

Judgment of the Court (Third Chamber) of 22 January 2015 (request for a preliminary ruling from the Consiglio di Stato — Italy) — Stanley International Betting Ltd, Stanleybet Malta Ltd v Ministero dell'Economia e delle Finanze, Agenzia delle Dogane e dei Monopoli di Stato

(Case C-463/13) ⁽¹⁾

(Reference for a preliminary ruling — Articles 49 TFEU and 56 TFEU — Freedom of establishment — Freedom to provide services — Betting and gambling — National rules — Reorganisation of the licensing system through the alignment of licence expiry dates — New call for tenders — Licences with a period of validity shorter than that of previous licences — Restriction — Overriding reasons in the public interest — Proportionality)

(2015/C 107/09)

Language of the case: Italian

Referring court

Consiglio di Stato

Parties to the main proceedings

Applicants: Stanley International Betting Ltd, Stanleybet Malta Ltd

Defendants: Ministero dell'Economia e delle Finanze, Agenzia delle Dogane e dei Monopoli di Stato

Intervening parties: Intralot Italia SpA, SNAI SpA, Galassia Game Srl, Eurobet Italia Srl unipersonale, Lottomatica Scommesse Srl, Sisal Match Point SpA, Cogetech Gaming Srl

Operative part of the judgment

Articles 49 TFEU and 56 TFEU and the principles of equal treatment and effectiveness must be interpreted as not precluding national legislation such as that at issue in the main proceedings which provides for the organisation of a fresh call for tenders for the award of licences with a period of validity shorter than that of licences awarded previously because of the reorganisation of the system by way of an alignment of licence expiry dates.

⁽¹⁾ OJ C 344, 23.11.2013.

Judgment of the Court (First Chamber) of 21 January 2015 (request for a preliminary ruling from the Juzgado de Primera Instancia e Instrucción de Marchena — Spain) — Unicaja Banco, SA v José Hidalgo Rueda and Others (C-482/13), Caixabank SA v Manuel María Rueda Ledesma (C-484/13), Rosario Mesa Mesa (C-484/13), José Labella Crespo (C-485/13), Rosario Márquez Rodríguez (C-485/13), Rafael Gallardo Salvat (C-485/13), Manuela Márquez Rodríguez (C-485/13), Alberto Galán Luna (C-487/13), Domingo Galán Luna (C-487/13)

(Joined Cases C-482/13, C-484/13, C-485/13 and C-487/13) ⁽¹⁾

(Reference for a preliminary ruling — Directive 93/13/EEC — Contracts concluded between sellers or suppliers and consumers — Mortgage contracts — Default interest clauses — Unfair terms — Mortgage enforcement proceedings — Moderation of the amount of interest — Powers of the national court)

(2015/C 107/10)

Language of the case: Spanish

Referring court

Juzgado de Primera Instancia e Instrucción de Marchena

Parties to the main proceedings

Applicants: Unicaja Banco, SA, Caixabank SA

Defendants: José Hidalgo Rueda, María del Carmen Vega Martín, Gestión Patrimonial Hive SL, Francisco Antonio López Reina, Rosa María Hidalgo Vega (C-482/13), Manuel María Rueda Ledesma (C-484/13), Rosario Mesa Mesa (C-484/13), José Labella Crespo (C-485/13), Rosario Márquez Rodríguez (C-485/13), Rafael Gallardo Salvat (C-485/13), Manuela Márquez Rodríguez (C-485/13), Alberto Galán Luna (C-487/13), Domingo Galán Luna (C-487/13)

Operative part of the judgment

Article 6 of Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts must be interpreted as not precluding a national provision under which the national court hearing mortgage enforcement proceedings is required to adjust the amounts due under a term in a mortgage-loan contract providing for default interest at a rate more than three times greater than the statutory rate in order that the amount of that interest may not exceed that threshold, provided that the application of that national provision:

- is without prejudice to the assessment by that national court of the unfairness of such a term, and
- does not prevent that court removing that term if it were to find the latter to be ‘unfair’, within the meaning of Article 3(1) of that directive.

⁽¹⁾ OJ C 352, 30.11.2013.

Judgment of the Court (Sixth Chamber) of 5 February 2015 (request for a preliminary ruling from the Simvoulio tis Epikratias — Greece) — Agrooikosystemata EPE v Ipourgos Oikonomias kai Oikonomikon, Ipourgos Agrotikis Anaptixis kai Trofimon, Periferia Thessalias (Perifereaki Enotita Magnisias)

(Case C-498/13) ⁽¹⁾

(Reference for a preliminary ruling — Agriculture — Common agricultural policy — Regulation (EEC) No 2078/92 — Agricultural production methods meeting the requirements of environmental protection and upkeep of the countryside — Long-term set-aside of agricultural land for purposes connected with the environment — Agri-environmental aid paid to farmers and cofinanced by the European Union — Status as recipient of such aid)

(2015/C 107/11)

Language of the case: Greek

Referring court

Simvoulio tis Epikratias

Parties to the main proceedings

Applicant: Agrooikosystemata EPE

Defendants: Ipourgos Oikonomias kai Oikonomikon, Ipourgos Agrotikis Anaptixis kai Trofimon, Periferia Thessalias (Perifereaki Enotita Magnisias)