

Parties to the main proceedings

Applicant: Anton Vinkov

Defendant: Nachalnik Administrativno-nakazatelna deynost

Re:

Reference for a preliminary ruling — Administrativen sad Sofia-grad — Interpretation of Article 82(1)(a) TFEU and Article 91(1)(c) TFEU and Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ 2005 L 76, p. 16) — Interpretation of Articles 47, 48 and 52 of the Charter of Fundamental Rights of the European Union — Compatibility with EU law of national rules excluding the right to bring an action before a court challenging decisions relating to financial penalties following administrative offences in road traffic cases amounting to BGN 50

Operative part of the judgment

The reference for a preliminary ruling from the Administrativen sad Sofia-grad (Bulgaria), made by decision of 27 December 2010 (Case C-27/11), is inadmissible.

⁽¹⁾ OJ C 145, 14.5.2011.

Judgment of the Court (Third Chamber) of 7 June 2012 (reference for a preliminary ruling from the Verwaltungsgerichtshof — Austria) — VBV — Vorsorgekasse AG v Finanzmarktaufsichtsbehörde (FMA)

(Case C-39/11) ⁽¹⁾

(Free movement of capital — Articles 63 TFEU and 65 TFEU — Severance funds — Investment of assets — Investment funds established in another Member State — Investment in such funds permitted only when they are authorised to market their units within the national territory)

(2012/C 217/06)

Language of the case: German

Referring court

Verwaltungsgerichtshof

Parties to the main proceedings

Applicant: VBV — Vorsorgekasse AG

Defendant: Finanzmarktaufsichtsbehörde (FMA)

Re:

Reference for a preliminary ruling — Verwaltungsgerichtshof — Interpretation of Article 63 et seq. TFEU — Free movement of capital — Severance funds investing mandatory contributions in respect of employed and self-employed persons aimed to

finance severance sums — Legislation of a Member State restricting those investments to funds which have been authorised to be sold in that national territory

Operative part of the judgment

Article 63(1) TFEU must be interpreted as precluding national legislation which does not permit a severance fund, or the undertaking for collective investment created by that severance fund to manage its assets, to invest those assets in units of an investment fund established in another Member State unless that investment fund has been authorised to market its units within the national territory.

⁽¹⁾ OJ C 130, 30.4.2011.

Judgment of the Court (Eighth Chamber) of 7 June 2012 (reference for a preliminary ruling from the Hoge Raad der Nederlanden — Netherlands) — M.J. Bakker v Minister van Financiën

(Case C-106/11) ⁽¹⁾

(Social security for migrant workers — Legislation applicable — Worker holding Netherlands nationality working, for an employer established in the Netherlands, on board dredgers flying the Netherlands flag which operate outside the territory of the European Union — Residence in the territory of another Member State — Affiliation to the Netherlands social security system)

(2012/C 217/07)

Language of the case: Dutch

Referring court

Hoge Raad der Nederlanden

Parties to the main proceedings

Applicant: M.J. Bakker

Defendant: Minister van Financiën

Re:

Reference for a preliminary ruling — Hoge Raad der Nederlanden — Interpretation of Articles 1(a), 2 and 13(2)(c) of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community (OJ, English special edition, 1971(II), p. 416) — Worker with Netherlands nationality working on dredgers sailing outside the territory of the European Union under the Netherlands flag for an employer established in the Netherlands — Worker residing on the territory of another Member State — No affiliation to the Netherlands social security scheme