



Institut suisse de droit comparé  
Schweizerisches Institut für Rechtsvergleichung  
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Swiss Institute of Comparative Law

# 104

## Highlights

**DIRECTIVE (EU) 2016/943 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 8 June 2016 on the **protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure** (Text with EEA relevance)

[OJ of the EU, L 157/3 of 15 June 2016](#)

**Case C-573/14: OPINION OF ADVOCATE GENERAL SHARPSTON of 31 May 2016 - Commissaire général aux réfugiés et aux apatrides v Mostafa Lounani** - Request for a preliminary ruling from the Conseil d'État (Council of State, Belgium) - **Area of freedom, security and justice — Asylum — Minimum standards for the qualification and status of third country nationals or stateless persons as refugees** — Directive 2004/83/EC — Article 12(2)(c) — Conditions for exclusion from refugee status — **Concept of 'acts contrary to the purposes and principles of the United Nations'** — Meaning of instigation or participation for the purposes of **Article 12(3)** — Framework Decision 2002/475/JHA — Articles 1 and 2 — **Whether a conviction for terrorist offences is a requirement for exclusion from refugee status — Assessment of the grounds for exclusion**

[CURIA – Opinion of Advocate General in Case C-573/14 of 31 May 2016](#)

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June 2016

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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

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

## 2. External Relations / Foreign Policy

### International Agreements

**COUNCIL DECISION (EU) 2016/968** of 6 June 2016 on the **position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms** (ISA<sup>2</sup> programme)  
[OJ of the EU, L 160/90 of 17 June 2016](#)

**COUNCIL DECISION (EU) 2016/920** of 20 May 2016 on the **signing, on behalf of the European Union, of the Agreement between the United States of America and the European Union on the protection of personal information relating to the prevention, investigation, detection, and prosecution of criminal offences**  
[OJ of the EU, L 154/1 of 11 June 2016](#)

### Community Legislation

**COUNCIL IMPLEMENTING DECISION (EU) 2016/894** of 12 May 2016 **setting out a recommendation for temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk**  
[OJ of the EU, L 151/8 of 8 June 2016](#)

### Case Law

**Case C-263/14: JUDGMENT OF THE COURT (Grand Chamber) of 14 June 2016 - European Parliament and European Commission v Council of the European Union, Czech Republic, Kingdom of Sweden and United Kingdom of Great Britain and Northern Ireland - ACTION for annulment under Article 263 TFEU - Action for annulment — Common foreign and security policy (CFSP) — Decision 2014/198/CFSP — Agreement between the European Union and the United Republic of Tanzania on the conditions of transfer of suspected pirates and associated seized property from the European Union-led naval force to the United Republic of Tanzania — Choice of legal basis — Obligation to inform the European Parliament immediately and fully at all stages of the procedure of negotiation and conclusion of international agreements — Maintenance of the effects of the decision in the event of annulment**  
[CURIA – Judgment of the Court of Justice in Case C-263/14 of 14 June 2016](#)

**Case C-47/15: JUDGMENT OF THE COURT (Grand Chamber) of 7 June 2016 - Sélima Affum v Préfet du Pas-de-Calais and Procureur général de la cour d'appel de Douai - REQUEST for a preliminary ruling under Article 267 TFEU from the Cour de cassation (Court of Cassation, France) - Reference for a preliminary ruling — Area of freedom, security and justice — Directive 2008/115/EC — Common standards and procedures for returning illegally staying third-country nationals — Police custody — National legislation providing for a sentence of imprisonment in the event of illegal entry — Situation of 'transit' — Multilateral readmission arrangement**  
[CURIA – Judgment of the Court of Justice in Case C-47/15 of 7 June 2016](#)

**Case C-63/15: JUDGMENT OF THE COURT (Grand Chamber) of 7 June 2016 - Mehrdad Ghezelbash v Staatssecretaris van Veiligheid en Justitie - REQUEST for a preliminary ruling under Article 267 TFEU from the Rechtbank Den Haag (District Court, The Hague, Netherlands) - Reference for a preliminary ruling — Regulation (EU) No 604/2013 — Determination of the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national — Article 12 — Issue of residence documents or visas — Article 27 — Remedies — Extent of judicial scrutiny**  
[CURIA – Judgment of the Court of Justice in Case C-63/15 of 7 June 2016](#)

**Case C-155/15: JUDGMENT OF THE COURT (Grand Chamber) of 7 June 2016 - George Karim v Migrationsverket** - REQUEST for a preliminary ruling under Article 267 TFEU from the Kammarrätten i Stockholm – Migrationsöverdomstolen (Administrative Court of Appeal, Stockholm, Court of Appeal in Immigration Matters, Sweden) - Reference for a preliminary ruling — Regulation (EU) No 604/2013 — **Determination of the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national** — Article 18 — **Taking back an asylum seeker whose application is being examined** — Article 19 — Cessation of responsibility — **Absence from the territory of the Member States for a period of at least three months** — **New procedure for determining the Member State responsible** — Article 27 — Remedy — **Extent of judicial review**

[CURIA – Judgment of the Court of Justice in Case C-155/15 of 7 June 2016](#)

**Case C-31/15 P: JUDGMENT OF THE COURT (Eighth Chamber) of 2 June 2016 - Photo USA Electronic Graphic Inc., established in Beijing (China) v Council of the European Union, European Commission, Ancap SpA, established in Sommacampagna (Italy), Ceramic-Unie AISBL, established in Brussels (Belgium), Confindustria Ceramica, established in Sassuolo (Italy) and Verband der Keramischen Industrie eV, established in Selb (Germany)** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Implementing Regulation (EU) No 412/2013 — **Imports of ceramic tableware and kitchenware originating in China — Definitive anti-dumping duty**

[CURIA – Judgment of the Court of Justice in Case C-31/15 of 2 June 2016](#)

**Case C-72/15: OPINION OF ADVOCATE GENERAL WATHELET of 31 May 2016 - Rosneft Oil Company OJSC v Her Majesty's Treasury, The Secretary of State for Business, Innovation and Skills and The Financial Conduct Authority** - Request for a preliminary ruling from the High Court of Justice of England and Wales, Queen's Bench Division (Divisional Court) (United Kingdom) - References for a preliminary ruling — **Common foreign and security policy** — Validity of certain provisions of Decision 2014/512/CFSP and of Regulation (EU) No 833/2014 — **Restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

[CURIA – Opinion of Advocate General in Case C-72/15 of 31 May 2016](#)

### 3. Agriculture and Fisheries / Maritime Affairs

#### Case Law

**Case C-96/15: JUDGMENT OF THE COURT (Third Chamber) of 16 June 2016 - Saint Louis Sucre, formerly Saint Louis Sucre SA v Directeur général des douanes et droits indirects** - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal de grande instance de Nanterre (Regional Court, Nanterre, France) - Reference for a preliminary ruling — **Agriculture — Sugar — Production levies — Right to reimbursement — Sugar held in stock and not exported — Undue enrichment — Freedom to conduct a business — Method of calculation**

[CURIA – Judgment of the Court of Justice in Case C-96/15 of 16 June 2016](#)

**Case C-361/14 P: JUDGMENT OF THE COURT (Grand Chamber) of 14 June 2016 - European Commission v Peter McBride, residing in Downings (Ireland), Hugh McBride, residing in Downings, Mullglen Ltd, established in Largy (Ireland), Cathal Boyle, residing in Fiafannon (Ireland), Thomas Flaherty, residing in Kilonan (Ireland), Ocean Trawlers Ltd, established in Killybegs (Ireland), Patrick Fitzpatrick, residing in Killeany (Ireland), Eamon McHugh, residing in Killybegs, Eugene Hannigan, residing in Killybegs, Larry Murphy, residing in Castletownbere (Ireland) and Brendan Gill, residing in Lifford (Ireland)** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Resource conservation measures and restructuring of the fisheries sector — Requests for increased safety tonnage — Annulment by the European Union judicature of the decision initially rejecting those requests** — Article 266 TFEU — **Repeal of the legal basis on which that initial decision was founded — Competence and legal basis to adopt new decisions** — Annulment by the General Court of new decisions rejecting the requests — **Principle of legal certainty**

[CURIA – Judgment of the Court of Justice in Case C-361/14 of 14 June 2016](#)

**Case C-481/14: JUDGMENT OF THE COURT (Fifth Chamber) of 9 June 2016 - Jørn Hansson v Jungpflanzen Grünewald GmbH** - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberlandesgericht Düsseldorf (Higher Regional Court, Düsseldorf, Germany) - Reference for a preliminary ruling — **Intellectual and industrial property — Community plant variety rights — Regulation (EC) No 2100/94 — Infringement — Reasonable compensation — Compensation for damage — Costs of proceedings and out-of-court expenses** — [CURIA – Judgment of the Court of Justice in Case C-481/14 of 9 June 2016](#)

**Joined Cases C-333/15 and C-334/15: JUDGMENT OF THE COURT (Eighth Chamber) of 9 June 2016 - María del Pilar Planes Bresco v Comunidad Autónoma de Aragón** - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Supremo (Supreme Court, Spain) - References for a preliminary ruling — **Common Agricultural Policy — Integrated administration and control system for certain aid schemes — Regulation (EC) No 1782/2003 — Single payment scheme — Articles 43 and 44 — Payment entitlements based on areas — Hectares eligible for area aid — Permanent pasture — National legislation making the eligibility of permanent pasture areas which exceed the forage areas initially taken into account for the purposes of determining the payment entitlements subject to conditions that they be used for the purposes of rearing livestock on the farm** — [CURIA – Judgment of the Court of Justice in Case C-333/15 of 9 June 2016](#)

**Affaires jointes C-78/16 et C-79/16: ARRÊT DE LA COUR (première chambre) du 9 juin 2016 - Giovanni Pesce e.a. (C-78/16) et Cesare Serinelli e.a. (C-79/16) contre Presidenza del Consiglio dei Ministri (C-79/16), Presidenza del Consiglio dei Ministri – Dipartimento della Protezione Civile, Commissario Delegato Per Fronteggiare il Rischio Fitosanitario Connesso alla Diffusione della Xylella nel Territorio della Regione Puglia, Ministero delle Politiche Agricole Alimentari e Forestali et Regione Puglia** - ayant pour objet des demandes de décision préjudicielle au titre de l'article 267 TFUE, introduites par le Tribunale amministrativo regionale per il Lazio (tribunal administratif régional pour le Latium, Italie) - Renvoi préjudiciel — **Protection sanitaire des végétaux – Directive 2000/29/CE – Protection contre l'introduction et la propagation dans l'Union européenne d'organismes nuisibles aux végétaux ou aux produits végétaux – Décision d'exécution (UE) 2015/789 – Mesures visant à éviter l'introduction et la propagation dans l'Union de Xylella fastidiosa (Wells et Raju) – Article 6, paragraphe 2, sous a) – Obligation de procéder à l'enlèvement immédiat des végétaux hôtes, quel que soit leur statut sanitaire, dans un rayon de 100 mètres autour des végétaux infectés – Validité – Article 16, paragraphe 3, de la directive 2000/29 – Principe de proportionnalité – Principe de précaution – Obligation de motivation – Droit à indemnisation** — [CURIA – Arrêt de la Cour de Justice dans l'affaire C-78/16 du 9 juin 2016 \(FR seulement\)](#)

## 4. Audiovisual and Media and Information Society

### Case Law

**Case C-11/15: JUDGMENT OF THE COURT (First Chamber) of 22 June 2016 - Odvolací finanční ředitelství v Český rozhlas** - REQUEST for a preliminary ruling under Article 267 TFEU from the Nejvyšší správní soud (Supreme Administrative Court, Czech Republic) - Reference for a preliminary ruling — Sixth Directive 77/388/EC — **Value added tax — Article 2(1) — Supply of services effected for consideration — Definition — Public broadcasting — Financing from a compulsory statutory fee** — [CURIA – Judgment of the Court of Justice in Case C-11/15 of 22 June 2016](#)

**Affaire C-231/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. M. CAMPOS SANCHEZ-BORDONA du 14 juin 2016 - Prezes Urzędu Komunikacji Elektronicznej et Petrotel sp. z o.o. w Płocku contre Polkomtel sp. z o.o.** - demande de décision préjudicielle formée par le Sąd Najwyższy (Cour de cassation de Pologne) - **Réseaux et services de communications électroniques – Directive 2002/21/CE – Article 4, paragraphe 1 – Décision prise par une autorité réglementaire nationale – Résolution du litige entre des opérateurs – Effets dans le temps de l'annulation d'une décision d'une autorité réglementaire nationale – Droit à un recours juridictionnel effectif – Charte des droits fondamentaux de l'Union européenne – Article 47 – Portée de la décision judiciaire** — [CURIA – Conclusions de l'Avocat Général dans l'affaire C-231/15 du 14 juin 2016 \(FR seulement\)](#)

## Preparatory Acts, Reports, Calls, Memos, Common Positions

**POSITION (EU) No 10/2016 OF THE COUNCIL AT FIRST READING** with a **view to adoption of a Directive** of the European Parliament and of the Council concerning **measures for a high common level of security of network and information systems across the Union**. Adopted by the Council on 17 May 2016 (2016/C 218/01)  
[OJ of the EU, C 218/1 of 16 June 2016](#)

**Statement of the Council's reasons: Position (EU) No 10/2016 of the Council at first reading** with a **view to the adoption of a Directive** of the European Parliament and of the Council concerning **measures for a high common level of security of network and information systems across the Union** (2016/C 218/02)  
[OJ of the EU, C 218/31 of 16 June 2016](#)

## 5. Competition

### Case Law

**Case C-15/15: JUDGMENT OF THE COURT (Grand Chamber) of 21 June 2016 - New Valmar BVBA v Global Pharmacies Partner Health Srl** - REQUEST for a preliminary ruling under Article 267 TFEU from the rechtbank van koophandel te Gent (Ghent Commercial Court, Belgium) - Reference for a preliminary ruling — **Free movement of goods — Prohibition of measures having equivalent effect to quantitative restrictions on exports** — Article 35 TFEU — **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** — Cross-border concession agreement — Restriction — Justification — Disproportionate  
[CURIA – Opinion of Advocate General in Case C-15/15 of 21 June 2016](#)

**Case C-154/14 P: JUDGMENT OF THE COURT (Fifth Chamber) of 16 June 2016 - SKW Stahl-Metallurgie GmbH, established in Unterneukirchen (Germany) and SKW Stahl-Metallurgie Holding AG, established in Unterneukirchen v European Commission and Gigaset AG, formerly Arques Industries AG, established in Munich (Germany)** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Competition — Agreements, decisions and concerted practices** — Article 81 EC — Markets for calcium carbide powder, calcium carbide granulates and magnesium granulates in a substantial part of the European Economic Area — **Price fixing, market sharing and exchange of information** — Regulation (EC) No 773/2004 — Articles 12 and 14 — **Right to be heard — In camera hearing**  
[CURIA – Judgment of the Court of Justice in Case C-154/14 of 16 June 2016](#)

**Case C-155/14 P: JUDGMENT OF THE COURT (Fifth Chamber) of 16 June 2016 - Evonik Degussa GmbH, established in Essen (Germany) and AlzChem AG, formerly AlzChem Trostberg GmbH, established in Trostberg (Germany) v European Commission** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Competition** — Article 81 EC — **Agreements, decisions and concerted practices** — Markets for calcium carbide powder, calcium carbide granulates and magnesium granulates in a substantial part of the European Economic Area — **Price fixing, market sharing and exchange of information — Liability of a parent company for infringements of the competition rules committed by its subsidiaries** — Decisive influence exercised by the parent company over its subsidiary — **Rebuttable presumption in the case of a 100% shareholding — Condition for the rebuttal of that presumption — Disregard of an express instruction**  
[CURIA – Judgment of the Court of Justice in Case C-155/14 of 16 June 2016](#)

**Case C-608/13 P: JUDGMENT OF THE COURT (Fifth Chamber) of 9 June 2016 - Compañía Española de Petróleos (CEPSA) SA European Commission** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Agreements, decisions and concerted practices** — Article 81 EC — Spanish market for penetration bitumen — **Market sharing and price coordination — Excessive duration of the proceedings before the General Court of the European Union** — Excessive duration of the procedure before the European Commission — Appeal on the costs  
[CURIA – Judgment of the Court of Justice in Case C-608/13 of 9 June 2016](#)

**Case C-616/13 P: JUDGMENT OF THE COURT (Fifth Chamber) of 9 June 2016 - Productos Asfálticos (PROAS) SA, established in Madrid (Spain) v European Commission** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Agreements, decisions and concerted practices** — Article 81 EC — Spanish market for penetration bitumen — **Market sharing and price coordination** — **Excessive duration of the proceedings before the General Court of the European Union** — Excessive duration of the procedure before the European Commission — Appeal on the costs

[CURIA – Judgment of the Court of Justice in Case C-616/13 of 9 June 2016](#)

**Case C-617/13 P: JUDGMENT OF THE COURT (Fifth Chamber) of 9 June 2016 - Repsol Lubricantes y Especialidades SA, formerly Repsol Lubricantes YPF y Especialidades SA, established in Madrid (Spain), Repsol Petróleo SA, established in Madrid, Repsol SA, established in Madrid v European Commission** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Article 81 EC — **Agreements, decisions and concerted practices** — Spanish market for penetration bitumen — **Market sharing and price coordination** — Notice on immunity from fines and reduction of fines in cartel cases (2002) — Final paragraph of point 23(b) — **Partial immunity from fines** — **Evidence of facts previously unknown to the Commission**

[CURIA – Judgment of the Court of Justice in Case C-617/13 of 9 June 2016](#)

**Affaire C-76/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL MME Juliane Kokott du 2 juin 2016 - Paul Vervloet e.a.** - demande de décision préjudicielle formée par la Cour constitutionnelle (Belgique) - **Concurrence – Aides d'État (article 107, paragraphe 1, TFUE) – Régime belge de garantie protégeant les parts des associés personnes physiques de sociétés coopératives financières agréées** – Validité de la décision de la Commission européenne interdisant le régime de garantie (décision 2014/686/UE) – Obligation de standstill (article 108, paragraphe 3, TFUE) – **Système de garantie des dépôts** (directive 94/19/CE)

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-76/15 du 2 juin 2016 \(FR seulement\)](#)

**Case C-148/15: OPINION OF ADVOCATE GENERAL SZPUNAR of 2 June 2016 - Deutsche Parkinson Vereinigung eV v Zentrale zur Bekämpfung unlauteren Wettbewerbs eV** - Reference for a preliminary ruling from the Oberlandesgericht Düsseldorf (Higher Regional Court, Düsseldorf, Germany) - **Free movement of goods** – Articles 34 and 36 TFEU – **State fixed-prices for prescription-only medicinal products – Measure having equivalent effect to a quantitative restriction – Selling arrangement** – Justification on ground of public health

[CURIA – Opinion of Advocate General in Case C-148/15 of 2 June 2016](#)

**Case C-31/15 P: JUDGMENT OF THE COURT (Eighth Chamber) of 2 June 2016 - Photo USA Electronic Graphic Inc., established in Beijing (China) v Council of the European Union, European Commission, Ancap SpA, established in Sommacampagna (Italy), Ceramic-Unie AISBL, established in Brussels (Belgium), Confindustria Ceramica, established in Sassuolo (Italy) and Verband der Keramischen Industrie eV, established in Selb (Germany)** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Implementing Regulation (EU) No 412/2013 — **Imports of ceramic tableware and kitchenware originating in China – Definitive anti-dumping duty**

[CURIA – Judgment of the Court of Justice in Case C-31/15 of 2 June 2016](#)

## 6. Customs

### Case Law

**Case C-96/15: JUDGMENT OF THE COURT (Third Chamber) of 16 June 2016 - Saint Louis Sucre, formerly Saint Louis Sucre SA v Directeur général des douanes et droits indirects** - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal de grande instance de Nanterre (Regional Court, Nanterre, France) - Reference for a preliminary ruling — **Agriculture – Sugar – Production levies – Right to reimbursement – Sugar held in stock and not exported – Undue enrichment – Freedom to conduct a business – Method of calculation**

[CURIA – Judgment of the Court of Justice in Case C-96/15 of 16 June 2016](#)

**Case C-291/15: JUDGMENT OF THE COURT (Sixth Chamber) of 16 June 2016 - EURO 2004. Hungary Kft. v Nemzeti Adó- és Vámhivatal Nyugat-dunántúli Regionális Vám- és Pénzügyőri Főigazgatósága** - REQUEST for a preliminary ruling under Article 267 TFEU from the Zalaegerszegi közigazgatási és munkaügyi bíróság (administrative and labour court, Zalaegerszeg, Hungary) - Reference for a preliminary ruling — **Customs union — Common Customs Tariff — Value for customs purposes — Determination of the Customs value — Transaction value — Price actually paid — Doubts based on the veracity of the declared price — Declared price lower than the price paid in respect of other transactions relating to similar goods**

[CURIA – Judgment of the Court of Justice in Case C-291/15 of 16 June 2016](#)

**Case C-288/15: JUDGMENT OF THE COURT (Eighth Chamber) of 9 June 2016 - Medical Imaging Systems GmbH (MIS) v Hauptzollamt München** - REQUEST for a preliminary ruling under Article 267 TFEU from the Finanzgericht München (Munich Finance Court, Germany) - Reference for a preliminary ruling — Regulation (EEC) No 2658/87 — **Common Customs Tariff — Tariff classification** — Subheading 6211 3310 00 0 — Aprons — Anti-radiation protective coats

[CURIA – Judgment of the Court of Justice in Case C-288/15 of 9 June 2016](#)

## 7. Economic and Monetary Affairs, Taxation, Enterprise

### Community Legislation

**DECISION (EU) 2016/1021 OF THE EUROPEAN PARLIAMENT** of 8 June 2016 on **setting up a Committee of Inquiry to investigate alleged contraventions and maladministration in the application of Union law** in relation to **money laundering, tax avoidance and tax evasion**, its powers, numerical strength and term of office

[OJ of the EU, L 166/10 of 24 June 2016](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2016/1010** of 21 June 2016 on the **adequacy of the competent authorities of certain third countries and territories** pursuant to Directive 2006/43/EC of the European Parliament and of the Council (notified under document C(2016) 3727) (Text with EEA relevance)

[OJ of the EU, L 165/17 of 23 June 2016](#)

**COMMISSION DELEGATED REGULATION (EU) 2016/957** of 9 March 2016 **supplementing** Regulation (EU) No 596/2014 of the European Parliament and of the Council with regard to **regulatory technical standards for the appropriate arrangements, systems and procedures as well as notification templates to be used for preventing, detecting and reporting abusive practices or suspicious orders or transactions** (Text with EEA relevance)

[OJ of the EU, L 160/1 of 17 June 2016](#)

**COMMISSION DELEGATED REGULATION (EU) 2016/958** of 9 March 2016 **supplementing** Regulation (EU) No 596/2014 of the European Parliament and of the Council with regard to **regulatory technical standards for the technical arrangements for objective presentation of investment recommendations or other information recommending or suggesting an investment strategy and for disclosure of particular interests or indications of conflicts of interest** (Text with EEA relevance)

[OJ of the EU, L 160/15 of 17 June 2016](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/959** of 17 May 2016 laying down **implementing technical standards for market soundings with regard to the systems and notification templates to be used by disclosing market participants and the format of the records 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 160/23 of 17 June 2016](#)

**COMMISSION DELEGATED REGULATION (EU) 2016/960** of 17 May 2016 **supplementing** Regulation (EU) No 596/2014 of the European Parliament and of the Council with regard to **regulatory technical standards for the appropriate arrangements, systems and procedures for disclosing market participants conducting market soundings** (Text with EEA relevance)

[OJ of the EU, L 160/29 of 17 June 2016](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/962** of 16 June 2016 laying down **implementing technical standards with regard to the uniform formats, templates and definitions for the identification and transmission of information by competent authorities and resolution authorities to the European Banking Authority** according to Directive 2014/59/EU of the European Parliament and of the Council (Text with EEA relevance)

[OJ of the EU, L 160/35 of 17 June 2016](#)

**DECISION (EU) 2016/956 OF THE EUROPEAN CENTRAL BANK** of 7 June 2016 **amending** Decision (EU) 2016/245 (ECB/2016/2) laying down the **rules on procurement** (ECB/2016/17)

[OJ of the EU, L 159/21 of 16 June 2016](#)

**DECISION (EU) 2016/955 OF THE EUROPEAN CENTRAL BANK** of 6 May 2016 **amending** Decision ECB/2013/54 on the **accreditation procedures for manufacturers of euro secure items and euro items** (ECB/2016/12)

[OJ of the EU, L 159/19 of 16 June 2016](#)

**DECISION (EU) 2016/948 OF THE EUROPEAN CENTRAL BANK** of 1 June 2016 on the **implementation of the corporate sector purchase programme** (ECB/2016/16)

[OJ of the EU, L 157/28 of 15 June 2016](#)

**DIRECTIVE (EU) 2016/943 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 8 June 2016 on the **protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure** (Text with EEA relevance)

[OJ of the EU, L 157/3 of 15 June 2016](#)

**COMMISSION DELEGATED REGULATION (EU) 2016/908** of 26 February 2016 **supplementing** Regulation (EU) No 596/2014 of the European Parliament and of the Council laying down **regulatory technical standards on the criteria, the procedure and the requirements for establishing an accepted market practice and the requirements for maintaining it, terminating it or modifying the conditions for its acceptance** (Text with EEA relevance)

[OJ of the EU, L 153/3 of 10 June 2016](#)

**COMMISSION DELEGATED REGULATION (EU) 2016/909** of 1 March 2016 **supplementing** Regulation (EU) No 596/2014 of the European Parliament and of the Council with regard to **regulatory technical standards for the content of notifications to be submitted to competent authorities and the compilation, publication and maintenance of the list of notifications** (Text with EEA relevance)

[OJ of the EU, L 153/13 of 10 June 2016](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/892** of 7 June 2016 on the **extension of the transitional periods related to own funds requirements for exposures to central counterparties** set out in Regulation (EU) No 575/2013 and Regulation (EU) No 648/2012 of the European Parliament and of the Council (Text with EEA relevance)

[OJ of the EU, L 151/4 of 8 June 2016](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/869** of 27 May 2016 **laying down technical information for the calculation of technical provisions and basic own funds** for reporting with reference dates **from 31 March until 29 June 2016** in accordance with Directive 2009/138/EC of the European Parliament and of the Council on the **taking-up and pursuit of the business of Insurance and Reinsurance** (Text with EEA relevance)

[OJ of the EU, L 147/1 of 3 June 2016](#)

**COUNCIL DIRECTIVE (EU) 2016/881** of 25 May 2016 **amending** Directive 2011/16/EU as regards **mandatory automatic exchange of information in the field of taxation**

[OJ of the EU, L 146/8 of 3 June 2016](#)

**REGULATION (EU) 2016/867 OF THE EUROPEAN CENTRAL BANK** of 18 May 2016 on the **collection of granular credit and credit risk data** (ECB/2016/13)

[OJ of the EU, L 144/44 of 1 June 2016](#)



**DECISION (EU) 2016/868 OF THE EUROPEAN CENTRAL BANK** of 18 May 2016 **amending** Decision ECB/2014/6 on the **organisation of preparatory measures for the collection of granular credit data** by the European System of Central Banks (ECB/2016/14)

[OJ of the EU, L 144/99 of 1 June 2016](#)

**COUNCIL DIRECTIVE (EU) 2016/856** of 25 May 2016 **amending** Directive 2006/112/EC on the **common system of value added tax**, as regards the **duration of the obligation to respect a minimum standard rate**

[OJ of the EU, L 142/12 of 31 May 2016](#)

## Case Law

**Case C-41/15: OPINION OF ADVOCATE GENERAL WAHL** of 22 June 2016 - Gerard Dowling, Padraig McManus, Piotr Skoczylas and Scotchstone Capital Fund Limited v Minister for Finance and Notice parties: Permanent TSB Group Holdings plc and Permanent TSB plc - Request for a preliminary ruling from the High Court (Ireland) - **Company law** — Directive 77/91/EEC — **Protection of the interests of shareholders in relation to the capital of a limited liability company** — Decision 2011/77/EU — **Financial assistance granted to Ireland — Recapitalisation of Irish Life and Permanent plc** — Directive 2001/24/EC — Reorganisation measures

[CURIA – Opinion of Advocate General in Case C-41/15 of 22 June 2016](#)

**Case C-11/15: JUDGMENT OF THE COURT (First Chamber) of 22 June 2016** - Odvolací finanční ředitelství v Český rozhlas - REQUEST for a preliminary ruling under Article 267 TFEU from the Nejvyšší správní soud (Supreme Administrative Court, Czech Republic) - Reference for a preliminary ruling — Sixth Directive 77/388/EC — **Value added tax** — Article 2(1) — **Supply of services effected for consideration — Definition — Public broadcasting — Financing from a compulsory statutory fee**

[CURIA – Judgment of the Court of Justice in Case C-11/15 of 22 June 2016](#)

**Case C-267/15: JUDGMENT OF THE COURT (Tenth Chamber) of 22 June 2016** - Gemeente Woerden v Staatsecretaris van Financiën - REQUEST for a preliminary ruling under Article 267 TFEU from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands) - Reference for a preliminary ruling — **Value added tax — Input tax — Deduction**

[CURIA – Judgment of the Court of Justice in Case C-267/15 of 22 June 2016](#)

**Case C-186/15: JUDGMENT OF THE COURT (Eighth Chamber) of 16 June 2016** - Kreissparkasse Wiedenbrück v Finanzamt Wiedenbrück - REQUEST for a preliminary ruling under Article 267 TFEU from the Finanzgericht Münster (Finance Court, Münster, Germany) - Reference for a preliminary ruling — **Taxation — Value added tax** - Directive 2006/112/EC — **Deduction of input tax** — Article 173(1) — **Goods or services used to carry out both taxable transactions and exempt transactions ('mixed use goods and services')** — Determining the amount of the value added tax deduction — Deductible proportion — Article 174 — **Deductible proportion calculated by applying an allocation key according to turnover** — Article 173(2) — Derogation — Article 175 — **Rounding-up rule for the deductible proportion** — Articles 184 and 185 — Adjustment of deductions

[CURIA – Judgment of the Court of Justice in Case C-186/15 of 16 June 2016](#)

**Affaire C-200/15: ARRÊT DE LA COUR (septième chambre) du 16 juin 2016** - Commission européenne contre République portugaise - ayant pour objet un recours en manquement au titre de l'article 258 TFUE - **Manquement d'État** — Article 110 TFUE — **Impositions intérieures – Impositions discriminatoires – Véhicules automobiles d'occasion importés des autres États membres** – Détermination de la valeur imposable – **Taux de dépréciation**

[CURIA – Arrêt de la Cour de Justice dans l'affaire C-200/15 du 16 juin 2016 \(FR seulement\)](#)

**Case C-229/15: JUDGMENT OF THE COURT (Tenth Chamber) of 16 June 2016** - Minister Finansów v Jan Mateusiak - REQUEST for a preliminary ruling under Article 267 TFEU from the Naczelny Sąd Administracyjny (Supreme Administrative Court, Poland) - Reference for a preliminary ruling — **Taxation — Value added tax** — Directive 2006/112/EC — Articles 18(c), 184 and 187 — **Taxable transactions — Cessation of the taxable economic activity — Retention of goods on which VAT became deductible — Adjustment of deductions — Adjustment period** — Taxation pursuant to Article 18(c) of Directive 2006/112 on expiry of the adjustment period

[CURIA – Judgment of the Court of Justice in Case C-229/15 of 16 June 2016](#)

**Case C-432/15: OPINION OF ADVOCATE GENERAL WAHL of 14 June 2016 - Odvolací finanční ředitelství v Pavlína Bašťová** - Request for a preliminary ruling from the Nejvyšší správní soud (Supreme Administrative Court, Czech Republic) - **Taxation — VAT — Directive 2006/112/EC — Definition of ‘supply of services effected for consideration’ — Horse racing — Money prizes — Deduction of input VAT — Operation of racing stables — Use of sporting facilities**

[CURIA – Opinion of Advocate General in Case C-432/15 of 14 June 2016](#)

**Case C-42/15: OPINION OF ADVOCATE GENERAL SHARPSTON of 9 June 2016 - Home Credit Slovakia a.s. v Klára Bíróová** - Request for a preliminary ruling from the Okresný súd (District Court) Dunajská Streda, Slovakia - **Consumer Protection — Consumer credit agreements — Directive 2008/48/EC — Meaning of the expression ‘drawn up on paper or on another durable medium’ — National requirement for a document to be ‘in writing’ and that it must be signed — Validity of a consumer credit agreement — Compulsory information under Article 10(2) of Directive 2008/48/EC — Credit agreement not containing the compulsory information but referring to a separate document — National penalties for failure to provide the compulsory information — Proportionality**

[CURIA – Opinion of Advocate General in Case C-42/15 of 9 June 2016](#)

**Case C-332/14: JUDGMENT OF THE COURT (Fourth Chamber) of 9 June 2016 - Wolfgang und Dr. Wilfried Rey Grundstücksgemeinschaft GbR v Finanzamt Krefeld** - REQUEST for a preliminary ruling under Article 267 TFEU from the Bundesfinanzhof (Federal Finance Court, Germany) - Reference for a preliminary ruling — **Taxation — Value added tax — Directive 77/388/EEC — Third subparagraph of Article 17(5) — Field of application — Deduction of input tax — Goods and services used for both taxable and exempt transactions (mixed-use goods and services) — Determination of the assignation of goods and services purchased for the construction, use, conservation and maintenance of a building that serves to carry out, in part, transactions in respect of which VAT is deductible and, in part, transactions in respect of which VAT is not deductible — Amendment of the national legislation laying down the method of calculating the deductible proportion — Article 20 — Adjustment of deductions — Legal certainty — Legitimate expectations**

[CURIA – Judgment of the Court of Justice in Case C-332/14 of 9 June 2016](#)

**Case C-586/14: JUDGMENT OF THE COURT (Ninth Chamber) of 9 June 2016 - Vasile Budişan v Administrația Județeană a Finanțelor Publice Cluj** - REQUEST for a preliminary ruling under Article 267 TFEU from the Curtea de Apel Cluj (Court of Appeal, Cluj, Romania) - Reference for a preliminary ruling — **Internal taxation — Article 110 TFEU — Tax levied by a Member State on motor vehicles at the time of their first registration or of the first transfer of the right of ownership — Fiscal neutrality as between second-hand motor vehicles imported from other Member States and similar motor vehicles available on the domestic market**

[CURIA – Judgment of the Court of Justice in Case C-586/14 of 9 June 2016](#)

**Case C-212/15: OPINION OF ADVOCATE GENERAL BOBEK of 9 June 2016 - ENEFI Energiahatekonysagi Nyrt v Direcția Generală Regională a Finanțelor Publice Braşov (DGRFP)** - Request for a preliminary ruling from the Tribunalul Mureş, Secția civilă (Regional Court, Mureş, Civil Chamber, Romania) - **Insolvency proceedings — Effects provided by the law of the State of the opening of proceedings as regards a tax claim that has not been registered in that proceedings and that is subject to enforcement in another Member State**

[CURIA – Opinion of Advocate General in Case C-212/15 of 9 June 2016](#)

**Case C-479/14: JUDGMENT OF THE COURT (First Chamber) of 8 June 2016 - Sabine Hünnebeck v Finanzamt Krefeld** - REQUEST for a preliminary ruling under Article 267 TFEU from the Finanzgericht Düsseldorf (Finance Court, Düsseldorf, Germany) - Reference for a preliminary ruling — **Free movement of capital — Articles 63 TFEU and 65 TFEU — Gift tax — Gift of immovable property situated within national territory — National law providing for a higher tax-free allowance for residents than for non-residents — Existence of an optional regime allowing any person resident in an EU Member State to benefit from the higher tax-free allowance**

[CURIA – Judgment of the Court of Justice in Case C-479/14 of 8 June 2016](#)

**Case C-418/14: JUDGMENT OF THE COURT (Ninth Chamber) of 2 June 2016 - ROZ-ŚWIT Zakład Produkcyjno-Handlowo-Usługowy Henryk Czurko, Adam Pawłowski spółka jawna v Dyrektor Izby Celnej we Wrocławiu** - REQUEST for a preliminary ruling under Article 267 TFEU from the Wojewódzki Sąd Administracyjny we Wrocławiu (Regional Administrative Court, Wrocław, Poland) - Reference for a preliminary ruling — **Excise duties** — Directive 2003/96/EC — **Differentiated rates of excise duty for motor fuels and heating fuels** — Condition for the application of the rate for heating fuels — Submission of a monthly list of statements that the products purchased are for heating purposes — **Application of the rate of excise duty laid down for motor fuels where that list is not submitted** — Principle of proportionality  
[CURIA – Judgment of the Court of Justice in Case C-418/14 of 2 June 2016](#)

**Affaire C-76/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL MME Juliane Kokott du 2 juin 2016 - Paul Vervloet e.a.** - demande de décision préjudicielle formée par la Cour constitutionnelle (Belgique) - **Concurrence – Aides d'État (article 107, paragraphe 1, TFUE) – Régime belge de garantie protégeant les parts des associés personnes physiques de sociétés coopératives financières agréées** – Validité de la décision de la Commission européenne interdisant le régime de garantie (décision 2014/686/UE) – Obligation de standstill (article 108, paragraphe 3, TFUE) – **Système de garantie des dépôts** (directive 94/19/CE)  
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-76/15 du 2 juin 2016 \(FR seulement\)](#)

**Case C-412/15: OPINION OF ADVOCATE GENERAL WAHL of 2 June 2016 - TMD Gesellschaft für transfusionsmedizinische Dienste mbH v Finanzamt Kassel II** – Hofgeismar - Request for a preliminary ruling from the Hessisches Finanzgericht (Finance Court, Hesse, Germany) - **Value added tax – Deductions** — Article 132(1)(d) of the VAT Directive — **'Blood' – Supplies of blood plasma for manufacturing medicinal products**  
[CURIA – Opinion of Advocate General in Case C-412/15 of 2 June 2016](#)

**Case C-81/15: JUDGMENT OF THE COURT (Sixth Chamber) of 2 June 2016 - Kapnoviomichania Karelia AE v Ypourgos Oikonomikon** - REQUEST for a preliminary ruling under Article 267 TFEU from the Symvoulio tis Epikrateias (Council of State, Greece) - Reference for a preliminary ruling — **Taxation – General arrangements governing excise duty** — Directive 92/12/EEC — **Manufactured tobacco moving under an excise duty suspension arrangement – Liability of the authorised warehousekeeper – Whether Member States may make the authorised warehousekeeper jointly and severally liable for the payment of sums corresponding to the financial penalties imposed on those engaged in smuggling** — Principles of proportionality and legal certainty  
[CURIA – Judgment of the Court of Justice in Case C-81/15 of 2 June 2016](#)

**Joined Cases C-226/14 and C-228/14: JUDGMENT OF THE COURT (First Chamber) of 2 June 2016 - Eurogate Distribution GmbH v Hauptzollamt Hamburg-Stadt (C-226/14) and DHL Hub Leipzig GmbH v Hauptzollamt Braunschweig (C-228/14)** - REQUESTS for a preliminary ruling under Article 267 TFEU from the Finanzgericht Hamburg (Finance Court, Hamburg) (Germany) - References for a preliminary ruling — **Value added tax – Customs warehousing – External transit procedure** — Incurrence of a customs debt as a result of non-fulfilment of an obligation — **Chargeability of value added tax**  
[CURIA – Judgment of the Court of Justice in Case C-226/14 of 2 June 2016](#)

**Case C-252/14: JUDGMENT OF THE COURT (First Chamber) of 2 June 2016 - Pensioenfonds Metaal en Techniek v Skatteverket** - REQUEST for a preliminary ruling under Article 267 TFEU from the Högsta förvaltningsdomstolen (Supreme Administrative Court, Sweden) - Reference for a preliminary ruling — **Free movement of capital** — Article 63 TFEU — **Taxation of pension funds' income – Difference in treatment of resident and non-resident pension funds** — Resident pension funds subject to lump sum taxation on the basis of a notional yield — **Withholding tax applied to dividends received by non-resident pension funds – Whether comparable**  
[CURIA – Judgment of the Court of Justice in Case C-252/14 of 2 June 2016](#)

**Case C-122/15: JUDGMENT OF THE COURT (First Chamber) of 2 June 2016 - C - REQUEST for a preliminary ruling under Article 267 TFEU from the Korkein hallinto-oikeus (Supreme Administrative Court, Finland) - Reference for a preliminary ruling — **Social policy — Principles of equal treatment and non-discrimination on grounds of age** — Directive 2000/78/EC — **Equal treatment in employment and occupation** — Articles 2, 3 and 6 — **Difference in treatment on grounds of age — National legislation providing, in certain situations, for higher taxation of pension income than earned income** — Scope of application of Directive 2000/78 — **Competence of the European Union in the field of direct taxation****

[CURIA – Judgment of the Court of Justice in Case C-122/15 of 2 June 2016](#)

**Case C-355/14: JUDGMENT OF THE COURT (Ninth Chamber) of 2 June 2016 - ‘Polihim-SS’ EOOD v Nachalnik na Mitnitsa Svishtov and Okrazhna prokuratura Pleven - REQUEST for a preliminary ruling under Article 267 TFEU from the Administrativen sad Pleven (Administrative Court, Pleven, Bulgaria) - Reference for a preliminary ruling — **Indirect taxation — Excise duties** — Directive 2008/118/EC — **Chargeability of excise duties** — Article 7(2) — **Concept of ‘departure of excise goods from a duty suspension arrangement’ — Taxation of energy products and electricity** — Directive 2003/96/EC — Article 14(1)(a) — **Use of energy products to produce electricity** — Purchase and resale by an intermediate purchaser of energy products located in a tax warehouse — Direct delivery of energy products to an operator for the production of electricity — Indication of the intermediate purchaser as the ‘consignee’ of the products in the tax documents — **Infringement of the requirements of national law as regards exemption from excise duty** — Refusal of exemption — Proof of the use of the products in circumstances permitting exemption from excise duty — Proportionality**

[CURIA – Judgment of the Court of Justice in Case C-355/14 of 2 June 2016](#)

**Case C-263/15: JUDGMENT OF THE COURT (Eighth Chamber) of 2 June 2016 - Lajvér Meliorációs Nonprofit Kft. And Lajvér Csapadékvízrendezési Nonprofit Kft. V Nemzeti Adó- és Vámhivatal Dél-dunántúli Regionális Adó Főigazgatósága (NAV) - REQUEST for a preliminary ruling under Article 267 TFEU from the Kúria (Supreme Court, Hungary) - Reference for a preliminary ruling — **Taxation — Value added tax** — Directive 2006/112/EC — Article 9(1) — **Definition of ‘taxable person for the purposes of value added tax’ and ‘economic activity’** — Article 24(1) — **Definition of ‘supply of services’ — Agricultural engineering works — Construction and operation of a water disposal system by a non-profit company — Effect of the works being funded by means of State and EU aid****

[CURIA – Judgment of the Court of Justice in Case C-263/15 of 2 June 2016](#)

## Preparatory Acts, Reports, Calls, Memos, Common Positions

**OPINION OF THE EUROPEAN CENTRAL BANK** of 11 March 2016 on (a) a **proposal for a regulation** laying down **common rules on securitisation and creating a European framework for simple, transparent and standardised securitisation**; and (b) a **proposal for a regulation amending** Regulation (EU) No 575/2013 on **prudential requirements for credit institutions and investment firms** (CON/2016/11) (2016/C 219/03)

[OJ of the EU, C 219/2 of 17 June 2016](#)

**OPINION OF THE EUROPEAN CENTRAL BANK** of 17 March 2016 on a **proposal for a regulation** of the European Parliament and of the Council on the **prospectus to be published when securities are offered to the public or admitted to trading** (CON/2016/15) (2016/C 195/01)

[OJ of the EU, C 195/1 of 2 June 2016](#)

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

### Community Legislation

**COMMISSION DIRECTIVE (EU) 2016/882** of 1 June 2016 **amending** Directive 2007/59/EC of the European Parliament and of the Council as regards **language requirements** (Text with EEA relevance)

[OJ of the EU, L 146/22 of 3 June 2016](#)

## Case Law

**Affaire C-268/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. YVES BOT du 14 juin 2016 - Fernand Ullens de Schooten contre Ministre des Affaires sociales et de la Santé publique et Ministre de la Justice** - demande de décision préjudicielle formée par la cour d'appel de Bruxelles (Belgique) - Renvoi préjudiciel – **Responsabilité de l'État pour violation du droit de l'Union – Situation purement interne** – Article 43 CE (devenu article 49 TFUE) – **Réglementation nationale en vertu de laquelle les laboratoires de biologie clinique ne peuvent être exploités que par des personnes habilitées à effectuer des prestations de biologie clinique – Compatibilité**  
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-268/15 du 14 juin 2016 \(FR seulement\)](#)

**Case C-233/14: JUDGMENT OF THE COURT (First Chamber) of 2 June 2016 - European Commission v Kingdom of the Netherlands** - ACTION under Article 258 TFEU for failure to fulfil obligations - Failure of a Member State to fulfil obligations — Articles 18 TFEU, 20 TFEU and 21 TFEU – **Citizenship of the Union – Right to move and reside freely – Discrimination on grounds of nationality – Financial support for travel costs awarded to national students** — Directive 2004/38/EC — Article 24(2) — **Derogation from the principle of equal treatment – Maintenance aid for studies consisting in student grants or student loans** — Scope — Formal requirements of the application initiating proceedings — Coherent statement of the pleas in law  
[CURIA – Judgment of the Court of Justice in Case C-233/14 of 2 June 2016](#)

## 9. Employment and Social Affairs

### Case Law

**Case C-351/14: JUDGMENT OF THE COURT (Second Chamber) of 16 June 2016 - Estrella Rodríguez Sánchez v Consum Sociedad Cooperativa Valenciana** - REQUEST for a preliminary ruling under Article 267 TFEU from the Juzgado de lo Social No 33 de Barcelona (Social Court No 33, Barcelona, Spain) - Reference for a preliminary ruling — **Social policy** — Directive 2010/18/EU — **Revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC – Reconciliation of professional and family life – Return from maternity leave of a worker member** — Request for a reduction of working hours and for a change in work pattern — **Situation which does not fall within the scope of Clause 6(1) of the revised Framework Agreement – Inadmissibility of the request for a preliminary ruling**  
[CURIA – Judgment of the Court of Justice in Case C-351/14 of 16 June 2016](#)

**Case C-159/15: JUDGMENT OF THE COURT (First Chamber) of 16 June 2016 - Franz Lesar v Telekom Austria AG** - REQUEST for a preliminary ruling under Article 267 TFEU from the Verwaltungsgerichtshof (Administrative Court, Austria) - Reference for a preliminary ruling — **Social policy** — Directive 2000/78/EC — **Equal treatment in employment and occupation** — Article 2(1) and Article 2(2)(a) — Article 6(2) — **Age discrimination – Determination of pension rights of former civil servants – Periods of apprenticeship and of work – Failure to take into account such periods completed before the age of 18**  
[CURIA – Judgment of the Court of Justice in Case C-159/15 of 16 June 2016](#)

**Case C-308/14: JUDGMENT OF THE COURT (First Chamber) of 14 June 2016 - European Commission v United Kingdom of Great Britain and Northern Ireland** - ACTION under Article 258 TFEU for failure to fulfil obligations - Failure of a Member State to fulfil obligations — **Coordination of social security systems** — Regulation (EC) No 883/2004 — Article 4 — **Equal treatment as regards access to social security benefits – Right of residence** — Directive 2004/38/EC — **National legislation under which child benefit and child tax credit are not granted to nationals of other Member States who do not have a right of lawful residence**  
[CURIA – Judgment of the Court of Justice in Case C-308/14 of 14 June 2016](#)

**Joined Cases C-401/15 to C-403/15: OPINION OF ADVOCATE GENERAL WATHELET of 9 June 2016 - Noémie Depesme (C-401/15), Saïd Kerrou (C-401/15), Adrien Kauffmann (C-402/15) and Maxime Lefort (C-403/15) v Ministre de l'Enseignement supérieur et de la Recherche** - Requests for a preliminary ruling from the Cour administrative (Luxembourg) - References for a preliminary ruling — **Freedom of movement for persons — Equal treatment — Social advantages** — Regulation (EU) No 492/2011 — Article 7(2) — **Financial aid for higher education — Condition — Discrimination — Parent-child relationship — Concept of 'child' — Step-parent'**  
[CURIA – Opinion of Advocate General in Case C-401/15 of 9 June 2016](#)

**Case C-122/15: JUDGMENT OF THE COURT (First Chamber) of 2 June 2016 - C - REQUEST for a preliminary ruling under Article 267 TFEU from the Korkein hallinto-oikeus (Supreme Administrative Court, Finland) - Reference for a preliminary ruling — **Social policy — Principles of equal treatment and non-discrimination on grounds of age** — Directive 2000/78/EC — **Equal treatment in employment and occupation** — Articles 2, 3 and 6 — **Difference in treatment on grounds of age — National legislation providing, in certain situations, for higher taxation of pension income than earned income** — Scope of application of Directive 2000/78 — **Competence of the European Union in the field of direct taxation****

[CURIA – Judgment of the Court of Justice in Case C-122/15 of 2 June 2016](#)

**Affaire C-238/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. MELCHIOR WATHELET du 2 juin 2016 - Maria do Céu Bragança Linares Verruga, Jacinto Manuel Sousa Verruga et André Angelo Linares Verruga contre Ministre de l'Enseignement supérieur et de la Recherche** - demande de décision préjudicielle formée par le tribunal administratif du Grand-Duché de Luxembourg (Luxembourg) - Renvoi préjudiciel — **Libre circulation des personnes – Égalité de traitement – Avantages sociaux** – Règlement (UE) n° 492/2011 – Article 7, paragraphe 2 – **Aide financière pour études supérieures – Condition – Durée ininterrompue de travail – Discrimination indirecte – Justifications**  
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-238/15 du 2 juin 2016 \(FR seulement\)](#)

**Case C-157/15: OPINION OF ADVOCATE GENERAL KOKOTT of 31 May 2016 - Samira Achbita and Centrum voor gelijkheid van kansen en voor racismebestrijding v G4S Secure Solutions NV** - Request for a preliminary ruling from the Hof van Cassatie (Court of Cassation), Belgium - **Fundamental rights** — Directive 2000/78/EC — **Equal treatment in employment and occupation — Concept of discrimination based on religion or belief — Distinction between direct and indirect discrimination — Justification — Company ban on the wearing of visible religious, political or philosophical symbols — Religious and ideological neutrality** — Dismissal of a female employee of Muslim faith on account of her firm intention to wear an Islamic headscarf in the workplace  
[CURIA – Opinion of Advocate General in Case C-157/15 of 31 May 2016](#)

## 10. Energy and Environment

### Community Legislation

**COMMISSION REGULATION (EU) 2016/1017** of 23 June 2016 **amending** Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the **Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards inorganic ammonium salts** (Text with EEA relevance)  
[OJ of the EU, L 166/1 of 24 June 2016](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2016/902** of 30 May 2016 establishing **best available techniques (BAT) conclusions**, under Directive 2010/75/EU of the European Parliament and of the Council, for **common waste water and waste gas treatment/management systems in the chemical sector** (notified under document C(2016) 3127) (Text with EEA relevance)  
[OJ of the EU, L 152/23 of 9 June 2016](#)

## Case Law

**Case C-540/14 P: JUDGMENT OF THE COURT (First Chamber) of 22 June 2016 - DK Recycling und Roheisen GmbH, established in Duisburg (Germany) v European Commission - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — Environment — Directive 2003/87/EC — Article 10a — Scheme for greenhouse gas emission allowance trading — Transitional rules for harmonised free allocation of emission allowances from 2013 — Decision 2011/278/EU — National implementation measures submitted by the Federal Republic of Germany — Rejection of the inscription of certain installations on the lists of installations receiving free allocations of emission allowances — Provision relating to cases of ‘undue hardship’ — Implementing powers of the Commission**

[CURIA – Judgment of the Court of Justice in Case C-540/14 of 22 June 2016](#)

**Case C-557/14: JUDGMENT OF THE COURT (Third Chamber) of 22 June 2016 - European Commission v Portuguese Republic - ACTION for failure to fulfil obligations under Article 260(2) TFEU - Failure of a Member State to fulfil obligations — Directive 91/271/EEC — Urban waste water treatment — Judgment of the Court establishing a failure to fulfil obligations — Non-compliance — Article 260(2) TFEU — Financial penalties — Lump sum payment and penalty payment**

[CURIA – Judgment of the Court of Justice in Case C-557/14 of 22 June 2016](#)

**Case C-69/15: JUDGMENT OF THE COURT (Fourth Chamber) of 9 June 2016 - Nutrivet D.O.O.E.L. v Országos Környezetvédelmi és Természetvédelmi Főfelügyelőség - REQUEST for a preliminary ruling under Article 267 TFEU from the Fővárosi Közigazgatási és Munkaügyi Bíróság (Budapest Court of Public Administration and Labour, Hungary) - References for a preliminary ruling — Environment — Waste — Transfers — Regulation (EC) No 1013/2006 — Article 2(35)(g)(iii) — Illegal shipment — Incorrect or inconsistent information entered in the document listed in Annex VII to that regulation — Article 50(1) — Penalties applicable in the event of infringement of the provisions of that regulation — Proportionality**

[CURIA – Judgment of the Court of Justice in Case C-69/15 of 9 June 2016](#)

**Affaires jointes C-78/16 et C-79/16: ARRÊT DE LA COUR (première chambre) du 9 juin 2016 - Giovanni Pesce e.a. (C-78/16) et Cesare Serinelli e.a. (C-79/16) contre Presidenza del Consiglio dei Ministri (C-79/16), Presidenza del Consiglio dei Ministri – Dipartimento della Protezione Civile, Commissario Delegato Per Fronteggiare il Rischio Fitosanitario Connesso alla Diffusione della Xylella nel Territorio della Regione Puglia, Ministero delle Politiche Agricole Alimentari e Forestali et Regione Puglia - ayant pour objet des demandes de décision préjudicielle au titre de l’article 267 TFUE, introduites par le Tribunale amministrativo regionale per il Lazio (tribunal administratif régional pour le Latium, Italie) - Renvoi préjudiciel – Protection sanitaire des végétaux – Directive 2000/29/CE – Protection contre l’introduction et la propagation dans l’Union européenne d’organismes nuisibles aux végétaux ou aux produits végétaux – Décision d’exécution (UE) 2015/789 – Mesures visant à éviter l’introduction et la propagation dans l’Union de Xylella fastidiosa (Wells et Raju) – Article 6, paragraphe 2, sous a) – Obligation de procéder à l’enlèvement immédiat des végétaux hôtes, quel que soit leur statut sanitaire, dans un rayon de 100 mètres autour des végétaux infectés – Validité – Article 16, paragraphe 3, de la directive 2000/29 – Principe de proportionnalité – Principe de précaution – Obligation de motivation – Droit à indemnisation**

[CURIA – Arrêt de la Cour de Justice dans l’affaire C-78/16 du 9 juin 2016 \(FR seulement\)](#)

**Case C-158/15: JUDGMENT OF THE COURT (Sixth Chamber) of 9 June 2016 - Elektriciteits Produktiemaatschappij Zuid-Nederland EPZ NV v Bestuur van de Nederlandse Emissieautoriteit - REQUEST for a preliminary ruling under Article 267 TFEU from the Raad van State (Council of State, Netherlands) - Reference for a preliminary ruling — Atmospheric pollution — Scheme for greenhouse gas emission allowance trading — Directive 2003/87/EC — Concept of ‘installation’ — Inclusion of the fuel storage site — Regulation (EU) No 601/2012 — Concept of ‘fuel exported from the installation’**

[CURIA – Judgment of the Court of Justice in Case C-158/15 of 9 June 2016](#)

**Case C-355/14: JUDGMENT OF THE COURT (Ninth Chamber) of 2 June 2016 - ‘Polihim-SS’ EOOD v Nachalnik na Mitnitsa Svishtov and Okrazhna prokuratura Pleven** - REQUEST for a preliminary ruling under Article 267 TFEU from the Administrativen sad Pleven (Administrative Court, Pleven, Bulgaria) - Reference for a preliminary ruling — **Indirect taxation — Excise duties** — Directive 2008/118/EC — **Chargeability of excise duties** — Article 7(2) — **Concept of ‘departure of excise goods from a duty suspension arrangement’** — **Taxation of energy products and electricity** — Directive 2003/96/EC — Article 14(1)(a) — **Use of energy products to produce electricity** — Purchase and resale by an intermediate purchaser of energy products located in a tax warehouse — Direct delivery of energy products to an operator for the production of electricity — Indication of the intermediate purchaser as the ‘consignee’ of the products in the tax documents — **Infringement of the requirements of national law as regards exemption from excise duty** — Refusal of exemption — Proof of the use of the products in circumstances permitting exemption from excise duty — Proportionality  
[CURIA – Judgment of the Court of Justice in Case C-355/14 of 2 June 2016](#)

## 11. Food Safety, Public Health and Consumers

### Community Legislation

**COMMISSION REGULATION (EU) 2016/1017** of 23 June 2016 **amending** Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the **Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards inorganic ammonium salts** (Text with EEA relevance)

[OJ of the EU, L 166/1 of 24 June 2016](#)

**COMMISSION REGULATION (EU) 2016/1005** of 22 June 2016 **amending** Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the **Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards asbestos fibres (chrysotile)** (Text with EEA relevance)

[OJ of the EU, L 165/4 of 23 June 2016](#)

**COMMISSION REGULATION (EU) 2016/918** of 19 May 2016 **amending, for the purposes of its adaptation to technical and scientific progress**, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on **classification, labelling and packaging of substances and mixtures** (Text with EEA relevance)

[OJ of the EU, L 156/1 of 14 June 2016](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2016/904** of 8 June 2016 pursuant to Article 3(3) of Regulation (EU) No 528/2012 of the European Parliament and of the Council on **propan-2-ol containing products used for hand disinfection** (Text with EEA relevance)

[OJ of the EU, L 152/45 of 9 June 2016](#)

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/885** of 3 June 2016 **amending** Regulation (EU) No 37/2010 as regards the **substance ‘eprinomectin’** (Text with EEA relevance)

[OJ of the EU, L 148/1 of 4 June 2016](#)

**COMMISSION IMPLEMENTING DECISION (EU) 2016/887** of 2 June 2016 **amending** Annex II to Decision 2007/777/EC as regards the **list of third countries or parts thereof from which the introduction into the Union of meat products and treated stomachs, bladders and intestines is authorised** (notified under document C(2016) 3215) (Text with EEA relevance)

[OJ of the EU, L 148/6 of 4 June 2016](#)



## Case Law

**Case C-177/15: OPINION OF ADVOCATE GENERAL BOBEK of 22 June 2016 *Nelsons GmbH v Ayonnax Nutripharm GmbH and Bachblütentreff Ltd*** - Request for a preliminary ruling from the Bundesgerichtshof (Federal Court of Justice, Germany) - **Public health — Health claims made on foods — Notion of ‘beverages containing more than 1.2% by volume of alcohol’** — Inclusion of liquid in the form of a spray or drops containing more than 27% alcohol by volume — Requirement to provide scientific evidence — Transitional regime for existing trade marks

[CURIA – Opinion of Advocate General in Case C-177/15 of 22 June 2016](#)

**Case C-277/15. OPINION OF ADVOCATE GENERAL SHARPSTON of 16 June 2016 - *Servoprax GmbH v Roche Diagnostics Deutschland GmbH*** - Request for a preliminary ruling from the Bundesgerichtshof (Federal Court of Justice, Germany) - **Directive 98/79/EC on in vitro diagnostic medical devices – Parallel distribution within the internal market** – Attachment to the outer packaging of medical devices for self-testing of blood sugar levels of another linguistic version of the manufacturer’s information on the label and the instructions for use – **New or supplementary conformity assessment procedure**

[CURIA – Opinion of Advocate General in Case C-277/15 of 16 June 2016](#)

**Affaire C-268/15: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. YVES BOT du 14 juin 2016 - *Fernand Ullens de Schooten contre Ministre des Affaires sociales et de la Santé publique et Ministre de la Justice*** - demande de décision préjudicielle formée par la cour d’appel de Bruxelles (Belgique) - Renvoi préjudiciel – **Responsabilité de l’État pour violation du droit de l’Union – Situation purement interne** – Article 43 CE (devenu article 49 TFUE) – **Réglementation nationale en vertu de laquelle les laboratoires de biologie clinique ne peuvent être exploités que par des personnes habilitées à effectuer des prestations de biologie clinique – Compatibilité**

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-268/15 du 14 juin 2016 \(FR seulement\)](#)

**Case C-42/15: OPINION OF ADVOCATE GENERAL SHARPSTON of 9 June 2016 - *Home Credit Slovakia a.s. v Klára Bíróová*** - Request for a preliminary ruling from the Okresný súd (District Court) Dunajská Streda, Slovakia - **Consumer Protection — Consumer credit agreements** — Directive 2008/48/EC — **Meaning of the expression ‘drawn up on paper or on another durable medium’ — National requirement for a document to be ‘in writing’ and that it must be signed** — Validity of a consumer credit agreement — Compulsory information under Article 10(2) of Directive 2008/48/EC — **Credit agreement not containing the compulsory information but referring to a separate document** — National penalties for failure to provide the compulsory information — Proportionality

[CURIA – Opinion of Advocate General in Case C-42/15 of 9 June 2016](#)

**Affaire C-119/15: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE du 2 juin 2016 - *Biuro podróży « Partner » Sp. z o.o., Sp. komandytowa w Dąbrowie Górniczej contre Prezes Urzędu Ochrony Konkurencji i Konsumentów*** - demande de décision préjudicielle formée par le Sąd Apelacyjny w Warszawie VI Wydział Cywilny (cour d’appel de Varsovie, division civile, Pologne) - Renvoi préjudiciel – **Protection des consommateurs** – Directive 93/13/CE – Directive 2009/22/CE – **Effet erga omnes d’une décision judiciaire constatant le caractère abusif d’une clause de conditions générales dès l’inscription de cette clause dans un registre public – Sanction pécuniaire infligée au professionnel ayant utilisé une telle clause ou une clause équivalente dans ses conditions générales sans que celui-ci ait participé à la procédure visant à la constatation du caractère abusif de la clause** – Article 47 de la Charte des droits fondamentaux de l’Union européenne – Droit d’être entendu

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-119/15 du 2 juin 2016 \(FR seulement\)](#)

**Case C-412/15: OPINION OF ADVOCATE GENERAL WAHL of 2 June 2016 - *TMD Gesellschaft für transfusionsmedizinische Dienste mbH v Finanzamt Kassel II*** – Hofgeismar - Request for a preliminary ruling from the Hessisches Finanzgericht (Finance Court, Hesse, Germany) - **Value added tax — Deductions** — Article 132(1)(d) of the VAT Directive — **‘Blood’ — Supplies of blood plasma for manufacturing medicinal products**

[CURIA – Opinion of Advocate General in Case C-412/15 of 2 June 2016](#)

## 12. Human Rights

### Case Law

**Affaire C-231/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. M. CAMPOS SANCHEZ-BORDONA du 14 juin 2016** - Prezes Urzędu Komunikacji Elektronicznej et Petrotel sp. z o.o. w Płocku contre Polkomtel sp. z o.o. - demande de décision préjudicielle formée par le Sąd Najwyższy (Cour de cassation de Pologne) - **Réseaux et services de communications électroniques** – Directive 2002/21/CE – Article 4, paragraphe 1 – **Décision prise par une autorité réglementaire nationale – Résolution du litige entre des opérateurs** – Effets dans le temps de l'annulation d'une décision d'une autorité réglementaire nationale – **Droit à un recours juridictionnel effectif – Charte des droits fondamentaux de l'Union européenne** – Article 47 – **Portée de la décision judiciaire**  
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-231/15 du 14 juin 2016 \(FR seulement\)](#)

**Case C-566/14 P: JUDGMENT OF THE COURT (Grand Chamber) of 14 June 2016 - Jean-Charles Marchiani, residing in Toulon (France) v European Parliament** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Member of the European Parliament — Parliamentary assistance allowance — Recovery of undue payments — Recovery** — Implementing Measures of the Statute for Members of the Parliament — **Respect for the rights of the defence — Principle of impartiality — Limitation** — Regulation (EU, Euratom) No 966/2012 — Articles 78 to 81 — Delegated Regulation (EU) No 1268/2012 — Articles 81, 82 and 93 — **Principle of protection of legitimate expectations — Reasonable time**  
[CURIA – Judgment of the Court of Justice in Case C-566/14 of 14 June 2016](#)

**Case C-25/15: JUDGMENT OF THE COURT (Fifth Chamber) of 9 June 2016 - István Balogh** - REQUEST for a preliminary ruling under Article 267 TFEU from the Budapest Környéki Törvényszék (Budapest Regional Court, Hungary) - Reference for a preliminary ruling — **Judicial cooperation in criminal matters — Right to interpretation and translation** — Directive 2010/64/EU — **Scope — Definition of criminal proceedings** — Procedure laid down by a Member State for the recognition of a decision in criminal proceedings handed down by a court in another Member State and for the entry in the criminal record of the conviction handed down by that court — **Costs in connection with the translation of that decision** — Framework Decision 2009/315/JHA — Decision 2009/316/JHA)  
[CURIA – Judgment of the Court of Justice in Case C-25/15 of 9 June 2016](#)

**Case C-63/15: JUDGMENT OF THE COURT (Grand Chamber) of 7 June 2016 - Mehrdad Ghezelbash v Staatssecretaris van Veiligheid en Justitie** - REQUEST for a preliminary ruling under Article 267 TFEU from the Rechtbank Den Haag (District Court, The Hague, Netherlands) - Reference for a preliminary ruling — Regulation (EU) No 604/2013 — **Determination of the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national** — Article 12 — **Issue of residence documents or visas — Article 27 — Remedies — Extent of judicial scrutiny**  
[CURIA – Judgment of the Court of Justice in Case C-63/15 of 7 June 2016](#)

**Case C-155/15: JUDGMENT OF THE COURT (Grand Chamber) of 7 June 2016 - George Karim v Migrationsverket** - REQUEST for a preliminary ruling under Article 267 TFEU from the Kammarrätten i Stockholm – Migrationsöverdomstolen (Administrative Court of Appeal, Stockholm, Court of Appeal in Immigration Matters, Sweden) - Reference for a preliminary ruling — Regulation (EU) No 604/2013 — **Determination of the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national** — Article 18 — **Taking back an asylum seeker whose application is being examined** — Article 19 — Cessation of responsibility — **Absence from the territory of the Member States for a period of at least three months — New procedure for determining the Member State responsible** — Article 27 — Remedy — **Extent of judicial review**  
[CURIA – Judgment of the Court of Justice in Case C-155/15 of 7 June 2016](#)

**Case C-157/15: OPINION OF ADVOCATE GENERAL KOKOTT of 31 May 2016 - Samira Achbita and Centrum voor gelijkheid van kansen en voor racismebestrijding v G4S Secure Solutions NV** - Request for a preliminary ruling from the Hof van Cassatie (Court of Cassation), Belgium - **Fundamental rights** — Directive 2000/78/EC — **Equal treatment in employment and occupation** — **Concept of discrimination based on religion or belief** — **Distinction between direct and indirect discrimination** — **Justification** — **Company ban on the wearing of visible religious, political or philosophical symbols** — **Religious and ideological neutrality** — Dismissal of a female employee of Muslim faith on account of her firm intention to wear an Islamic headscarf in the workplace  
[CURIA – Opinion of Advocate General in Case C-157/15 of 31 May 2016](#)

**Case C-573/14: OPINION OF ADVOCATE GENERAL SHARPSTON of 31 May 2016 - Commissaire général aux réfugiés et aux apatrides v Mostafa Lounani** - Request for a preliminary ruling from the Conseil d'État (Council of State, Belgium) - **Area of freedom, security and justice** — **Asylum** — **Minimum standards for the qualification and status of third country nationals or stateless persons as refugees** — Directive 2004/83/EC — Article 12(2)(c) — Conditions for exclusion from refugee status — **Concept of 'acts contrary to the purposes and principles of the United Nations'** — **Meaning of instigation or participation for the purposes of Article 12(3)** — Framework Decision 2002/475/JHA — Articles 1 and 2 — **Whether a conviction for terrorist offences is a requirement for exclusion from refugee status** — **Assessment of the grounds for exclusion**  
[CURIA – Opinion of Advocate General in Case C-573/14 of 31 May 2016](#)

### 13. Internal Market and Single Market

#### Case Law

**Case C-15/15: JUDGMENT OF THE COURT (Grand Chamber) of 21 June 2016 - New Valmar BVBA v Global Pharmacies Partner Health Srl** - REQUEST for a preliminary ruling under Article 267 TFEU from the rechtbank van koophandel te Gent (Ghent Commercial Court, Belgium) - Reference for a preliminary ruling — **Free movement of goods** — **Prohibition of measures having equivalent effect to quantitative restrictions on exports** — Article 35 TFEU — **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** — Cross-border concession agreement — Restriction — Justification — Disproportionate  
[CURIA – Opinion of Advocate General in Case C-15/15 of 21 June 2016](#)

**Affaire C-225/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. NILS WAHL du 16 juin 2016 - Domenico Politano'** - demande de décision préjudicielle formée par le Tribunale di Reggio Calabria (tribunal de Reggio Calabria, Italie) - Renvoi préjudiciel – Article 49 TFUE – **Liberté d'établissement** – **Principes d'équivalence et d'effectivité** – **Jeux de hasard** – **Restrictions** – Conditions de participation à l'appel d'offres et évaluation de la capacité économique et financière – **Exclusion du soumissionnaire pour défaut de présentation d'attestations de capacité économique et financière délivrées par deux établissements bancaires** – **Raisons impérieuses d'intérêt général** – Proportionnalité – Applicabilité de l'article 47 de la directive 2004/18/CE  
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-225/15 du 16 juin 2016 \(FR seulement\)](#)

**Case C-277/15. OPINION OF ADVOCATE GENERAL SHARPSTON of 16 June 2016 - Servoprax GmbH v Roche Diagnostics Deutschland GmbH** - Request for a preliminary ruling from the Bundesgerichtshof (Federal Court of Justice, Germany) - **Directive 98/79/EC on in vitro diagnostic medical devices** – **Parallel distribution within the internal market** – Attachment to the outer packaging of medical devices for self-testing of blood sugar levels of another linguistic version of the manufacturer's information on the label and the instructions for use – **New or supplementary conformity assessment procedure**  
[CURIA – Opinion of Advocate General in Case C-277/15 of 16 June 2016](#)

**Case C-96/15: JUDGMENT OF THE COURT (Third Chamber) of 16 June 2016 - Saint Louis Sucre, formerly Saint Louis Sucre SA v Directeur général des douanes et droits indirects** - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal de grande instance de Nanterre (Regional Court, Nanterre, France) - Reference for a preliminary ruling — **Agriculture** — **Sugar** — **Production levies** — **Right to reimbursement** — **Sugar held in stock and not exported** — **Undue enrichment** — **Freedom to conduct a business** — **Method of calculation**  
[CURIA – Judgment of the Court of Justice in Case C-96/15 of 16 June 2016](#)

**Case C-201/15: OPINION OF ADVOCATE GENERAL WAHL of 9 June 2016 - Anonymi Geniki Etairia Tsimenton Iraklis (AGET Iraklis) v Ypourgos Ergasias, Koinonikis Asfalisis kai Koinonikis Allilengyis and Enosi Ergazomenon Tsimenton Chalkidas** - Request for a preliminary ruling from the Symvoulío tis Epikrateias (Council of State, Greece) - **Collective redundancies** — Directive 98/59/EC — Articles 2 to 5 — Articles 49 and 63 TFEU — **Requirement for prior authorisation, by the competent administrative authority, of a request to carry out collective redundancies** — **Requests to be considered on the basis of economic criteria** — Proportionality  
[CURIA – Opinion of Advocate General in Case C-201/15 of 9 June 2016](#)

**Case C-410/14: JUDGMENT OF THE COURT (Fifth Chamber) of 2 June 2016 - Dr. Falk Pharma GmbH v DAK-Gesundheit and Kohlfarma GmbH** - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberlandesgericht Düsseldorf (Higher Regional Court, Düsseldorf, Germany) - Reference for a preliminary ruling — **Public contracts** — Directive 2004/18/EC — Article 1(2)(a) — **Concept of ‘public contract’** — **Scheme for acquiring goods consisting of the authorisation as a supplier of any economic operator who meets the predetermined criteria** — **Supply of medicinal products that are refundable under a general social security scheme** — Contracts concluded between a statutory health insurance fund and all the suppliers of medicinal products based on a given active ingredient who consent to a rebate on the sale price at a predetermined rate — **Legislation providing, in principle, for the substitution of a refundable medicinal product marketed by an operator not having concluded such a contract by a medicinal product of the same type marketed by an operator having concluded such a contract**  
[CURIA – Judgment of the Court of Justice in Case C-410/14 of 2 June 2016](#)

**Case C-148/15: OPINION OF ADVOCATE GENERAL SZPUNAR of 2 June 2016 - Deutsche Parkinson Vereinigung eV v Zentrale zur Bekämpfung unlauteren Wettbewerbs eV** - Reference for a preliminary ruling from the Oberlandesgericht Düsseldorf (Higher Regional Court, Düsseldorf, Germany) - **Free movement of goods** – Articles 34 and 36 TFEU – **State fixed-prices for prescription-only medicinal products** – **Measure having equivalent effect to a quantitative restriction** – **Selling arrangement** – Justification on ground of public health  
[CURIA – Opinion of Advocate General in Case C-148/15 of 2 June 2016](#)

**Case C-27/15: JUDGMENT OF THE COURT (Sixth Chamber) of 2 June 2016 - Pippo Pizzo v CRGT Srl, Autorità Portuale di Messina, Messina Sud Srl, Francesco Todaro and Myleco Sas** - 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 procurement** — Directive 2004/18/EC — **Participation in a call for tenders** — **Possibility of relying on the capacities of other undertakings in order to satisfy the necessary criteria** — **Failure to pay a fee not expressly provided for** — **Exclusion from the contract without the possibility of rectifying that omission**  
[CURIA – Judgment of the Court of Justice in Case C-27/15 of 2 June 2016](#)

## 14. Intellectual Property

### Community Legislation

**DIRECTIVE (EU) 2016/943 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure** (Text with EEA relevance)  
[OJ of the EU, L 157/3 of 15 June 2016](#)

### Case Law

**Case C-207/15 P: JUDGMENT OF THE COURT (Fifth Chamber) of 22 June 2016 - Nissan Jidosha KK, established in Yokohama (Japan) European Union Intellectual Property Office (EUIPO)** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **European Union trade mark** — **Figurative mark including the element ‘CVTC’** — **Requests for renewal made in respect of some of the goods or services for which the mark is registered** — Further period — Regulation (EC) No 207/2009 — Article 47 — **Principle of legal certainty**  
[CURIA – Judgment of the Court of Justice in Case C-207/15 of 22 June 2016](#)

**Case C-280/15: JUDGMENT OF THE COURT (Seventh Chamber) of 22 June 2016 - Irina Nikolajeva v Multi Protect OÜ** - REQUEST for a preliminary ruling under Article 267 TFEU from the Harju Maakohus (Harju District Court, Estonia) - Reference for a preliminary ruling — **EU trade mark** — Regulation (EC) No 207/2009 — Article 9(3) and Article 102(1) — **Obligation on an EU trade mark court to issue an order prohibiting a third party from proceeding with acts of infringement — No application seeking such an order — Concept of ‘special reasons’ for not ordering such a prohibition** — Concept of ‘reasonable compensation’ in respect of acts occurring after publication of an application for registration of an EU trade mark and before publication of the registration of the trade mark

[CURIA – Judgment of the Court of Justice in Case C-280/15 of 22 June 2016](#)

**Case C-419/15: JUDGMENT OF THE COURT (Seventh Chamber) of 22 June 2016 - Thomas Philipps GmbH & Co. KG v Grüne Welle Vertriebs GmbH** - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberlandesgericht Düsseldorf (Higher Regional Court, Düsseldorf, Germany) - Reference for a preliminary ruling — **Intellectual property — Community designs** — Regulation (EC) No 6/2002 — Articles 32 and 33 — **Licence — Register of Community designs — Right of the licensee to bring proceedings for infringement notwithstanding the fact that the licence has not been entered in the register** — Right of the licensee to bring proceedings for infringement in order to obtain damages for its own loss

[CURIA – Judgment of the Court of Justice in Case C-419/15 of 22 June 2016](#)

**Case C-174/15: OPINION OF ADVOCATE GENERAL SZPUNAR of 16 June 2016 - Vereniging Openbare Bibliotheken v Stichting Leenrecht** - Request for a preliminary ruling from the Rechtbank Den Haag (District Court, The Hague, Netherlands) - **Copyright and related rights — Rental and lending right in respect of copyright works** — Directive 2001/29/EC — Directive 2006/115/EC — **Electronic books — Public libraries**

[CURIA – Opinion of Advocate General in Case C-174/15 of 16 June 2016](#)

**Case C-470/14: JUDGMENT OF THE COURT (Fourth Chamber) of 9 June 2016 - Entidad de Gestión de Derechos de los Productores Audiovisuales (EGEDA), Derechos de Autor de Medios Audiovisuales (DAMA) and Visual Entidad de Gestión de Artistas Plásticos (VEGAP) v Administración del Estado, Asociación Multisectorial de Empresas de la Electrónica, las Tecnologías de la Información y la Comunicación, de las Telecomunicaciones y de los contenidos Digitales (Ametic), Artistas Intérpretes, Sociedad de Gestión (AISGE), Centro Español de Derechos Reprográficos (CEDRO), Asociación de Gestión de Derechos Intelectuales (AGEDI), Entidad de Gestión, Artistas, Intérpretes o Ejecutantes, Sociedad de Gestión de España (AIE) and Sociedad General de Autores y Editores (SGAE)** - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunal Supremo (Supreme Court, Spain) - Reference for a preliminary ruling — **Intellectual and industrial property — Copyright and related rights** — Directive 2001/29/EC — Article 5(2)(b) — **Reproduction right — Exceptions and limitations — Private copying — Fair compensation** — Financing from the General State Budget — **Whether permissible — Conditions**

[CURIA – Judgment of the Court of Justice in Case C-470/14 of 9 June 2016](#)

**Case C-481/14: JUDGMENT OF THE COURT (Fifth Chamber) of 9 June 2016 - Jørn Hansson v Jungpflanzen Grünwald GmbH** - REQUEST for a preliminary ruling under Article 267 TFEU from the Oberlandesgericht Düsseldorf (Higher Regional Court, Düsseldorf, Germany) - Reference for a preliminary ruling — **Intellectual and industrial property — Community plant variety rights** — Regulation (EC) No 2100/94 — **Infringement — Reasonable compensation — Compensation for damage — Costs of proceedings and out-of-court expenses**

[CURIA – Judgment of the Court of Justice in Case C-481/14 of 9 June 2016](#)

**Affaire C-166/15: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE du 1er juin 2016 - Aleksandrs Ranks et Jurijs Vasiļevičs** - demande de décision préjudicielle formée par la Rīgas apgabaltiesas Kriminālietu tiesu kolēģija (cour régionale de Riga, collège des affaires pénales, Lettonie) - Renvoi préjudiciel – Directive 91/250/CEE – **Protection juridique des programmes d’ordinateur – Vente de copies non originales de programmes d’ordinateur – Copies incorporées à un support matériel autre que le support matériel d’origine** – Existence d’une atteinte au droit de distribution – **Possibilité de se prévaloir de l’épuisement du droit de distribution – Existence d’une atteinte au droit de reproduction**

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-166/15 du 1<sup>er</sup> juin 2016 \(FR seulement\)](#)

**Case C-117/15: JUDGMENT OF THE COURT (Grand Chamber) of 31 May 2016 - Reha Training Gesellschaft für Sport- und Unfallrehabilitation mbH v Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte eV (GEMA) and Gesellschaft zur Verwertung von Leistungsschutzrechten mbH (GVL) - REQUEST for a preliminary ruling under Article 267 TFEU from the Landgericht Köln (Regional Court, Cologne, Germany) - Reference for a preliminary ruling — **Intellectual property — Copyright and related rights — Directive 2001/29/EC — Article 3(1) — Directive 2006/115/EC — Article 8(2) — Concept of ‘communication to the public’****

[CURIA – Judgment of the Court of Justice in Case C-117/15 of 31 May 2016](#)

**Affaire C-169/15: CONCLUSIONS DE L’AVOCAT GÉNÉRAL M. Campos Sánchez-Bordona du 31 mai 2016 - Montis Design BV contre Goossens Meubelen BV - demande de décision préjudicielle formée par le Benelux Gerechtshof (Cour de justice du Benelux) - **Droit d’auteur et droits voisins – Durée de protection – Extinction et rétablissement du droit d’auteur****

[CURIA – Conclusions de l’Avocat Général dans l’affaire C-169/15 du 31 mai 2016 \(FR seulement\)](#)

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

### Community Legislation

**COMMISSION DIRECTIVE (EU) 2016/970** of 27 May 2016 **amending** Directive 2009/43/EC of the European Parliament and of the Council as regards the **list of defence-related products** (Text with EEA relevance)

[OJ of the EU, L 163/1 of 21 June 2016](#)

**COUNCIL DECISION (EU) 2016/954** of 9 June 2016 **authorising enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions on the property regimes of international couples, covering both matters of matrimonial property regimes and the property consequences of registered partnerships**

[OJ of the EU, L 159/16 of 16 June 2016](#)

### Case Law

**Case C-428/15: OPINION OF ADVOCATE GENERAL WATHELET of 16 June 2016 - Child and Family Agency v J. D.** - Request for a preliminary ruling from the Supreme Court (Ireland) - Reference for a preliminary ruling — **Judicial cooperation in civil matters — Jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility — Regulation (EC) No 2201/2003 — Article 15 — Transfer of the case to another court — Scope — Conditions for application — Court better placed — Best interests of the child**

[CURIA – Opinion of Advocate General in Case C-428/15 of 16 June 2016](#)

**Case C-511/14: JUDGMENT OF THE COURT (Third Chamber) of 16 June 2016 - Pebros Servizi Srl v Aston Martin Lagonda Ltd** - REQUEST for a preliminary ruling under Article 267 TFEU from the Tribunale di Bologna (District Court, Bologna, Italy) - Reference for a preliminary ruling — **Area of freedom, security and justice — Judicial cooperation in civil matters — Regulation (EC) No 805/2004 — European Enforcement Order for uncontested claims — Article 3(1)(b) — Conditions for certification — Judgment in default — Concept of ‘uncontested claim’**— Procedural conduct of a party capable of constituting an ‘absence of contestation of the claim’

[CURIA – Judgment of the Court of Justice in Case C-511/14 of 16 June 2016](#)

**Case C-12/15: JUDGMENT OF THE COURT (Second Chamber) of 16 June 2016 - Universal Music International Holding BV v Michael Tétéreault Schilling, Irwin Schwartz and Josef Brož** - REQUEST for a preliminary ruling under Article 267 TFEU from the Hoge Raad der Nederlanden (Supreme Court of the Netherlands) - Reference for a preliminary ruling — **Judicial cooperation in civil matters — Regulation (EC) No 44/2001 — Special jurisdiction — Article 5(3) — Tort, delict or quasi-delict — Harmful event — Lawyer’s negligence in drafting the contract — Place where the harmful event occurred**

[CURIA – Judgment of the Court of Justice in Case C-12/15 of 16 June 2016](#)

**Affaire C-231/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. M. CAMPOS SANCHEZ-BORDONA du 14 juin 2016** - Prezes Urzędu Komunikacji Elektronicznej et Petrotel sp. z o.o. w Płocku contre Polkomtel sp. z o.o. - demande de décision préjudicielle formée par le Sąd Najwyższy (Cour de cassation de Pologne) - **Réseaux et services de communications électroniques** – Directive 2002/21/CE – Article 4, paragraphe 1 – **Décision prise par une autorité réglementaire nationale – Résolution du litige entre des opérateurs** – Effets dans le temps de l'annulation d'une décision d'une autorité réglementaire nationale – **Droit à un recours juridictionnel effectif – Charte des droits fondamentaux de l'Union européenne** – Article 47 – **Portée de la décision judiciaire**  
[CURIA – Conclusions de l'Avocat Général dans l'affaire C-231/15 du 14 juin 2016 \(FR seulement\)](#)

**Case C-361/14 P: JUDGMENT OF THE COURT (Grand Chamber) of 14 June 2016 - European Commission v Peter McBride, residing in Downings (Ireland), Hugh McBride, residing in Downings, Mullglen Ltd, established in Largy (Ireland), Cathal Boyle, residing in Fiafannon (Ireland), Thomas Flaherty, residing in Kilonan (Ireland), Ocean Trawlers Ltd, established in Killybegs (Ireland), Patrick Fitzpatrick, residing in Killeany (Ireland), Eamon McHugh, residing in Killybegs, Eugene Hannigan, residing in Killybegs, Larry Murphy, residing in Castletownbere (Ireland) and Brendan Gill, residing in Lifford (Ireland) - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal** — **Resource conservation measures and restructuring of the fisheries sector — Requests for increased safety tonnage — Annulment by the European Union judicature of the decision initially rejecting those requests** — Article 266 TFEU — **Repeal of the legal basis on which that initial decision was founded — Competence and legal basis to adopt new decisions** — Annulment by the General Court of new decisions rejecting the requests — **Principle of legal certainty**  
[CURIA – Judgment of the Court of Justice in Case C-361/14 of 14 June 2016](#)

**Case C-25/15: JUDGMENT OF THE COURT (Fifth Chamber) of 9 June 2016 - István Balogh - REQUEST for a preliminary ruling under Article 267 TFEU from the Budapest Körményi Törvényszék (Budapest Regional Court, Hungary) - Reference for a preliminary ruling** — **Judicial cooperation in criminal matters — Right to interpretation and translation** — Directive 2010/64/EU — **Scope — Definition of criminal proceedings** — Procedure laid down by a Member State for the recognition of a decision in criminal proceedings handed down by a court in another Member State and for the entry in the criminal record of the conviction handed down by that court — **Costs in connection with the translation of that decision** — Framework Decision 2009/315/JHA — Decision 2009/316/JHA)  
[CURIA – Judgment of the Court of Justice in Case C-25/15 of 9 June 2016](#)

**Case C-212/15: OPINION OF ADVOCATE GENERAL BOBEK of 9 June 2016 - ENEFI Energiahatekonysagi Nyrt v Direcția Generală Regională a Finanțelor Publice Brașov (DGRFP) - Request for a preliminary ruling from the Tribunalul Mureș, Secția civilă (Regional Court, Mureș, Civil Chamber, Romania) - **Insolvency proceedings — Effects provided by the law of the State of the opening of proceedings as regards a tax claim that has not been registered in that proceedings and that is subject to enforcement in another Member State****  
[CURIA – Opinion of Advocate General in Case C-212/15 of 9 June 2016](#)

**Joined Cases C-14/15 and C-116/15: OPINION OF ADVOCATE GENERAL WAHL of 7 June 2016 - European Parliament v Council of the European Union - Action for annulment** — **Legal basis — Police and judicial cooperation in criminal matters** — Council Decisions 2014/731/EU, 2014/743/EU, 2014/744/EU and 2014/911/EU — **Automated exchange of information — Registration of vehicles — Dactyloscopic data — Decision-making procedure — Impact of the entry into force of the Treaty on the Functioning of the European Union — Transitional provisions** — Article 9 of Protocol No 36 — **Concepts of 'basic acts' and 'implementing measures'** — **Secondary legal basis — Consultation of the Parliament** — Initiative of a Member State or of the Commission — **Voting rules**  
[CURIA – Opinion of Advocate General in Case C-14/15 of 7 June 2016](#)

**Affaire C-191/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL M. HENRIK SAUGMANDSGAARD ØE du 2 juin 2016 - Verein für Konsumenteninformation contre Amazon EU Sàrl** - demande de décision préjudicielle formée par l'Oberster Gerichtshof (Cour suprême, Autriche) - Renvoi préjudiciel – **Coopération judiciaire en matière civile – Obligations non contractuelles** – Règlement (CE) n° 864/2007 (Rome II) – **Obligations contractuelles – Règlement (CE) n° 593/2008 (Rome I) – Protection des consommateurs** – Directive 93/13/CEE – **Protection des données à caractère personnel** – Directive 95/46/CE – Action en cessation – Directive 2009/22/CE – **Commerce électronique transfrontalier – Conditions générales de vente – Clause de choix de la loi applicable – Désignation du droit de l'État membre où l'entreprise a son siège – Détermination de la loi applicable pour apprécier le caractère abusif des clauses des conditions générales de vente dans le cadre d'une action en cessation**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-191/15 du 2 juin 2016 \(FR seulement\)](#)

**Affaire C-185/15: CONCLUSIONS DE L'AVOCAT GÉNÉRAL MME JULIANE KOKOTT du 2 juin 2016 - Marjan Kostanjevec contre F&S Leasing, GmbH** - demande de décision préjudicielle formée par le Vrhovno sodišče Republike Slovenije (Cour suprême de la République de Slovénie) – **Coopération judiciaire en matière civile** – Règlement (CE) n° 44/2001 – **Notion de « demande reconventionnelle » – Champ d'application temporel** – Demande reconventionnelle au titre d'un enrichissement sans cause – **Notion de matière contractuelle – Lieu d'exécution de l'obligation**

[CURIA – Conclusions de l'Avocat Général dans l'affaire C-185/15 du 2 juin 2016 \(FR seulement\)](#)

**Case C-438/14: JUDGMENT OF THE COURT (Second Chamber) of 2 June 2016 - Nabel Peter Bogendorff von Wolffersdorff v Standesamt der Stadt Karlsruhe and Zentraler Juristischer Dienst der Stadt Karlsruhe** - REQUEST for a preliminary ruling under Article 267 TFEU from the Amtsgericht Karlsruhe (Local Court, Karlsruhe, Germany) - Reference for a preliminary ruling — **Citizenship of the Union** — Article 21 TFEU — **Freedom to move and reside in the Member States — Law of a Member State abolishing privileges and prohibiting the conferring of new noble titles — Surname of an adult, national of that State, obtained during a habitual residence in another Member State of which that person also holds the nationality** — Name comprising tokens of nobility — Residence in the first Member State — Refusal by the authorities of the first Member State to enter the name acquired in the second Member State in the register of civil status — Justification — Public policy — **Incompatibility with the essential principles of German law**

[CURIA – Judgment of the Court of Justice in Case C-438/14 of 2 June 2016](#)

**Case C-241/15: JUDGMENT OF THE COURT (Second Chamber) of 1 June 2016 - Niculaie Aurel Bob-Dogi** - REQUEST for a preliminary ruling under Article 267 TFEU from the Curtea de Apel Cluj (Appeal Court, Cluj, Romania) - Reference for a preliminary ruling — **Police and judicial cooperation in criminal matters** — Framework Decision 2002/584/JHA — **European arrest warrant** — Article 8(1)(c) — **Obligation to include in the European arrest warrant information concerning the existence of an 'arrest warrant' — No national arrest warrant issued prior to and separately from the European arrest warrant — Effect**

[CURIA – Judgment of the Court of Justice in Case C-241/15 of 1 June 2016](#)

**Case C-573/14: OPINION OF ADVOCATE GENERAL SHARPSTON of 31 May 2016 - Commissaire général aux réfugiés et aux apatrides v Mostafa Louani** - Request for a preliminary ruling from the Conseil d'État (Council of State, Belgium) - **Area of freedom, security and justice — Asylum — Minimum standards for the qualification and status of third country nationals or stateless persons as refugees** — Directive 2004/83/EC — Article 12(2)(c) — Conditions for exclusion from refugee status — **Concept of 'acts contrary to the purposes and principles of the United Nations'** — **Meaning of instigation or participation for the purposes of Article 12(3)** — Framework Decision 2002/475/JHA — Articles 1 and 2 — **Whether a conviction for terrorist offences is a requirement for exclusion from refugee status — Assessment of the grounds for exclusion**

[CURIA – Opinion of Advocate General in Case C-573/14 of 31 May 2016](#)



## 16. Transport

### Community Legislation

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/963** of 16 June 2016 **amending** Regulation (EC) No 474/2006 as regards the **list of air carriers which are subject to an operating ban within the Union** (Text with EEA relevance)

[OJ of the EU, L 160/50 of 17 June 2016](#)

**COMMISSION REGULATION (EU) 2016/919** of 27 May 2016 on the **technical specification for interoperability relating to the ‘control-command and signalling’ subsystems of the rail system** in the European Union (Text with EEA relevance)

[OJ of the EU, L 158/1 of 15 June 2016](#)

**COMMISSION DIRECTIVE (EU) 2016/882** of 1 June 2016 **amending** Directive 2007/59/EC of the European Parliament and of the Council as regards **language requirements** (Text with EEA relevance)

[OJ of the EU, L 146/22 of 3 June 2016](#)

### Case Law

**Case C-255/15: JUDGMENT OF THE COURT (Third Chamber) of 22 June 2016 - Steef Mennens v Emirates Direktion für Deutschland** - REQUEST for a preliminary ruling under Article 267 TFEU from the Amtsgericht Düsseldorf (District Court of Düsseldorf, Germany) - Reference for a preliminary ruling — **Air transport** — Regulation (EC) No 261/2004 — Article 2(f) and Article 10(2) — **Partial reimbursement of the ticket price where a passenger is downgraded on a flight** — **Concepts of ‘ticket’ and ‘price of the ticket’** — **Calculation of the reimbursement owed to the passenger**

[CURIA – Judgment of the Court of Justice in Case C-255/15 of 22 June 2016](#)

**Case C-287/14: JUDGMENT OF THE COURT (Sixth Chamber) of 9 June 2016 - Eurospeed Ltd v Szegedi törvényszék** - REQUEST for a preliminary ruling under Article 267 TFEU from the Gyulai törvényszék (Regional Court, Gyula, Hungary) - Reference for a preliminary ruling — **Road transport** — Regulation (EC) No 561/2006 — **Driver’s liability for infringements of the obligation to use a tachograph**

[CURIA – Judgment of the Court of Justice in Case C-287/14 of 9 June 2016](#)

**Case C-205/14: JUDGMENT OF THE COURT (Fifth Chamber) of 2 June 2016 - European Commission v Portuguese Republic** - ACTION under Article 258 TFEU for failure to fulfil obligations - **Failure of a Member State to fulfil obligations** — **Air transport** — Regulation (EEC) No 95/93 — **Allocation of slots at European Union airports** — Article 4(2) — Independence of the coordinator — **Concept of ‘interested party’** — **Airport managing body** — **Functional separation** — **System of financing**

[CURIA – Judgment of the Court of Justice in Case C-205/14 of 2 June 2016](#)

## 17. Community Institutions, Principles and the Communities’ own resources

### Community Legislation

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/962** of 16 June 2016 laying down **implementing technical standards with regard to the uniform formats, templates and definitions for the identification and transmission of information by competent authorities and resolution authorities to the European Banking Authority** according to Directive 2014/59/EU of the European Parliament and of the Council (Text with EEA relevance)

[OJ of the EU, L 160/35 of 17 June 2016](#)

**DECISION (EU) 2016/956 OF THE EUROPEAN CENTRAL BANK** of 7 June 2016 **amending** Decision (EU) 2016/245 (ECB/2016/2) laying down the **rules on procurement** (ECB/2016/17)  
[OJ of the EU, L 159/21 of 16 June 2016](#)

**DECISION (EU) 2016/955 OF THE EUROPEAN CENTRAL BANK** of 6 May 2016 **amending** Decision ECB/2013/54 on the **accreditation procedures for manufacturers of euro secure items and euro items** (ECB/2016/12)  
[OJ of the EU, L 159/19 of 16 June 2016](#)

**DECISION (EU) 2016/948 OF THE EUROPEAN CENTRAL BANK** of 1 June 2016 on the **implementation of the corporate sector purchase programme** (ECB/2016/16)  
[OJ of the EU, L 157/28 of 15 June 2016](#)

**COUNCIL IMPLEMENTING DECISION (EU) 2016/894** of 12 May 2016 **setting out a recommendation for temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk**  
[OJ of the EU, L 151/8 of 8 June 2016](#)

**CONSOLIDATED VERSIONS OF THE TREATY ON EUROPEAN UNION AND THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION** (2016/C 202/01)  
[OJ of the EU, C 202/1 of 7 June 2016](#)

**CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION** (2016/C 202/02)  
[OJ of the EU, C 202/389 of 7 June 2016](#)

**CONSOLIDATED VERSION OF THE TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY COMMUNITY** (2016/C 203/01)  
[OJ of the EU, C 203/1 of 7 June 2016](#)

**REGULATION (EU) 2016/867 OF THE EUROPEAN CENTRAL BANK** of 18 May 2016 on the **collection of granular credit and credit risk data** (ECB/2016/13)  
[OJ of the EU, L 144/44 of 1 June 2016](#)

**DECISION (EU) 2016/868 OF THE EUROPEAN CENTRAL BANK** of 18 May 2016 **amending** Decision ECB/2014/6 on the **organisation of preparatory measures for the collection of granular credit data** by the European System of Central Banks (ECB/2016/14)  
[OJ of the EU, L 144/99 of 1 June 2016](#)

## Case Law

**Case C-557/14: JUDGMENT OF THE COURT (Third Chamber) of 22 June 2016 - European Commission v Portuguese Republic** - ACTION for failure to fulfil obligations under Article 260(2) TFEU - **Failure of a Member State to fulfil obligations** — Directive 91/271/EEC — **Urban waste water treatment** — **Judgment of the Court establishing a failure to fulfil obligations** — **Non-compliance** — Article 260(2) TFEU — **Financial penalties** — **Lump sum payment and penalty payment**  
[CURIA – Judgment of the Court of Justice in Case C-557/14 of 22 June 2016](#)

**Case C-566/14 P: JUDGMENT OF THE COURT (Grand Chamber) of 14 June 2016 - Jean-Charles Marchiani, residing in Toulon (France) v European Parliament** - APPEAL under Article 56 of the Statute of the Court of Justice of the European Union - Appeal — **Member of the European Parliament** — **Parliamentary assistance allowance** — **Recovery of undue payments** — **Recovery** — Implementing Measures of the Statute for Members of the Parliament — **Respect for the rights of the defence** — **Principle of impartiality** — **Limitation** — Regulation (EU, Euratom) No 966/2012 — Articles 78 to 81 — Delegated Regulation (EU) No 1268/2012 — Articles 81, 82 and 93 — **Principle of protection of legitimate expectations** — **Reasonable time**  
[CURIA – Judgment of the Court of Justice in Case C-566/14 of 14 June 2016](#)

**Joined Cases C-14/15 and C-116/15: OPINION OF ADVOCATE GENERAL WAHL of 7 June 2016 - European Parliament v Council of the European Union - Action for annulment — Legal basis — Police and judicial cooperation in criminal matters — Council Decisions 2014/731/EU, 2014/743/EU, 2014/744/EU and 2014/911/EU — Automated exchange of information — Registration of vehicles — Dactyloscopic data — Decision-making procedure — Impact of the entry into force of the Treaty on the Functioning of the European Union — Transitional provisions — Article 9 of Protocol No 36 — Concepts of ‘basic acts’ and ‘implementing measures’ — Secondary legal basis — Consultation of the Parliament — Initiative of a Member State or of the Commission — Voting rules**

[CURIA – Opinion of Advocate General in Case C-14/15 of 7 June 2016](#)

## **Preparatory Acts, Reports, Calls, Memos, Common Positions**

**OPINION OF THE EUROPEAN CENTRAL BANK** of 11 March 2016 on (a) a **proposal for a regulation** laying down **common rules on securitisation and creating a European framework for simple, transparent and standardised securitisation; and (b) a proposal for a regulation amending** Regulation (EU) No 575/2013 on **prudential requirements for credit institutions and investment firms** (CON/2016/11) (2016/C 219/03)

[OJ of the EU, C 219/2 of 17 June 2016](#)

**OPINION OF THE EUROPEAN CENTRAL BANK** of 6 April 2016 on a **proposal for a Council Decision** laying down **measures in view of progressively establishing unified representation of the euro area in the International Monetary Fund** (CON/2016/22) (2016/C 216/01)

[OJ of the EU, C 216/1 of 16 June 2016](#)

**OPINION OF THE EUROPEAN CENTRAL BANK** of 17 March 2016 on a **proposal for a regulation** of the European Parliament and of the Council on the **prospectus to be published when securities are offered to the public or admitted to trading** (CON/2016/15) (2016/C 195/01)

[OJ of the EU, C 195/1 of 2 June 2016](#)