

Judgment of the Court (First Chamber) of 26 March 2015 (reference for a preliminary ruling from the Cour de cassation (France)) — Gérard Fenoll v Centre d'aide par le travail 'La Jouvène', Association de parents et d'amis de personnes handicapées mentales (APEI) d'Avignon

(Case C-316/13) ⁽¹⁾

(Reference for a preliminary ruling — Social policy — Charter of Fundamental Rights of the European Union — Article 31(2) — Directive 2003/88/EC — Article 7 — Notion of 'worker' — Handicapped person — Right to paid annual leave — National rules contrary to EU law — Role of the national court)

(2015/C 171/03)

Language of the case: French

Referring court

Cour de cassation

Parties to the main proceedings

Applicant: Gérard Fenoll

Defendants: Centre d'aide par le travail 'La Jouvène', Association de parents et d'amis de personnes handicapées mentales (APEI) d'Avignon

Operative part of the judgment

The notion of 'worker', within the meaning of Article 7 of Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time and of Article 31(2) of the Charter of Fundamental Rights of the European Union, must be interpreted as meaning that it may cover a person admitted to an employment rehabilitation centre such as that at issue in the main proceedings.

⁽¹⁾ OJ C 215, 27.7.2013.

Judgment of the Court (First Chamber) of 26 March 2015 (request for a preliminary ruling from the Naczelny Sąd Administracyjny — Poland) — Marian Macikowski v Dyrektor Izby Skarbowej w Gdańsku

(Case C-499/13) ⁽¹⁾

(Reference for a preliminary ruling — Common system of value added tax — Principles of proportionality and fiscal neutrality — Taxation of a supply of immovable property in a procedure for compulsory sale by auction — National legislation requiring the court enforcement officer executing such a sale to calculate and pay VAT on the transaction — Payment of the purchase price to the competent court and need for the VAT to be paid to be transferred by that court to the court enforcement officer — Liability for damages and criminal liability of the court enforcement officer for non-payment of VAT — Difference between the general statutory time-limit for the payment of VAT by a taxable person and the time-limit imposed on the court enforcement officer — Impossibility of deducting the input VAT paid)

(2015/C 171/04)

Language of the case: Polish

Referring court

Naczelny Sąd Administracyjny