Case C-164/23, Miscellaneous

VOLÁNBUSZ Zrt. – v – Bács-Kiskun Vármegyei Kormányhivatal, reference lodged by the Szegedi Törvényszék (Hungary) on 16 March 2023

1. Can the concept of 'employer's operational centre where the driver is normally based', used in Article 9(3) of [Regulation No 561/2006], be interpreted as meaning the place to which the driver is actually attached, in other words, the road passenger transport undertaking's facilities or parking area, or another geographical point defined as the starting location of the route, from which the driver usually carries out his or her service and to which he or she returns at the end of that service, in the normal exercise of his or her functions and without complying with specific instructions from his or her employer?
2. For the purposes of assessing whether a particular place constitutes an 'employer's operational centre where the driver is normally based', within the meaning of Article 9(3) of [Regulation No 561/2006], does it matter whether or not the location has adequate facilities (for example, hygiene and welfare facilities, rest area)?
3. For the purposes of assessing whether a particular place constitutes an 'employer's operational centre where the driver is normally based', for the purposes of Article 9(3) of [Regulation No 561/2006], does it matter whether the location of places to which drivers are actually attached is favourable to workers (drivers) in that they are, in any event, situated closer to their homes than the establishments and branches of the undertaking recorded in the Commercial Register, with the result that the drivers' required travelling time is shorter than it would be if they were to start and finish work in those establishments or branches?
4. If the term 'employer's operational centre where the driver is normally based', used in Article 9(3) of [Regulation No 561/2006], cannot be defined as the place to which the driver is actually attached, in other words, the road passenger transport undertaking's facilities or parking area, or another geographical point defined as the starting location of the route, from which the driver usually carries out his or her service and to which he or she returns at the end of that service, in the normal exercise of his or her functions and without complying with specific instructions from his or her employer, should the definition of that term in [Regulation No 561/2006] be treated as a measure regarding working conditions, in respect of which the two sides of industry are able to lay down, by collective bargaining or otherwise, provisions more favourable to workers, in the light of recital 5 of the regulation?

Case C-195/23, Social Insurance, Pension

GI – v – Partena Assurances Sociales pour Travailleurs Indépendants ASBL, reference lodged by the Tribunal du travail francophone de Bruxelles (Belgium) on 27 March 2023

Do Protocol (No 7) on the privileges and immunities of the European Union, in particular Article 14 thereof, the principle of a single social security scheme applicable to workers, whether employed or self-employed, active or retired, and the principle of sincere cooperation as set out in Article 4(3) of the Treaty on European Union preclude a Member State from imposing a national social security scheme on, and requiring the payment of social security contributions from, an official who, in addition to his employment within a European institution, also carries out additional teaching activities with the latter's authorisation, when that official is, by virtue of the Staff Regulations of Officials, already subject to the joint social security scheme of the EU institutions?

Case C-196/23, Collective Redundancies

Various applicants – v – DB, Fogasa, reference lodged by the Tribunal Superior de Justicia de Cataluña (Spain) on 24 March 2023

1. Is legislation such as the Spanish legislation (Article 49(1)(e) of Real Decreto Legislativo 2/2015 por el que se aprueba el texto refundido de la Ley del Estatuto de los Trabajadores (Royal Legislative Decree 2/2015 approving the consolidated text of the Law on the Workers' Statute) of 23 October 2015), which does not establish a period of consultation in situations where contracts of employment in excess of the number laid down in Article 1 of that directive are terminated as a result of the retirement of the natural person employer, compatible with Article 2 of Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies?
2. If the answer to the preceding question is in the negative, does Directive 98/59 have direct horizontal effect between individuals?