

Parties to the main proceedings

Applicant: Ergün Torun

Defendant: Stadt Augsburg

Re:

Reference for a preliminary ruling — Bundesverwaltungsgericht — Interpretation of Articles 6, 7 and 14 of Decision 1/80 of the EEC/Turkey Association Council — Turkish national who is a member of the family of a Turkish worker, who is duly registered as belonging to the labour force in a Member State, and who has been given a three year prison sentence, not suspended — Loss of right of residence

Operative part of the judgment

The child, who has reached the age of majority, of a Turkish migrant worker who has been legally employed in a Member State for more than three years, and who has successfully finished a vocational training course in that State and satisfies the conditions set out in the second paragraph of Article 7 of Decision No 1/80 of 19 September 1980 on the development of the Association, adopted by the Association Council established by the Association Agreement between the European Economic Community and Turkey, does not lose the right of residence that is the corollary of the right to respond to any offer of employment conferred by that provision except in the circumstances laid down in Article 14(1) of that provision or when he leaves the territory of the host Member State for a significant length of time without legitimate reason.

(¹) OJ C 31, 05.02.2005.

Judgment of the Court (First Chamber) of 30 March 2006 (reference for a preliminary ruling from the Cour administrative) — Cynthia Mattern, Hajrudin Cikotic v Ministre du Travail et de l'Emploi

(Case C-10/05) (¹)

(Freedom of movement for persons — Workers — Family members — Right of a national of a third country married to a Community national to take up an activity as an employed person — Conditions)

(2006/C 143/30)

Language of the case: French

Referring court

Cour administrative

Parties to the main proceedings

Applicants: Cynthia Mattern, Hajrudin Cikotic

Defendant: Ministre du Travail et de l'Emploi

Re:

Reference for a preliminary ruling — Cour administrative — Interpretation of Article 39 of the EC Treaty and of Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community (OJ, English Special Edition, 1968 (II), p. 475) — National of a third country, married to a national of a Member State, seeking exemption from the requirement to obtain a work permit in that Member State — Community national spouse who has attended a vocational training course and professional training in another Member State

Operative part of the judgment

In circumstances such as those in the main proceedings, Article 11 of Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community, as amended by Council Regulation (EEC) No 2434/92 of 27 July 1992, does not confer on a national of a third country the right to take up an activity as an employed person in a Member State other than the one in which his spouse, a Community national, pursues or has pursued an activity as an employed person in exercise of her right to free movement.

(¹) OJ C 69, 19.03.2005.

Judgment of the Court (Fifth Chamber) of 27 April 2006 (reference for a preliminary ruling from the Gerechtshof te Amsterdam) — Kawasaki Motors Europe NV v Inspecteur van de Belastingdienst/Douane district Rotterdam

(Case C-15/05) (¹)

(Common Customs Tariff — Tariff headings — Classification of vehicles — Tractors — Cars and vehicles principally designed for the transport of persons — Regulation (EC) No 2518/98 — Point 5 of the annexed table — Invalidity)

(2006/C 143/31)

Language of the case: Dutch

Referring court

Gerechtshof te Amsterdam