

**Parties to the main proceedings**

Applicant: Philippe Gruslin

Defendant: Beobank SA, formerly Citibank Belgium SA

**Operative part of the judgment**

The obligation laid down in Article 45 of Council Directive 85/611/EEC of 20 December 1985 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS), as amended by European Parliament and Council Directive 95/26/EC of 29 June 1995, under which an undertaking for collective investment in transferable securities which markets its units within the territory of a Member State other than that in which it is situated is required to make payments to unit-holders in the Member State of marketing, must be interpreted as not including the delivery to unit-holders of certificates providing evidence of title to units which are registered in their name in the register of unit-holders kept by the issuer.

<sup>(1)</sup> OJ C 147, 25.5.2013.

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**Judgment of the Court (Second Chamber) of 11 September 2014 (request for a preliminary ruling from the Raad van State (Netherlands)) — Essent Energie Productie BV v Minister van Sociale Zaken en Werkgelegenheid**

(Case C-91/13) <sup>(1)</sup>

*(EEC-Turkey Association Agreement — Article 41(1) of the Additional Protocol and Article 13 of Decision No 1/80 — Scope — Introduction of new restrictions on the freedom of establishment, the freedom to provide services and the conditions for access to employment — Prohibition — Freedom to provide services — Articles 56 TFEU and 57 TFEU — Posting of workers — Nationals of non-Member States — Requirement for a work permit for the deployment of labour)*

(2014/C 409/12)

Language of the case: Dutch

**Referring court**

Raad van State

**Parties to the main proceedings**

Appellant: Essent Energie Productie BV

Respondent: Minister van Sociale Zaken en Werkgelegenheid

**Operative part of the judgment**

Articles 56 TFEU and 57 TFEU must be interpreted as precluding legislation of a Member State, such as that at issue in the main proceedings, under which, where workers who are nationals of non-member countries are made available by an undertaking established in another Member State to a user undertaking established in the first Member State, which uses them to carry out work on behalf of another undertaking established in the same Member State, such making available is subject to the condition that those workers have been issued with work permits.

<sup>(1)</sup> OJ C 147, 25.5.2013.

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