

Operative part of the judgment

1. Article 32 of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters must be interpreted as meaning that it also covers a judgment by which the court of a Member State declines jurisdiction on the basis of a jurisdiction clause, irrespective of how that judgment is categorised under the law of another Member State.
2. Articles 32 and 33 of Regulation No 44/2001 must be interpreted as meaning that the court before which recognition is sought of a judgment by which a court of another Member State has declined jurisdiction on the basis of a jurisdiction clause is bound by the finding — made in the grounds of a judgment, which has since become final, declaring the action inadmissible — regarding the validity of that clause.

(¹) OJ C 331, 12.11.2011.

Judgment of the Court (Third Chamber) of 8 November 2012 (reference for a preliminary ruling from the Stockholms tingsrätt — Sweden) — Ulf Kazimierz Radziejewski v Kronofogdemyndigheten i Stockholm

(Case C-461/11) (¹)

(Freedom of movement for workers — Article 45 TFEU — Total or partial debt relief procedure — Debtor who is a natural person — National legislation making the grant of debt relief subject to a residence condition)

(2013/C 9/31)

Language of the case: Swedish

Referring court

Stockholms tingsrätt

Parties to the main proceedings

Applicant: Ulf Kazimierz Radziejewski

Defendant: Kronofogdemyndigheten i Stockholm

Re:

Reference for a preliminary ruling — Stockholms tingsrätt — Interpretation of Article 45 TFEU — Freedom of movement for persons — Compatibility with Article 45 TFEU of national legislation making the grant of debt relief proceedings in respect of natural persons subject to a condition of residence in national territory — Debtor who is a national of Member State A, resident in Member State B, having made an application for debt relief in Member State A, the place of origin of his debts — Links with the place the application was made

Operative part of the judgment

Article 45 TFEU must be interpreted as precluding national legislation, such as that at issue in the main proceedings, which makes the grant of debt relief subject to a condition of residence in the Member State concerned.

(¹) OJ C 340, 19.11.2011.

Judgment of the Court (Third Chamber) of 8 November 2012 — Evropaïki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE v European Commission

(Case C-469/11 P) (¹)

(Appeal — Action for damages — Rejection of a bid submitted in a European Union tendering procedure — Limitation period — Point from which time starts to run — Application of the extension of time on account of distance)

(2013/C 9/32)

Language of the case: English

Parties

Appellant: Evropaïki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE (represented by: N. Korogiannakis, dikigoros)

Other party to the proceedings: European Commission (represented by: E. Manhaeve and M. Wilderspin, acting as Agents)

Re:

Appeal against the order of the General Court (First Chamber) of 22 June 2011 in Case T-409/09 *Evropaïki Dynamiki v Commission* dismissing as in part inadmissible and in part manifestly unfounded an action for damages for the loss allegedly suffered by the applicant as a result of the decision of the Commission rejecting the bid submitted by the applicant in the course of a tendering procedure — Periods prescribed for bringing proceedings — Extensions on account of distance

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Evropaïki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE to pay the costs.

(¹) OJ C 331, 12.11.2011.