

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders National Iranian Oil Company PTE Ltd (NIOC), National Iranian Oil Company International Affairs Ltd (NIOC International Affairs), Iran Fuel Conservation Organization (IFCO), Karoon Oil & Gas Production Co., Petroleum Engineering & Development Co. (PEDEC), Khazar Exploration and Production Co. (KEPCO), National Iranian Drilling Co. (NIDC), South Zagros Oil & Gas Production Co., Maroun Oil & Gas Co., Masjed-Soleyman Oil & Gas Co. (MOGC), Gachsaran Oil & Gas Co., Aghajari Oil & Gas Production Co. (AOGPC), Arvandan Oil & Gas Co. (AOGC), West Oil & Gas Production Co., East Oil & Gas Production Co. (EOGPC), Iranian Oil Terminals Co. (IOTC) and Pars Special Economic Energy Zone (PSEEZ) to bear their own costs and to pay those incurred by the Council of the European Union.

⁽¹⁾ OJ C 59, 15.02.2016.

Appeal brought on 1 March 2016 by Anastasia-Soultana Gaki against the order of the General Court (Ninth Chamber) made on 16 December 2015 in Case T-547/15, Anastasia-Soultana Gaki v European Commission

(Case C-130/16 P)

(2016/C 419/33)

Language of the case: German

Parties

Appellant: Anastasia-Soultana Gaki (represented by: A. Heinen, lawyer)

Other party to the proceedings: European Commission

By order of 22 September 2016, the Court of Justice of the European Union (Tenth Chamber) dismissed the appeal and ordered the appellant to bear her own costs.

Request for a preliminary ruling from the Landgericht Frankfurt am Main (Germany) lodged on 14 July 2016 — FMS Wertmanagement AöR v Heta Asset Resolution AG

(Case C-394/16)

(2016/C 419/34)

Language of the case: German

Referring court

Landgericht Frankfurt am Main

Parties to the main proceedings

Applicant: FMS Wertmanagement AöR

Defendant: Heta Asset Resolution AG

Questions referred

1. Is Directive 2014/59/EU of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms, ⁽¹⁾ and in particular Articles 1(1) and 2(1).2 and 2(1).23 thereof, in conjunction with Article 4(1)(1) of Regulation (EU) No 575/2013 of the European Parliament and the Council on prudential requirements for credit institutions and investment firms, ⁽²⁾ to be interpreted as meaning that its scope of application also covers a divestment unit (divestment company), which, at the time when Directive 2014/59/EU entered into force on 2 July 2014, was still a credit institution within the meaning of Article 4(1)(1) of Regulation (EU) No 575/2013 ('a CRR Institution'), but ceased to be so prior to the expiry on 31 December 2014 of the period provided for transposition of Directive 2014/59/EU into national law, and no longer has a banking licence for conducting banking transactions, but is entitled to carry out (banking) transactions, solely on the basis of a statutory licence, for the sole purpose of portfolio divestment?