



Reports of Cases

Case C-523/12

Dirextra Alta Formazione srl
v
Regione Puglia

(Request for a preliminary ruling from the Tribunale amministrativo regionale per la Puglia)

(Request for a preliminary ruling — Freedom to provide services — Grants of public money, co-financed by the European Social Fund, for students enrolled in post-graduate specialist programmes of study — Regional legislation designed to enhance the level of education locally and making the award of grants subject to conditions targeting providers of post-graduate programmes of study — Condition requiring 10 years' continuous experience)

Summary — Judgment of the Court (Seventh Chamber), 12 December 2013

1. *Fundamental rights — European Convention on Human Rights — Relationship between the Convention and a rule of national law — Relationship not falling within the scope of EU law*
2. *Freedom to provide services — Grants of public money co-financed by the European Social Fund — National legislation making the award of study grants subject to conditions targeting providers of post-graduate programmes of study — Condition relating to 10 years' experience — Restriction — Aim of ensuring high standards of university education — Lawfulness*

(Art. 56 TFEU)

1. See the text of the decision.

(see para 20)

2. Article 56 TFEU must be interpreted as not precluding national legislation which requires higher education establishments with which students applying for a regional study grant co-financed by the European Social Fund plan to enrol to demonstrate 10 years' experience where such establishments are neither universities recognised by that national law nor establishments organising approved Masters degree courses.

Such legislation, by requiring only bodies organising non-approved Masters degree courses to have 10 years' experience, helps — without being excessive — to ensure that those bodies can demonstrate experience of sufficient duration to support the presumption — in the absence of any monitoring by the public authority and in the absence of any official approval of the Master's degree courses concerned — that the education provided by such bodies is of the same quality as the education provided by university establishments recognised by national law and by bodies organising approved Masters degree courses.

(see paras 28, 30, operative part)