92/1 of 7 April 2016](#)

12. Human Rights

Community Legislation

COMMISSION IMPLEMENTING REGULATION (EU) 2016/557 of 7 April 2016 amending Council Regulation (EC) No 2368/2002 **implementing the Kimberley Process certification scheme for the international trade in rough diamonds**
[OJ of the EU, L 96/8 of 12 April 2016](#)

Case Law

Joined Cases C-439/14 and C-488/14: OPINION OF ADVOCATE GENERAL SHARPSTON of 28 April 2016 - SC Star Storage SA v Institutul Național de Cercetare-Dezvoltare în Informatică (ICI) - Request for a preliminary ruling from the Curtea de Apel București (Court of Appeal, Bucharest, Romania) - SC Max Boegl România SRL and SC Construcții Napoca SA v RA Aeroportul Oradea, SC Porr Construct SRL, Teerag-Asdag Aktiengesellschaft, SC Col-Air Trading SRL, AVZI SA, Trameco SA and Iamsat Muntenia SA - Request for a preliminary ruling from the Curtea de Apel Oradea (Court of Appeal, Oradea, Romania) - Public procurement — Directives 89/665/EEC and 92/13/EEC — **National law requiring a ‘good conduct guarantee’ to access review procedures — Procedural autonomy of the Member States — Principles of equivalence and effectiveness — Articles 47 and 52 of the Charter — Right to an effective remedy — Limitation — Proportionality**
[CURIA – Opinion of Advocate General in Case C-439/14 of 28 April 2016](#)

Case C-558/14: JUDGMENT OF THE COURT (Fourth Chamber) of 21 April 2016 - Mimoun Khachab v Subdelegación del Gobierno en Álava - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Superior de Justicia del País Vasco (High Court of Justice of the Basque Country, Spain) - Reference for a preliminary ruling — Directive 2003/86/EC — Article 7(1)(c) — **Family reunification — Requirements for the exercise of the right to family reunification — Stable and regular resources which are sufficient** — National legislation permitting a prospective assessment of the likelihood that the sponsor will retain his resources — Compatibility
[CURIA – Judgment of the Court of Justice in Case C-558/14 of 21 April 2016](#)

Case C-441/14: JUDGMENT OF THE COURT (Grand Chamber) of 19 April 2016 - Dansk Industri (DI), acting on behalf of Ajos A/S, v Estate of Karsten Eigil Rasmussen - REQUEST for a preliminary ruling under Article 267 TFEU from the Højesteret (Supreme Court, Denmark) - Reference for a preliminary ruling — **Social policy — Charter of Fundamental Rights of the European Union** — Directive 2000/78/EC — **Principle prohibiting discrimination on grounds of age — National legislation incompatible with the directive** — Possibility for a private person to bring proceedings to establish the liability of the State for breach of EU law — **Dispute between private persons — Balancing of various rights and principles — Principles of legal certainty and the protection of legitimate expectations — Role of the national court**

[CURIA – Judgment of the Court of Justice in Case C-441/14 of 19 April 2016](#)

Case C-284/15: JUDGMENT OF THE COURT (Sixth Chamber) of 7 April 2016 - Office national de l'emploi (ONEm) v M. and M. v Office national de l'emploi (ONEm) and Caisse auxiliaire de paiement des allocations de chômage (CAPAC) - REQUEST for a preliminary ruling under Article 267 TFEU from the cour du travail de Brussels (Belgium) - Reference for a preliminary ruling — Article 45 TFEU and Article 48 TFEU — **Charter of Fundamental Rights of the European Union** — Article 15(2) — Regulation (EEC) No 1408/71 — Article 67(3) — **Social security — Unemployment benefit to supplement income from part-time employment — Award of that benefit — Completion of periods of employment — Aggregation of periods of insurance or employment — Taking into account of periods of insurance or employment completed under the legislation of another Member State**

[CURIA – Judgment of the Court of Justice in Case C-284/15 of 7 April 2016](#)

Affaires jointes C-404/15 et C-659/15 PPU: ARRÊT DE LA COUR (grande chambre) du 5 avril 2016 - Pál Aranyosi (C-404/15) and Robert Căldăraru (C-659/15 PPU) - ayant pour objet des demandes de décision préjudicielle au titre de l'article 267 TFUE, introduites par le Hanseatisches Oberlandesgericht in Bremen (tribunal régional supérieur de Brême, Allemagne) - Renvoi préjudiciel — **Coopération policière et judiciaire en matière pénale** — Décision-cadre 2002/584/JAI — **Mandat d'arrêt européen – Motifs de refus d'exécution – Charte des droits fondamentaux de l'Union européenne – Article 4 – Interdiction des traitements inhumains ou dégradants – Conditions de détention dans l'État membre d'émission**

[CURIA – Arrêt de la Cour de Justice dans l'affaire C-404/15 du 5 avril 2016 \(FR seulement\)](#)

13. Internal Market and Single Market

Community Legislation

COMMISSION IMPLEMENTING DECISION (EU) 2016/650 of 25 April 2016 laying down standards for the **security assessment of qualified signature and seal creation devices** pursuant to Articles 30(3) and 39(2) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on **electronic identification and trust services for electronic transactions in the internal market** (Text with EEA relevance)

[OJ of the EU, L 109/40 of 26 April 2016](#)

Case Law

Case C-15/15: OPINION OF ADVOCATE GENERAL SAUGMANDSGAARD ØE of 21 April 2016 - New Valmar BVBA v Global Pharmacies Partner Health Srl - Request for a preliminary ruling from the Rechtbank van Koophandel te Gent (Commercial Court, Ghent, Belgium) - Reference for a preliminary ruling — **Free movement of goods** — Article 35 TFEU — **Prohibition of measures having an effect equivalent to quantitative restrictions on exports — Company established in the Dutch-speaking region of the Kingdom of Belgium — Legislation requiring invoices to be drawn up in Dutch, failing which they are null and void — Contract with a cross-border element — Restriction — Justification — Proportionality**

[CURIA – Opinion of Advocate General in Case C-15/15 of 21 April 2016](#)

Affaire C-492/14: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. YVES BOT du 14 avril 2016 - Essent Belgium NV contre Vlaams Gewest, Inter Energa e.a. et Vlaamse Regulator van de Elektriciteits- en Gasmarkt (VREG) - demande de décision préjudicielle formée par le rechtbank van eerste aanleg te Brussel (tribunal de première instance de Bruxelles, Belgique) - Renvoi préjudiciel – Régimes de distribution gratuite de l'électricité verte injectée directement sur les réseaux de distribution – Refus de prise en compte de l'électricité verte produite en dehors de l'État membre concerné – Libre circulation des marchandises – Article 28 CE
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-492/14 du 14 avril 2016 \(FR seulement\)](#)

Affaire C-574/14: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. CAMPOS SÁNCHEZ-BORDONA du 14 avril 2016 - PGE Górnictwo i Energetyka Konwencjonalna S.A. contre Prezes Urzędu Regulacji Energetyki - demande de décision préjudicielle formée par le Sąd Najwyższy (Cour suprême) (Pologne) - Marché intérieur de l'électricité – Aides d'État – Décision de la Commission constatant la compatibilité d'une aide d'État avec le marché commun – Article 107 TFUE – Article 4, paragraphe 3, TUE – Décision 2009/287/CE – Méthodologie des coûts échoués – Calcul de l'ajustement annuel de la compensation des coûts échoués – Situation du marché en cause – Compétences des autorités et juridictions nationales
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-574/14 du 14 avril 2016 \(FR seulement\)](#)

Case C-131/14: JUDGMENT OF THE COURT (Second Chamber) of 14 April 2016 - Malvino Cervati, and Società Malvi Sas di Cervati Malvino, having ceased to trade v Agenzia delle Dogane, Agenzia delle Dogane – Ufficio delle Dogane di Livorno and Roberto Cervati - REQUEST for a preliminary ruling under Article 267 TFEU, from the Corte suprema di cassazione (Court of cassation, Italy) - Reference for a preliminary ruling – Agriculture – Common organisation of the markets – Regulation (EC) No 565/2002 – Article 3(3) – Tariff quota – Garlic of Argentinian origin – Import licences – Non-transferability of rights deriving from import licences – Circumvention – Abuse of rights – Conditions – Regulation (EC, Euratom) No 2988/95 – Article 4(3)
[CURIA – Judgment of the Court of Justice in Case C-131/14 of 14 April 2016](#)

Affaire C-121/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. PAOLO MENGGOZZI du 12 avril 2016 - Association nationale des opérateurs détaillants en énergie (ANODE) contre Premier ministre, Ministre de l'Économie, de l'Industrie et du Numérique, Commission de régulation de l'énergie et ENGIE, anciennement GDF Suez - demande de décision préjudicielle formée par le Conseil d'État (France) - Renvoi préjudiciel – Directive 2009/73/CE – Marché intérieur du gaz naturel – Intervention de l'État sur le prix de fourniture du gaz naturel – Entrave à la réalisation d'un marché du gaz naturel concurrentiel – Obligation de service public – Intérêt économique général – Objectifs de sécurité d'approvisionnement et de cohésion territoriale – Couverture des coûts complets
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-121/15 du 12 avril 2016 \(FR seulement\)](#)

Case C-324/14: JUDGMENT OF THE COURT (First Chamber) of 7 April 2016 - Partner Apelski Dariusz v Zarząd Oczyszczania Miasta, Remondis sp. z o.o. and MR Road Service sp. z o.o. - REQUEST for a preliminary ruling under Article 267 TFEU from the Krajowa Izba Odwoławcza (National Appeal Chamber, Poland) - Reference for a preliminary ruling – Public procurement – Directive 2004/18/EC – Technical and/or professional abilities of economic operators – Article 48(3) – Possibility to rely on the capacities of other entities – Conditions and procedures – Nature of the links between the tenderer and the other entities – Amendment of the tender – Annulment and repetition of an electronic auction – Directive 2014/24/EU
[CURIA – Judgment of the Court of Justice in Case C-324/14 of 7 April 2016](#)

Case C-689/13: JUDGMENT OF THE COURT (Grand Chamber) of 5 April 2016 - Puligienica Facility Esco SpA (PFE) v Aigest SpA, Gestione Servizi Ambientali Srl (GSA) and Zenith Services Group Srl (ZS) - REQUEST for a preliminary ruling under Article 267 TFEU from the Consiglio di giustizia amministrativa per la Regione siciliana (Council of Administrative Justice for the Region of Sicily, Italy) - Reference for a preliminary ruling — Public service contracts — Directive 89/665/EEC — Article 1(1) and (3) — **Review procedures — Application for annulment of the decision awarding a public contract by a tenderer whose bid was not successful — Counterclaim brought by the successful tenderer** — Rule derived from national case-law under which the counterclaim must be examined first and, if the counterclaim is well founded, the main action must be dismissed as inadmissible without any examination of the merits — Whether compatible with EU law — Article 267 TFEU — **Principle of the primacy of EU law — Principle of law stated by decision of the plenary session of the supreme administrative court of a Member State** — National legislation which provides that that decision is binding on the chambers of that court — **Obligation on the part of the chamber required to adjudicate on a question of EU law to refer that question to the plenary session if it disagrees with the decision of the plenary session** — Whether the chamber has a discretion or is under an obligation to request a preliminary ruling from the Court of Justice

[CURIA – Judgment of the Court of Justice in Case C-689/13 of 5 April 2016](#)

14. Intellectual Property

Case Law

Case C-572/14: JUDGMENT OF THE COURT (First Chamber) of 21 April 2016 - Austro-Mechana Gesellschaft zur Wahrnehmung mechanisch-musikalischer Urheberrechte GmbH v Amazon EU Sàrl, Amazon Services Europe Sàrl, Amazon.de GmbH, Amazon Logistik GmbH and Amazon Media Sàrl - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberster Gerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — Regulation (EC) No 44/2001— **Jurisdiction in civil and commercial matters** — Article 5(3) — **Concept of ‘tort, delict or quasi-delict’** — Directive 2001/29/EC — **Harmonisation of certain aspects of copyright and related rights in the information society** — Article 5(2)(b) — **Reproduction right — Exceptions and limitations — Reproduction for private use — Fair compensation — Non-payment — Whether included in the scope of Article 5(3) of Regulation (EC) No 44/2001**

[CURIA – Judgment of the Court of Justice in Case C-572/14 of 21 April 2016](#)

Case C-280/15: OPINION OF ADVOCATE GENERAL WATHELET of 21 April 2016 - Irina Nikolajeva v OÜ Multi Protect - Request for a preliminary ruling from the Harju Maakohus (Harju District Court, Estonia) - Reference for a preliminary ruling — **Community trade mark** — Regulation (EC) No 207/2009 — Articles 9(3) and 102(1) — **Rights conferred by the trade mark** — Dispute concerning infringement — **Obligation of the Community trade mark courts to issue an order prohibiting the defendant from proceeding with acts of infringement** — Absence of an application for such an order — **Notion of ‘reasonable compensation’ in respect of acts occurring after the date of publication of a Community trade mark application and prior to the date of publication of the registration of such a trade mark**

[CURIA – Opinion of Advocate General in Case C-280/15 of 21 April 2016](#)

Case C-226/15 P: OPINION OF ADVOCATE GENERAL BOBEK of 13 April 2016 - Apple and Pear Australia Ltd and Star Fruits Diffusion v EUIPO - Appeal — **Community trade mark — Opposition to registration** — Decision of the Board of Appeal of EUIPO — **Action for infringement on the basis of earlier Community trade marks before a Community trade mark court** — Relationship between legal proceedings — **Res judicata** — Sincere cooperation

[CURIA – Opinion of Advocate General in Case C-226/15 of 13 April 2016](#)

Case C-160/15: OPINION OF ADVOCATE GENERAL WATHELET of 7 April 2016 - GS Media BV v Sanoma Media Netherlands BV, Playboy Enterprises International Inc. and Britt Geertruida Dekker - Request for a preliminary ruling from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands) - Reference for a preliminary ruling — **Copyright and related rights** — Directive 2001/29/EC — **Information society** — Article 3(1) — **Communication to the public — Website — Making available to the public of hyperlinks to works freely accessible on another website — No authorisation from the holder**

[CURIA – Opinion of Advocate General in Case C-160/15 of 7 April 2016](#)

Case C-57/15: OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA of 5 April 2016 - United Video Properties, Inc. v Telenet NV - Request for a preliminary ruling from the Hof Van Beroep te Antwerpen (Court of Appeal, Antwerp, Belgium) - **Intellectual property rights** — Directive 2004/48/EC — Article 14 — **Legal costs — Reimbursement of lawyers' and experts' fees — Maximum limit for lawyers' fees**
[CURIA – Opinion of Advocate General in Case C-57/15 of 5 April 2016](#)

Case C-113/15: OPINION OF ADVOCATE GENERAL SHARPSTON of 5 April 2016 - Breitsamer und Ulrich GmbH & Co. KG v Landeshauptstadt München - Reference for a preliminary ruling from the Bayerischer Verwaltungsgerichtshof (Bavarian Higher Administrative Court, Germany) - Directive 2001/110/EC — Article 2(4) — **Indication of the country or countries of origin where honey has been harvested** — Directive 2000/13/EC — Article 1(3)(b) — **Meaning of 'pre-packaged foodstuff' — Whether to indicate the country of origin on individual portions of honey sold in cartons to mass caterers and subsequently sold separately or included in purchased meals** — Article 13(4) — **Scope of the exception for small packaging** — Regulation (EU) No 1169/2011 — Article 2(2)(e) — **Meaning of 'pre-packed food' — Article 16(2) — Scope of exception for small packaging**
[CURIA – Opinion of Advocate General in Case C-113/15 of 5 April 2016](#)

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

Community Legislation

COUNCIL IMPLEMENTING REGULATION (EU) 2016/620 of 21 April 2016 **implementing** Article 2(3) of Regulation (EC) No 2580/2001 on **specific restrictive measures directed against certain persons and entities with a view to combating terrorism**, and amending Implementing Regulation (EU) 2015/2425
[OJ of the EU, L 106/1 of 22 April 2016](#)

COUNCIL DECISION (CFSP) 2016/628 of 21 April 2016 **updating and amending the list of persons, groups and entities** subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the **application of specific measures to combat terrorism**, and amending Decision (CFSP) 2015/2430
[OJ of the EU, L 106/24 of 22 April 2016](#)

Case Law

Joined Cases C-439/14 and C-488/14: OPINION OF ADVOCATE GENERAL SHARPSTON of 28 April 2016 - SC Star Storage SA v Institutul Național de Cercetare-Dezvoltare în Informatică (ICI) - Request for a preliminary ruling from the Curtea de Apel București (Court of Appeal, Bucharest, Romania) - SC Max Boegl România SRL and SC Construcții Napoca SA v RA Aeroportul Oradea, SC Porr Construct SRL, Teerag-Asdag Aktiengesellschaft, SC Col-Air Trading SRL, AVZI SA, Trameco SA and Iamsat Muntenia SA - Request for a preliminary ruling from the Curtea de Apel Oradea (Court of Appeal, Oradea, Romania) - Public procurement — Directives 89/665/EEC and 92/13/EEC — **National law requiring a 'good conduct guarantee' to access review procedures — Procedural autonomy of the Member States — Principles of equivalence and effectiveness — Articles 47 and 52 of the Charter — Right to an effective remedy — Limitation — Proportionality**
[CURIA – Opinion of Advocate General in Case C-439/14 of 28 April 2016](#)

Affaire C-379/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL Mme Juliane Kokott du 28 avril 2016 - Association France Nature Environnement contre Premier ministre et Ministre de l'Écologie, du Développement durable et de l'Énergie - demande de décision préjudicielle formée par le Conseil d'État (France) - **Office du juge national – Réglementation nationale contraire au droit de l'Union – Maintien provisoire des effets d'une telle réglementation** – Effets dans le temps – Obligation de saisir la CJUE – **Protection de l'environnement** – Directive 2001/42/CE – **Évaluation de l'incidence de certains plans et programmes sur l'environnement – Violation des règles de procédure du droit de l'Union**
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-379/15 du 28 avril 2016 \(FR seulement\)](#)

Case C-377/14: JUDGMENT OF THE COURT (Third Chamber) of 21 April 2016 - Ernst Georg Radlinger and Helena Radlingerová v Finway a.s. - REQUEST for a preliminary ruling under Article 267 TFEU from the Krajský soud v Praze (Regional Court, Prague, Czech Republic) - Reference for a preliminary ruling — Directive 93/13/EEC — Article 7 — **National rules governing insolvency proceedings — Debts arising from a consumer credit agreement — Effective judicial remedy** — Point 1(e) of the annex — **Disproportionate amount of compensation** — Directive 2008/48/EC — Article 3(l) — **Total amount of credit** — Point I of Annex I — Amount of drawdown — **Calculation of the annual percentage rate** — Article 10(2) — **Obligation to provide information — Ex officio examination — Penalty**

[CURIA – Judgment of the Court of Justice in Case C-377/14 of 21 April 2016](#)

Case C-558/14: JUDGMENT OF THE COURT (Fourth Chamber) of 21 April 2016 - Mimoun Khachab v Subdelegación del Gobierno en Álava - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Superior de Justicia del País Vasco (High Court of Justice of the Basque Country, Spain) - Reference for a preliminary ruling — Directive 2003/86/EC — Article 7(1)(c) — **Family reunification — Requirements for the exercise of the right to family reunification — Stable and regular resources which are sufficient** — National legislation permitting a prospective assessment of the likelihood that the sponsor will retain his resources — Compatibility

[CURIA – Judgment of the Court of Justice in Case C-558/14 of 21 April 2016](#)

Case C-572/14: JUDGMENT OF THE COURT (First Chamber) of 21 April 2016 - Austro-Mechana Gesellschaft zur Wahrnehmung mechanisch-musikalischer Urheberrechte GmbH v Amazon EU Sàrl, Amazon Services Europe Sàrl, Amazon.de GmbH, Amazon Logistik GmbH and Amazon Media Sàrl - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberster Gerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — Regulation (EC) No 44/2001 — **Jurisdiction in civil and commercial matters** — Article 5(3) — **Concept of ‘tort, delict or quasi-delict’** — Directive 2001/29/EC — **Harmonisation of certain aspects of copyright and related rights in the information society** — Article 5(2)(b) — **Reproduction right — Exceptions and limitations — Reproduction for private use — Fair compensation — Non-payment — Whether included in the scope of Article 5(3) of Regulation (EC) No 44/2001**

[CURIA – Judgment of the Court of Justice in Case C-572/14 of 21 April 2016](#)

Case C-366/13: JUDGMENT OF THE COURT (First Chamber) of 20 April 2016 - Profit Investment Sim SpA, in liquidation v Stefano Ossi, Commerzbank Brand Dresdner Bank AG, Andrea Mirone, Eugenio Magli, Francesco Redi, Profit Holding SpA, in liquidation, Redi & Partners Ltd, Enrico Fiore and E3 SA - REQUEST for a preliminary ruling under Article 267 TFEU from the Corte suprema di cassazione (Supreme Court of Cassation, Italy) - Reference for a preliminary ruling — Regulation (EC) No 44/2001 — **Area of Freedom, Security and Justice — Concept of ‘irreconcilable judgments’** — Actions having different subject-matters brought against several defendants domiciled in various Member States — **Conditions for the prorogation of jurisdiction — Jurisdiction clause — Concept of ‘matters relating to a contract’ — Verification of the lack of a valid contractual link**

[CURIA – Judgment of the Court of Justice in Case C-366/13 of 20 April 2016](#)

Affaire C-135/15: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. MACIEJ SZPUNAR du 20 avril 2016 - République hellénique contre Grigorios Nikiforidis - demande de décision préjudicielle formée par le Bundesarbeitsgericht (Cour fédérale du travail, Allemagne) - Renvoi préjudiciel — **Coopération judiciaire en matière civile – Droit applicable au contrat de travail – Règlement (CE) n° 593/2008 (Rome I) – Article 28 – Champ d’application ratione temporis** – Article 9, paragraphe 3 – Lois de police étrangères – **Législation d’un État membre portant réduction de la rémunération des salariés du secteur public pour cause de crise financière**

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-135/15 du 20 avril 2016 \(FR seulement\)](#)

Affaire C-574/14: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. CAMPOS SÁNCHEZ-BORDONA du 14 avril 2016 - PGE Górnictwo i Energetyka Konwencjonalna S.A. contre Prezes Urzędu Regulacji Energetyki - demande de décision préjudicielle formée par le Sąd Najwyższy (Cour suprême) (Pologne) - **Marché intérieur de l’électricité — Aides d’État — Décision de la Commission constatant la compatibilité d’une aide d’État avec le marché commun** — Article 107 TFEU — Article 4, paragraphe 3, TUE — Décision 2009/287/CE — **Méthodologie des coûts échoués — Calcul de l’ajustement annuel de la compensation des coûts échoués — Situation du marché en cause — Compétences des autorités et juridictions nationales**

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-574/14 du 14 avril 2016 \(FR seulement\)](#)

Case C-115/15: OPINION OF ADVOCATE GENERAL WATHELET of 14 April 2016 - Secretary of State for the Home Department v NA - Request for a preliminary ruling from the Court of Appeal (England & Wales) (Civil Division) (United Kingdom) - Reference for a preliminary ruling — Articles 20 TFEU and 21 TFEU — Article 13(2)(c) of Directive 2004/38 — **Divorce — Retention of the right of residence of a third country national having custody of minor children who are nationals of another Member State of the European Union** — First paragraph of Article 12 of Regulation No 1612/68

[CURIA – Opinion of Advocate General in Case C-115/15 of 14 April 2016](#)

Affaire C-601/14: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. YVES BOT du 12 avril 2016 - Commission européenne contre République italienne - Manquement d'État – Directive 2004/80/CE – **Indemnisation des victimes de la criminalité** – Article 12 – **Absence de régime général d'indemnisation des victimes de tout type d'infraction intentionnelle violente commise sur le territoire italien – Espace de liberté, de sécurité et de justice**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-601/14 du 12 avril 2016 \(FR seulement\)](#)

Affaire C-70/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL MME JULIANE KOKOTT du 7 avril 2016 - Emmanuel Lebek - demande de décision préjudicielle formée par le Sąd Najwyższy (Cour suprême, Pologne) - Demande de décision préjudicielle - **Coopération judiciaire en matière civile** – Règlement (CE) n° 44/2001 – Article 34, point 2 - **Possibilité d'introduire un recours contre une décision** – Règlement (CE) n° 1393/2007 – Article 19 - **Demande de relevé de la forclusion**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-70/15 du 7 avril 2016 \(FR seulement\)](#)

Case C-102/15: OPINION OF ADVOCATE GENERAL WAHL of 7 April 2016 - Gazdasági Versenyhivatal v Siemens Aktiengesellschaft Österreich - Request for a preliminary ruling from the Fővárosi Ítéltábla (Regional Court of Appeal, Budapest, Hungary) - **Judicial cooperation in civil matters** — Regulation (EC) No 44/2001 — Article 1(1) — **Scope — Concept of 'civil and commercial matters'** — Article 5(3) — **Jurisdiction to hear and determine matters relating to tort, delict or quasi-delict — Action for restitution on the ground of unjust enrichment**

[CURIA – Opinion of Advocate General in Case C-102/15 of 7 April 2016](#)

Case C-222/15: OPINION OF ADVOCATE GENERAL SZPUNAR of 7 April 2016 - Hőszig kft v Alstom Power Thermal Services - Request for a preliminary ruling from the Pécsi Törvényszék (Court of Pécs, Hungary) - **Area of freedom, security and justice — Jurisdiction in civil and commercial matters** — Regulation (EC) No 44/2001 — Article 23(1) — **Prorogation of jurisdiction — Agreement conferring jurisdiction on the courts of one particular city of a Member State — General conditions of contract**

[CURIA – Opinion of Advocate General in Case C-222/15 of 7 April 2016](#)

Case C-483/14: JUDGMENT OF THE COURT (Third Chamber) of 7 April 2016 - KA Finanz AG v Sparkassen Versicherung AG Vienna Insurance Group - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberster Gerichtshof (Supreme Court, Austria) - Reference for a preliminary ruling — **Rome Convention — Applicable law — Cross-border merger** — Directive 78/855/EEC — Directive 2005/56/EC — **Merger by acquisition — Protection of creditors — Transfer of all the assets and liabilities of the company being acquired to the acquiring company**

[CURIA – Judgment of the Court of Justice in Case C-483/14 of 7 April 2016](#)

Case C-460/14: JUDGMENT OF THE COURT (Tenth Chamber) of 7 April 2016 - Johannes Evert Antonius Massar v DAS Nederlandse Rechtsbijstand Verzekeringsmaatschappij NV - REQUEST for a preliminary ruling under Article 267 TFEU from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands, Netherlands) - Reference for a preliminary ruling — **Legal expenses insurance** — Directive 87/344/EEC — Article 4(1) — **Free choice of lawyer for an insured person** — Inquiry or proceedings — Definition — **Authorisation granted by a public body to an employer for the purpose of terminating an employment contract**

[CURIA – Judgment of the Court of Justice in Case C-460/14 of 7 April 2016](#)

Case C-5/15: JUDGMENT OF THE COURT (Tenth Chamber) of 7 April 2016 - Gökhan Büyüktipi v Achmea Schadeverzekeringen NV and Stichting Achmea Rechtsbijstand - REQUEST for a preliminary ruling under Article 267 TFEU from the Gerechtshof Amsterdam (Court of Appeal, Amsterdam, Netherlands) - Reference for a preliminary ruling — **Legal expenses insurance** — Directive 87/344/EEC — Article 4(1) — **Free choice of lawyer for an insured person** — Inquiry or proceedings — Definition — **Objection to refusal of authorisation for care**
[CURIA – Judgment of the Court of Justice in Case C-5/15 of 7 April 2016](#)

Case C-57/15: OPINION OF ADVOCATE GENERAL CAMPOS SÁNCHEZ-BORDONA of 5 April 2016 - United Video Properties, Inc. v Telenet NV - Request for a preliminary ruling from the Hof Van Beroep te Antwerpen (Court of Appeal, Antwerp, Belgium) - **Intellectual property rights** — Directive 2004/48/EC — Article 14 — **Legal costs — Reimbursement of lawyers' and experts' fees — Maximum limit for lawyers' fees**
[CURIA – Opinion of Advocate General in Case C-57/15 of 5 April 2016](#)

Affaires jointes C-404/15 et C-659/15 PPU: ARRÊT DE LA COUR (grande chambre) du 5 avril 2016 - Pál Aranyosi (C-404/15) and Robert Căldăraru (C-659/15 PPU) - ayant pour objet des demandes de décision préjudicielle au titre de l'article 267 TFUE, introduites par le Hanseatisches Oberlandesgericht in Bremen (tribunal régional supérieur de Brême, Allemagne) - Renvoi préjudiciel — **Coopération policière et judiciaire en matière pénale** — Décision-cadre 2002/584/JAI — **Mandat d'arrêt européen – Motifs de refus d'exécution – Charte des droits fondamentaux de l'Union européenne** – Article 4 – **Interdiction des traitements inhumains ou dégradants – Conditions de détention dans l'État membre d'émission**
[CURIA – Arrêt de la Cour de Justice dans l'affaire C-404/15 du 5 avril 2016 \(FR seulement\)](#)

16. Transport

Community Legislation

COMMISSION IMPLEMENTING DECISION (EU) 2016/629 of 20 April 2016 **authorising Member States to adopt certain derogations** pursuant to Directive 2008/68/EC of the European Parliament and of the Council on the **inland transport of dangerous goods** (notified under document C(2016) 2229)
[OJ of the EU, L 106/26 of 22 April 2016](#)

COMMISSION REGULATION (EU) 2016/583 of 15 April 2016 amending Regulation (EU) No 1332/2011 laying down **common airspace usage requirements and operating procedures for airborne collision avoidance** (Text with EEA relevance)
[OJ of the EU, L 101/7 of 16 April 2016](#)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/545 of 7 April 2016 on **procedures and criteria concerning framework agreements for the allocation of rail infrastructure capacity** (Text with EEA relevance)
[OJ of the EU, L 94/1 of 8 April 2016](#)

COMMISSION REGULATION (EU) 2016/539 of 6 April 2016 amending Regulation (EU) No 1178/2011 as regards **pilot training, testing and periodic checking for performance-based navigation** (Text with EEA relevance)
[OJ of the EU, L 89/1 of 7 April 2016](#)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/480 of 1 April 2016 establishing **common rules concerning the interconnection of national electronic registers on road transport undertakings** and repealing Regulation (EU) No 1213/2010 (Text with EEA relevance)
[OJ of the EU, L 87/4 of 2 April 2016](#)

REGULATION (EU) 2016/424 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 2016 on **cableway installations** and repealing Directive 2000/9/EC (Text with EEA relevance)
[OJ of the EU, L 81/1 of 31 March 2016](#)

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

Community Legislation

COUNCIL DECISION (EU) 2016/541 of 19 August 2015 giving **notice to Greece to take measures for the deficit reduction judged necessary to remedy the situation of excessive deficit** (2015/1410)

[OJ of the EU, L 91/18 of 7 April 2016](#)

COUNCIL IMPLEMENTING DECISION (EU) 2016/542 of 17 July 2015 on granting **short-term Union financial assistance to Greece** (2015/1181)

[OJ of the EU, L 91/22 of 7 April 2016](#)

COUNCIL IMPLEMENTING DECISION (EU) 2016/543 of 17 July 2015 approving the **adjustment programme of Greece**

[OJ of the EU, L 91/26 of 7 April 2016](#)

COUNCIL IMPLEMENTING DECISION (EU) 2016/544 of 19 August 2015 approving the **macroeconomic adjustment programme of Greece** (2015/1411)

[OJ of the EU, L 91/27 of 7 April 2016](#)

DECISION (EU) 2016/457 OF THE EUROPEAN CENTRAL BANK of 16 March 2016 on the **eligibility of marketable debt instruments issued or fully guaranteed by the Republic of Cyprus** (ECB/2016/5)

[OJ of the EU, L 79/41 of 30 March 2016](#)

DECISION (EU) 2016/456 OF THE EUROPEAN CENTRAL BANK of 4 March 2016 concerning the **terms and conditions for European Anti-Fraud Office investigations of the European Central Bank**, in relation to the **prevention of fraud, corruption and any other illegal activities affecting the financial interests of the Union** (ECB/2016/3) (recast)

[OJ of the EU, L 79/34 of 30 March 2016](#)

Case Law

Joined Cases C-8/15 P, C-9/15 P and C-10/15 P: OPINION OF ADVOCATE GENERAL WAHL of 21 April 2016 - **Ledra Advertising Ltd (C-8/15 P), Andreas Eleftheriou (C-9/15 P), Eleni Eleftheriou (C-9/15 P), Lilia Papachristofi (C-9/15 P), Christos Theophilou (C-10/15 P) and Eleni Theophilou (C-10/15 P) v European Commission and European Central Bank** - Appeals — **European stability mechanism — Stability support programme for Cyprus — Memorandum of Understanding on Specific Economic Policy Conditionality concluded between the Republic of Cyprus and European Central Bank (ECB), the International Monetary Fund (IMF) and the European Commission** — Actions for compensation and annulment — Obligations of the Commission

[CURIA – Opinion of Advocate General in Case C-8/15 of 21 April 2016](#)

Joined Cases C-105/15 P to C-109/15 P : OPINION OF ADVOCATE GENERAL WATHELET of 21 April 2016 - **Konstantinos Mallis and Elli Konstantinou Malli (C-105/15 P), Tameio Pronoias Prosopikou Trapezis Kyprou (C-106/15 P), Petros Chatzithoma and Elenitsa Chatzithoma (C-107/15 P), Lella Chatziioannou (C-108/15 P) and Marinos Nikolaou (C-109/15 P) v European Commission and European Central Bank (ECB)** - Appeal — **Programme of stability support for the Republic of Cyprus** — Agreement concluded between the Euro Group countries and the Cypriot authorities concerning, inter alia, the restructuring of the banking sector in the Republic of Cyprus — **Implementation of that part of the agreement by the Central Bank of Cyprus — Actions for annulment**

[CURIA – Opinion of Advocate General in Case C-105/15 of 21 April 2016](#)

Case C-115/15: OPINION OF ADVOCATE GENERAL WATHELET of 14 April 2016 - Secretary of State for the Home Department v NA - Request for a preliminary ruling from the Court of Appeal (England & Wales) (Civil Division) (United Kingdom) - Reference for a preliminary ruling — Articles 20 TFEU and 21 TFEU —Article 13(2)(c) of Directive 2004/38 — **Divorce — Retention of the right of residence of a third country national having custody of minor children who are nationals of another Member State of the European Union** — First paragraph of Article 12 of Regulation No 1612/68

[CURIA – Opinion of Advocate General in Case C-115/15 of 14 April 2016](#)

Preparatory Acts, Reports, Calls, Memos, Common Positions

GUIDELINE (EU) 2016/579 OF THE EUROPEAN CENTRAL BANK of 16 March 2016 amending **Guideline ECB/2012/27 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2)** (ECB/2016/6)

[OJ of the EU, L 99/21 of 15 April 2016](#)

GUIDELINE (EU) 2016/450 OF THE EUROPEAN CENTRAL BANK of 4 December 2015 amending **Guideline ECB/2014/15 on monetary and financial statistics** (ECB/2015/44)

[OJ of the EU, L 86/42 of 1 April 2016](#)