

**Request for a preliminary ruling from the Tribunal de première instance de Liège (Belgium) lodged on 3 April 2018 — Pauline Stiernon, Marion Goraguer, Muriel Buccarello, Clémentine Vasseur, Manon Piroton, Anissa Quotb v Etat belge, SPF Santé publique, Communauté française de Belgique**

**(Case C-237/18)**

(2018/C 190/20)

*Language of the case: French*

#### **Referring court**

Tribunal de première instance de Liège

#### **Parties to the main proceedings**

*Applicants:* Pauline Stiernon, Marion Goraguer, Muriel Buccarello, Clémentine Vasseur, Manon Piroton, Anissa Quotb

*Defendants:* Etat belge, SPF Santé publique, Communauté française de Belgique

#### **Question referred**

Inasmuch as Royal Order of 02/07/2009 establishing the list of allied health professions does not list psychomotor therapy as an allied health profession, although an undergraduate degree in psychomotor therapy has been established in Belgium, thereby restricting the freedom of movement of persons, the freedom to choose an occupation and the right to engage in work, does [that Royal Order] infringe Articles 20, 21 and 45 of the Treaty on the Functioning of the European Union and Article 15 of the Charter of Fundamental Rights?

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**Appeal brought on 4 April 2018 by Larko Geniki Metalleftiki kai Metallourgiki AE against the judgment of the General Court (Sixth Chamber) delivered on 1 February 2018 in Case T-423/14, Larko v Commission**

**(Case C-244/18 PP)**

(2018/C 190/21)

*Language of the case: Greek*

#### **Parties**

*Appellant:* Larko Geniki Metalleftiki kai Metallourgiki AE (represented by: I. Dryllerakis, I. Soufleros, E. Triantafyllou, G. Psaroudakis, E. Rantos and N. Korogiannakis, lawyers)

*Other party to the proceedings:* European Commission

#### **Form of order sought**

— Grant the appeal.

— Refer the case back to the General Court for reassessment, reserving the costs of the proceedings.

#### **Pleas in law and main arguments**

In support of its appeal, the appellant relies on the following four grounds of appeal:

1. **First ground of appeal, alleging infringement of Article 107(1) TFEU in respect of the conclusion that Measure No 3 conferred an advantage on the appellant, misapplying the private investor principle.**

2. **Second ground of appeal, alleging infringement of Article 107(1) TFEU and Article 296(2) TFEU in respect of the conclusion that Measures No 2 and 4 conferred an advantage on the appellant.** With regard to Measure No 2 (2008 guarantee): misinterpretation of the temporal criterion in the concept of undertaking in difficulty. Misinterpretation of the criterion of remuneration of the guarantee. With regard to Measure No 4 (2010 guarantee): (a) failure to state reasons regarding the granting of the guarantee as a current practice; (b) failure to state reasons regarding the irreparable harm that the appellant claims to have suffered; (c) failure to state reasons and infringement of Article 107(1) TFEU and of the principle of protection of legitimate expectations as regards the conditions of the guarantee and the amount of the commission; (d) failure to state reasons regarding the particular position of the National Bank of Greece SA (ETE) as private shareholder.
3. **Third ground of appeal, alleging infringement of Article 107(3)(b) and Article 296(2) TFEU in respect of the conclusion that Measure No 6 was incompatible with the common market.** (a) As regards the application of the 2011 Temporary Framework; (b) as regards the application of the Rescue and Restructuring Guidelines.
4. **Fourth ground of appeal, alleging infringement of Article 108(2) TFEU, Article 14(1) of Regulation No 659/1999<sup>(1)</sup> and Article 296(2) TFEU regarding the quantification of the aid amount to be recovered by Measures 2, 4 and 6.** As regards the points accepted in the judgment under appeal concerning the specificities of the State aid in the form of guarantees.

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<sup>(1)</sup> Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (OJ 1999 L 83, p. 1).

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**Appeal brought on 6 April 2018 by the Hellenic Republic against the judgment delivered on  
1 February 2018 in Case T-506/15 Hellenic Republic v European Commission**

(Case C-252/18 PP)

(2018/C 190/22)

*Language of the case: Greek*

**Parties**

*Appellant:* Hellenic Republic (represented by: G. Kanellopoulos, E. Leftheriotou, A. Vasilopoulou and E. Chroni)

*Other party to the proceedings:* European Commission

**Form of order sought**

The appellant asks the Court to grant its appeal, set aside the judgment under appeal of the General Court of 1 February 2018 in Case T-506/15, in accordance with the matters specifically set out in its appeal, uphold the action brought by the Hellenic Republic on 29 August 2015 in accordance with the form of order set out in its application, annul Commission Decision 2015/1119/EU of 22 June 2015 in so far as it imposes (a) one-off and flat-rate financial corrections of EUR 313 483 531,71 for the 2009, 2010 and 2011 claim years in the sector of area-related direct aid, and (b) a flat-rate financial correction of 2 %, with regard to cross-compliance, in the 2011 claim year, and order the Commission to pay the costs of the proceeding.

**Pleas in law and main arguments**

In support of the appeal, the appellant relies on five grounds:

- A. In so far as the judgment under appeal examines the first and second grounds of appeal, concerning the correction of 25 % of area aid (paragraphs 48-140 of the judgment under appeal).

The first ground of appeal concerns the misinterpretation and application of Article 2 of Regulation (EC) No 796/2004 of the Commission of 21 April 2004, regarding the definition of pasture, and the misapplication of Article 296 TFEU, as well as the insufficient and inadequate reasoning of the judgment under appeal.