ECJ 10 July 2019, case C-410/18 (Aubriet), Free movement

Nicolas Aubriet – v – Ministre de l'Enseignement supérieur et de la Recherche, Luxembourgish case

Question

Must Article 45 TFEU and Article 7(2) of Regulation No 492/2011 be interpreted as precluding legislation of a Member State which makes the grant of financial aid for higher education studies to non-resident students subject to the condition that, at the date of the application for financial aid, one of the parents of the student has been employed or carried on an activity in that Member State for a period of at least five years in the course of a reference period of seven years calculated retroactively from the date of that application for financial aid, excluding the taking into account of any other connecting factor, such a condition not being laid down as regards students residing in the territory of that Member State?

Ruling

Article 45 TFEU and Article 7(2) of Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union must be interpreted as precluding legislation of a Member State, such as that at issue in the main proceedings, which makes the grant of financial aid for higher education studies to non-resident students subject to the condition that, at the date of the application for financial aid, one of the parents of the student has been employed or carried on an activity in that Member State for a period of at least five years in the course of a reference period of seven years calculated retroactively from the date of that application for financial aid, in so far as it does not permit the existence of any connection with the labour market of that Member State to be understood in a sufficiently broad manner.

ECJ 4 July 2019, case C-377/17 (Commission – v – Germany), Miscellaneous

European Commission – v – Federal Republic of Germany, supported by Hungary, German case

Order

The ECJ:

1. Declares that, by maintaining fixed tariffs for the planning services of architects and engineers, the Federal Republic of Germany failed to fulfil its obligations under Article 15(1), (2)(g) and (3) of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.
2. Orders the Federal Republic of Germany to bear its own costs and to pay those incurred by the European Commission.
3. Orders Hungary to bear its own costs.

ECJ 29 July 2019, case C-659/17 (Azienda Napoletana Mobilità SpA), Miscellaneous

Istituto nazionale della previdenza sociale (INPS) – v – Azienda Napoletana Mobilità SpA, Italian case

Question

Must Decision 2000/128 be interpreted as applying to an undertaking, such as that at issue in the main proceedings, which, on the basis of a direct and exclusive award by a municipality, provided local public transport services and benefited from reductions in social security contributions under national legislation which was

doi: 10.5553/EELC/187791072019004003016