

**Judgment of the Court (Sixth Chamber) of 22 October 2014 — European Commission v Kingdom of the Netherlands**

(Case C-252/13) <sup>(1)</sup>

*(Failure of a Member State to fulfil obligations — Directives 2002/73/EC and 2006/54/EC — Equal treatment for men and women — Employment and occupation — Access to employment — Return from maternity leave — Formal requirements for the application initiating proceedings — Coherent summary of the pleas — Unambiguous wording of the form of order sought)*

(2014/C 439/06)

Language of the case: Dutch

**Parties**

*Applicant:* European Commission (represented by: D. Martin and M. van Beek, acting as Agents)

*Defendant:* Kingdom of the Netherlands (represented by: M. Bulterman and J. Langer, acting as Agents)

**Operative part of the judgment**

*The Court:*

- 1) *Dismisses the action;*
- 2) *Orders the European Commission to pay the costs.*

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<sup>(1)</sup> OJ C 207, 20.7.2013.

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**Judgment of the Court (Third Chamber) of 9 October 2014 (request for a preliminary ruling from the Tribunalul Sibiu — Romania) — Elena Petru v Casa Județeană de Asigurări de Sănătate Sibiu, Casa Națională de Asigurări de Sănătate**

(Case C-268/13) <sup>(1)</sup>

*(Reference for a preliminary ruling — Social security — Regulation (EEC) No 1408/71 — Article 22(2), second subparagraph — Health insurance — Hospital treatment provided in another Member State — Prior authorisation refused — Lack of medication and basic medical supplies and infrastructure)*

(2014/C 439/07)

Language of the case: Romanian

**Referring court**

Tribunalul Sibiu

**Parties to the main proceedings**

*Applicant:* Elena Petru

*Defendants:* Casa Județeană de Asigurări de Sănătate Sibiu, Casa Națională de Asigurări de Sănătate

**Operative part of the judgment**

The second subparagraph of Article 22(2) 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, as amended and updated by Council Regulation (EC) No 118/97 of 2 December 1996, as amended by Regulation (EC) No 592/2008 of the European Parliament and of the Council of 17 June 2008, must be interpreted as meaning that the authorisation necessary under Article 22(1)(c)(i) of that regulation cannot be refused where it is because of a lack of medication and basic medical supplies and infrastructure that the hospital care concerned cannot be provided in good time in the insured person's Member State of residence. The question whether that is impossible must be determined by reference to all the hospital establishments in that Member State that are capable of providing the treatment in question and by reference to the period within which the treatment could be obtained in good time.

<sup>(1)</sup> OJ C 207, 20.7.2013.

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**Judgment of the Court (Fifth Chamber) of 9 October 2014 (request for a preliminary ruling from the  
Grondwettelijk Hof — Belgium) — Isabelle Gielen v Ministerraad**

(Case C-299/13) <sup>(1)</sup>

(Taxation — Directive 2008/7/EC — Articles 5(2) and 6 — Indirect taxes on the raising of capital — Tax  
on the conversion of bearer securities into registered securities or dematerialised securities)

(2014/C 439/08)

Language of the case: Dutch

**Referring court**

Grondwettelijk Hof

**Parties to the main proceedings**

Applicant: Isabelle Gielen

Defendant: Ministerraad

**Operative part of the judgment**

Article 5(2) of Council Directive 2008/7/EC of 12 February 2008 concerning indirect taxes on the raising of capital must be interpreted as precluding the taxation of the conversion of bearer securities into registered securities or dematerialised securities such as that at issue in the main proceedings. Such a tax cannot be justified under Article 6 of that directive.

<sup>(1)</sup> OJ C 226, 3.8.2013.

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