

Case C-574/21, Miscellaneous

QT – v – Czech Republic a.s., reference lodged by the Nejvyšší soud České republiky (Czech Republic) on 20 September 2021

1. Must the expression ‘the commission lost by the commercial agent,’ within the meaning of Article 17(2)(a), second indent, of Council Directive [86/653/EEC] of 18 December 1986 on the coordination of the laws of the Member States relating to self-employed commercial agents, be interpreted to the effect that such commissions include commissions for the conclusion of contracts which a commercial agent would have entered into had the commercial agency [contract] endured, with the customers that he or she brought the principal or with which he or she significantly increased the volume of business?
2. If so, subject to what conditions does this conclusion apply to ‘one-off commissions’ for the conclusion of a contract?

Cases C-583/21 - C-586/21, Transfer

Various parties, reference lodged by the Juzgado de lo Social n.º 1 de Madrid (Spain) on 20 September 2021

1. Does Article 1(1)(a) of Council Directive 2001/23 of 12 March on the approximation of the laws of the Member States relating to the safeguarding of employees’ rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses, and consequently the contents of the directive, apply to a situation in which the notary in post in a notary’s office – who is both a public official and also the private-sector employer of the office’s employees, with the employment relationship being governed by general employment legislation and by a sectoral Collective Agreement – succeeds the outgoing post-holder, takes on the previous notary’s Protocol, continues to provide services at the same place of work using the same material facilities, and takes on the staff who had worked for the previous notary who had held that post?

Case C-650/21, Age Discrimination

FW, CE, reference lodged by the Verwaltungsgerichtshof (Austria) on 27 October 2021

1. Is EU law, in particular Articles 1, 2 and 6 of Directive 2000/78/EC, in conjunction with Article 21 of the Charter of Fundamental Rights, to be interpreted as precluding national legislation under which a remuneration system which discriminates on grounds of age is replaced by a remuneration system, under which the classification of a civil servant continues to be determined on the basis of the remuneration seniority determined with effect from a particular transition month (February 2015) in a discriminatory manner under the old remuneration system and, in that context, is subject to a correction in respect of the initially determined previous periods of service through the determination of a comparison reference date, but under which, with regard to the periods completed after the civil servant’s 18th birthday, only the other periods, of which half must be taken into account, are subject to review, and under which the four-year extension of the period in which previous periods of service must be taken into account is juxtaposed with the fact that the other periods, of which half must be taken into account, must be accredited as periods preceding the date of appointment in the determination of the comparison reference date only in so far as they exceed the total amount of four years, of which half must be taken into account (flat-rate deduction of four years, of which half must be taken into account)?
2. Is Question 1 to be answered differently in respect of proceedings in which, although a new advancement reference date was already definitively determined before the entry into force of the 2. *Dienstrechts-Novelle 2019* (2nd Law amending the rules relating to public servants 2019), that date still had no effect on the civil servant’s remuneration status because the authority had not yet taken a decision in direct application of EU law, and in which the comparison reference date must now once again be re-determined by reference to the advancement reference date determined in an age-discriminatory manner without taking into account the advancement reference date determined in the meantime, and the other periods, of which half must be taken into account, are subject to the flat-rate deduction?
3. Is EU law, in particular Articles 1, 2 and 6 of Directive 2000/78/EC, in conjunction with Article 21 of the Charter of Fundamental Rights, to be interpreted as precluding national legislation under which, despite the redetermination of remuneration seniority and remuneration status, periods in a training