

By failing to communicate, within the prescribed period, the information referred to in Article 6(1) of Decision 2006/323 and Article 6(2) of Decision 2007/375, the Italian Republic has failed to fulfil its obligations under both those provisions and the fourth paragraph of Article 249 EC.

2) Orders the Italian Republic to pay the costs.

⁽¹⁾ OJ C 13, 14.1.2012

Judgment of the Court (Third Chamber) of 5 June 2014 (request for a preliminary ruling from the Hoge Raad der Nederlanden — Netherlands) — X BV (C-24/12), TBG Limited (C-27/12) v Staatssecretaris van Financiën

(Joined Cases C-24/12 and C-27/12) ⁽¹⁾

(Free movement of capital — Restrictions — Payment of dividends from a Member State to an overseas territory of the same State — Scope of EU law — Special European Union-OCTs arrangements)

(2014/C 253/03)

Language of the case: Dutch

Referring court

Hoge Raad der Nederlanden

Parties to the main proceedings

Applicant: X BV (C-24/12), TBG Limited (C-27/12)

Defendant: Staatssecretaris van Financiën

Re:

Requests for a preliminary ruling — Hoge Raad der Nederlanden — Interpretation of Articles 63 TFEU and 64 TFEU — Territorial scope — Movements of capital from a Member State to one of its overseas territories — Whether or not the overseas territory is to be regarded as a third country

Operative part of the judgment

EU law must be interpreted as not precluding a tax measure of a Member State which restricts movements of capital between that Member State and its own overseas country and territory whilst pursuing the objective of combating tax avoidance in an effective and proportionate manner.

⁽¹⁾ OJ C 98, 31.3.2012.

Judgment of the Court (Sixth Chamber) of 22 May 2014 — Plásticos Españoles SA (ASPLA) v European Commission

(Case C-35/12 P) ⁽¹⁾

(Appeal — Competition — Agreements, decisions and concerted practices — Plastic industrial bags market — Single and continuous infringement)

(2014/C 253/04)

Language of the case: Spanish

Parties

Appellant: Plásticos Españoles SA (ASPLA) (represented by: E. Garayar Gutiérrez, M. Troncoso Ferrer and E. Abril Fernández, abogados)

Other party to the proceedings: European Commission (represented by: F. Castilla Contreras and F. Castillo de la Torre, acting as Agents)