

an amount withheld from the part of that pension exceeding one of those thresholds and (ii) the benefit of a contractually agreed indexation of that pension, on the sole ground that that legislation affects only recipients above a certain age.

4. Articles 16, 17, 20 and 21 of the Charter of Fundamental Rights of the European Union must be interpreted as not precluding legislation of a Member State pursuant to which recipients of a pension that a State-controlled undertaking is contractually bound to pay them directly and that exceeds certain thresholds set in that legislation are deprived of (i) an amount withheld from the part of that pension exceeding one of those thresholds and (ii) the benefit of a contractually agreed indexation of that pension.
5. Article 47 of the Charter of Fundamental Rights of the European Union must be interpreted as not precluding a Member State's failure to provide, in its legal system, for a free-standing legal remedy for, primarily, an examination of whether national provisions implementing that right are compatible with EU law, provided that it is possible for such examination to take place indirectly.

## ECJ 1 October 2020, Case C-612/19 P (CC/Parliament), Miscellaneous

CC – v – European Parliament, EU case

### Summary

Claim for (further) damages following an inadequate recruitment procedure denied.

No English translation is available yet. Other language versions are available on: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62019CJ0612>.

## ECJ 6 October 2020, Case C-181/19 (Job Center Krefeld), Social Insurance

Jobcenter Krefeld – Widerspruchsstelle – v – NK AG, Austrian case

### Summary

Regulation 492/2011 precludes legislation based on which a Member State denies a citizen from another EU member state his social benefits when his children still go to school in the (first) Member State. Unfortunately, no English translation is available yet.

Other language versions are available on: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62019CJ0181>.

## ECJ 8 October 2020, Case C-644/19 (Universitatea „Lucian Blaga” Sibiu and Others), Age Discrimination, Fixed-Term Work

FT – v – Universitatea « Lucian Blaga » Sibiu and Others, Romanian case

### Summary

Difference in treatment of teaching staff not found to be age discriminatory, but may be in breach of the fixed-term work directive.

### Questions

1. Must Articles 1 and 2 of Directive 2000/78 be interpreted as precluding the application of national legislation under which, among members of the teaching staff of a university continuing to work there after reaching the statutory retirement age, only lecturers with doctoral supervisor status may retain their status as tenured lecturers, while lecturers without doctoral supervisor status may conclude only fixed-term employment contracts with that