

- (b) For the purposes of question 3 (a) above, is the applicable test whether the surrender of the requested person would breach the essence of their fundamental rights under Article 6 of the Convention and/or Articles 47 and 48(2) of the Charter and, if so, is the fact that the proceedings leading to the subsequent conviction and enforcement order were conducted in absentia, and that, in event of his surrender, the requested person will not have a right to a retrial or appeal, sufficient to permit the executing judicial authority to conclude that surrender would breach the essence of those rights?

(¹) 2002/584/JHA: Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States — Statements made by certain Member States on the adoption of the Framework Decision (OJ 2002, L 190, p. 1).

**Appeal brought on 20 August 2021 by FT and Others against the judgment of the General Court
(Eighth Chamber) delivered on 9 June 2021 in Case T-699/19 FT and Others v Commission**

(Case C-518/21 P)

(2022/C 119/24)

Language of the case: French

Parties

Appellants: FT, FU, FV, FY, FZ, GA, GB, GC, GD, GG, GE, GF, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU
(represented by: J.-N. Louis, avocat)

Other party to the proceedings: European Commission

By order of 27 January 2022, the Court of Justice (Seventh Chamber) dismissed the appeal as manifestly inadmissible and ordered the appellants to bear their own costs.

**Request for a preliminary ruling from the Bundesfinanzhof (Germany) lodged on 25 November
2021 — A v Finanzamt X**

(Case C-713/21)

(2022/C 119/25)

Language of the case: German

Referring court

Bundesfinanzhof

Parties to the main proceedings

Applicant: A

Defendant: Finanzamt X

Questions referred

In relation to the meaning of Article 2(1)(c) of Directive 2006/112/EC, (¹) as interpreted in the judgment of the Court of Justice of the European Union of 10 November 2016, *Baštová*: (²)

Does the owner of a competition horse training stable provide the horse owner with a single supply, consisting in the stabling and training of horses and the participation of horses in competitions, for consideration even where the horse owner remunerates that supply by assigning half of the claim to prize money to which he or she is entitled in the event of successful participation in a competition?

⁽¹⁾ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ 2006 L 347, p. 1).

⁽²⁾ C 432/15 (EU:C:2016:855).

**Request for a preliminary ruling from the Landgericht Saarbrücken (Germany) lodged on
1 December 2021 — GP v juris GmbH**

(Case C-741/21)

(2022/C 119/26)

Language of the case: German

Referring court

Landgericht Saarbrücken

Parties to the main proceedings

Applicant: GP

Defendant: juris GmbH

Questions referred

1. In the light of recital 85 and the third sentence of recital 146 of the GDPR, ⁽¹⁾ is the concept of ‘non-material damage’ in Article 82(1) of the GDPR to be understood as covering any impairment of the protected legal position, irrespective of the other effects and materiality of that impairment?
2. Is liability for compensation under Article 82(3) of the GDPR excluded by the fact that the infringement is attributed to human error in the individual case on the part of a person acting under the authority of the processor or controller within the meaning of Article 29 of the GDPR?
3. Is it permissible or necessary to base the assessment of compensation for non-material damage on the criteria for determining fines set out in Article 83 of the GDPR, in particular in Article 83(2) and 83(5) of the GDPR?
4. Must the compensation be determined for each individual infringement, or are several infringements — or at least several infringements of the same nature — penalised by means of an overall amount of compensation, which is not determined by adding up individual amounts but is based on an evaluative overall assessment?

⁽¹⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ 2016 L 119, p. 1).

**Appeal brought on 2 December 2021 by Altice Group Lux Sàrl, formerly New Altice Europe BV, in
liquidation against the judgment of the General Court (Sixth Chamber) delivered on 22 September
2021 in Case T-425/18, Altice Europe v Commission**

(Case C-746/21 P)

(2022/C 119/27)

Language of the case: English

Parties

Appellant: Altice Group Lux Sàrl, formerly New Altice Europe BV, in liquidation (represented by: R. Allendesalazar Corcho, H. Brokelmann, abogados)