

Judgment of the Court (Third Chamber) of 13 December 2012 — French Republic v European Parliament

(Joined Cases C-237/11 and C-238/11) ⁽¹⁾

(Actions for annulment — Law governing the institutions — Calendar of plenary part-sessions of the European Parliament for 2012 and 2013 — Protocols on the location of the seats of the institutions and of certain bodies, offices, agencies and departments of the European Union)

(2013/C 38/06)

Language of the case: French

Parties

Applicant: French Republic (represented by: E. Belliard, G. de Bergues and A. Adam, acting as Agents)

Defendant: European Parliament (represented by: C. Pennera, N. Lorenz and E. Waldherr, acting as Agents)

Intervener in support of the applicant: Grand Duchy of Luxembourg (represented by: C. Schiltz, acting as Agent)

Re:

Actions for annulment — Vote of the European Parliament of 9 March 2011 concerning the calendar of the session periods of the Parliament for 2012 — Calendar laying down that two of the twelve monthly plenary sessions are to be held during the same week in October — Infringement of Protocol No 3 and Protocol No 6 on the location of the seats of the institutions and of certain bodies, offices agencies and departments of the European Union — Place of work of the European Parliament.

Operative part of the judgment

The Court:

1. Annuls the votes of the European Parliament of 9 March 2011 adopting the Parliament's calendar of part-sessions for 2012 and 2013 to the extent that they do not provide for 12 monthly plenary part-sessions to be held in Strasbourg in 2012 and 2013;
2. Orders the European Parliament to pay the costs;
3. Orders the Grand Duchy of Luxembourg to bear its own costs.

⁽¹⁾ OJ C 226, 30.7.2011.

Judgment of the Court (Second Chamber) of 13 December 2012 (request for a preliminary ruling from the Cour administrative — Luxembourg) — Caves Krier Frères SARL v Directeur de l'Administration de l'emploi

(Case C-379/11) ⁽¹⁾

(Freedom of movement for workers — Article 45 TFEU — Subsidy for the recruitment of older unemployed persons and the long-term unemployed — Condition of registration with a placement office of the national employment administration — Residence condition — Restriction — Justification)

(2013/C 38/07)

Language of the case: French

Referring court

Cour administrative

Parties to the main proceedings

Appellant: Caves Krier Frères SARL

Respondent: Directeur de l'Administration de l'emploi

Re:

Request for a preliminary ruling — Cour administrative — Interpretation of Articles 21 TFEU and 45 TFEU — National legislation making reimbursement of social security contributions to private sector employers upon the hiring of unemployed persons aged over 45 years subject to the condition that the persons be registered with a placement office of the national employment administration for at least one month — Registration condition subject to a residence condition — Obstacle to the free movement of workers — Infringement of the principle of equal treatment

Operative part of the judgment

Article 45 TFEU must be interpreted as precluding legislation of a Member State which makes the grant to employers of a subsidy for the recruitment of unemployed persons aged over 45 years subject to the condition that the unemployed person recruited has been registered as a job seeker in that same Member State, in the case where such registration is subject to a condition of residence in the national territory, this being a matter for the referring court to verify.

⁽¹⁾ OJ C 298, 8.10.2011.