

V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Judgment of the Court (Grand Chamber) of 8 September 2010 (reference for a preliminary ruling from the Verwaltungsgericht Köln (Germany)) — Winner Wetten GmbH v Mayor of Bergheim

(Case C-409/06) ⁽¹⁾

(Articles 43 EC and 49 EC — Freedom of establishment — Freedom to provide services — Organisation of bets on sporting competitions subject to a public monopoly at Land level — Decision of the Bundesverfassungsgericht finding the legislation for such a monopoly incompatible with the German Basic Law, but maintaining the legislation in force during a transitional period designed to allow it to be brought into conformity with the Basic Law — Principle of the primacy of Union law — Admissibility of, and possible conditions for, a transitional period of that type where the national legislation concerned also infringes Articles 43 EC and 49 EC)

(2010/C 288/10)

Language of the case: German

Referring court

Verwaltungsgericht Köln

Parties to the main proceedings

Applicant: Winner Wetten GmbH

Defendant: Mayor of Bergheim

Re:

Reference for a preliminary ruling — Verwaltungsgericht Köln — Interpretation of Arts 43 EC and 49 EC — National legislation, making the business of collecting, accepting, registering and transmitting bets subject to obtaining authorisation, declared unconstitutional by the Bundesverfassungsgericht — Direct effect and primacy of Community law — Temporal limitation on the effects of the judgment

Operative part of the judgment

By reason of the primacy of directly-applicable Union law, national legislation concerning a public monopoly on bets on sporting competitions which, according to the findings of a national court, comprises restrictions that are incompatible with the freedom of establishment and the freedom to provide services, because those restrictions do not contribute to limiting betting activities in a consistent and systematic manner, cannot continue to apply during a transitional period.

⁽¹⁾ OJ C 326, 30.12.2006.

Judgment of the Court (First Chamber) of 2 September 2010 — European Commission v Scott SA, Département du Loiret, French Republic

(Case C-290/07 P) ⁽¹⁾

(Appeal — State aid — Preferential price for the purchase of developed land — Inquiry as to market value — Formal investigation procedure — Regulation (EC) No 659/1999 — Obligation to undertake a diligent and impartial examination — Scope of the Commission's power freely to assess value — Costs method — Scope of review by the Courts)

(2010/C 288/11)

Language of the case: English

Parties

Appellant: European Commission (represented by: J. Flett, acting as Agent)

Other parties to the proceedings: Scott SA (represented by: J. Lever QC, R. Griffith and M. Papadakis, Solicitors, and by P. Gardner and G. Peretz, Barristers), Département du Loiret (represented by: A. Carnelutti, avocat), French Republic (represented by: G. de Bergues, S. Seam and F. Million, acting as Agents)