

Operative part of the judgment

1. Articles 21, 22 and 24 of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications must be interpreted as obliging a Member State, whose legislation creates a requirement to pursue full-time training and a prohibition on being enrolled on two courses at the same time, automatically to recognise the evidence of formal qualifications issued by another Member State on the completion of partially concurrent training.
2. Article 21 and Article 22(a) of Directive 2005/36 must be interpreted as precluding the host Member State from verifying compliance with the condition that the overall duration, level and quality of part-time training are not lower than those of continuous full-time training.

⁽¹⁾ OJ C 52, 12.2.2018.

Action brought on 7 February 2018 — French Republic v European Parliament**(Case C-92/18)**

(2019/C 44/08)

*Language of the case: French***Parties**

Applicant: French Republic (represented by: F. Alabrune, D. Colas, E. de Moustier and B. Fodda, acting as Agents)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- annul the agenda of the plenary session of the European Parliament of Wednesday 29 November 2017 (document P8_OJ (2017) 11-29), in so far as it includes debates on the joint text on the draft general budget of the European Union for the financial year 2018, the agenda of the session of Thursday 30 November 2017 (document P8_OJ (2017) 11-30), in so far as it includes a vote followed by explanations of votes on the joint text on the draft general budget, the European Parliament legislative resolution of 30 November 2017 on the joint text on the draft general budget (document P8_TA (2017) 0458, P8_TA-PROV (2017) 0458 in its provisional version) and the act by which, in accordance with the procedure laid down in Article 314(9) TFEU, the President of the European Parliament declared that the general budget of the European Union for the financial year 2018 had been definitively adopted;
- maintain the effects of the act by which the President of the European Parliament declared that the general budget of the European Union for the financial year 2018 had been definitively adopted until that budget is definitively adopted by an act in conformity with the Treaties within a reasonable period of time after the date of judgment;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

By its action, the French Government requests the annulment of four acts adopted by the European Parliament in the context of the exercise of its budgetary powers, during the additional plenary session which took place on 29 and 30 November in Brussels.

The first and second acts which the French Government seeks to have annulled are agendas of sessions of the European Parliament of Wednesday 29 and Thursday 30 November 2017, in so far as they make provision respectively for plenary debates on the joint text on the draft general budget for the financial year 2018 and a vote followed by explanations of votes on that joint text on the draft general budget.

The third contested act is the European Parliament legislative resolution of 30 November 2017 on the joint text on the draft general budget.

Lastly, the French Government requests annulment of the act by which, in accordance with Article 314(9) TFEU, the President of the European Parliament declared that the general budget for the financial year 2018 had been definitively adopted. As is apparent in particular from the agenda of the session of the European Parliament of Thursday 30 November 2017, it concerns the declaration of the President of the European Parliament followed by the latter's signature of the general budget, which took place following the vote on the legislative resolution on the joint text on the draft general budget.

By its single plea in law, the French Government claims that the four contested acts should be annulled on the ground that they infringe Protocol No 6 annexed to the TEU and the TFEU and Protocol No 3 annexed to the ECSC Treaty, which relate to the location of the seats of the institutions and of certain bodies, agencies and departments of the European Union.

It follows both from the protocols on the seat of the institutions and the case-law of the Court that the European Parliament may not exercise the budgetary powers conferred upon it by Article 314 TFEU during additional plenary sessions held in Brussels, but must exercise them during ordinary plenary sessions held in Strasbourg.

However, in so far as the lawfulness of the contested act of the President of the European Parliament is disputed, not as a result of its purpose or contents, but solely because that act should have been adopted during an ordinary plenary session in Strasbourg, the need to ensure the continuity of the European public service together with important considerations of legal certainty justify, in the view of the French Government, the maintenance of the legal effects of that act until the adoption of a new act compatible with the treaties.

**Appeal brought on 22 June 2018 by Anthony Andrew King against the order of the General Court
(Third Chamber) delivered on 10 April 2018 in Case T-810/17: King v Commission**

(Case C-412/18 P)

(2019/C 44/09)

Language of the case: English

Parties

Appellant: Anthony Andrew King (represented by: P. McKenna, Solicitor)

Other party to the proceedings: European Commission

By order of 22 November 2018 the Court of Justice (Seventh Chamber) held that the appeal was inadmissible.

**Request for a preliminary ruling from the Wojewódzki Sąd Administracyjny we Wrocławiu (Poland)
lodged on 23 August 2018 — Dong Yang Electronics Sp. z o.o. v Dyrektor Izby Administracji
Skarbowej we Wrocławiu**

(Case C-547/18)

(2019/C 44/10)

Language of the case: Polish

Referring court

Wojewódzki Sąd Administracyjny we Wrocławiu

Parties to the main proceedings

Applicant: Dong Yang Electronics Sp. z o.o.

Defendant: Dyrektor Izby Administracji Skarbowej we Wrocławiu