

Parties to the main proceedings

Applicant: Intelcom Service Ltd

Defendant: Vincenzo Mario Marvulli

Operative part of the order

The request for a preliminary ruling presented by the *Giudice di pace di Matera (Italy)* by decision of 22 April 2013 is manifestly inadmissible.

⁽¹⁾ OJ C 52, 22.2.2014.

Order of the Court (Eighth Chamber) of 19 June 2014 (request for a preliminary ruling from the Tribunal do Trabalho da Covilhã — Portugal) — *Pharmacontinente-Saúde e Higiene SA and Others v Autoridade Para As Condições do Trabalho (ACT)*

(Case C-683/13) ⁽¹⁾

Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — Processing of personal data — Directive 95/46/EC — Article 2 — Concept of ‘personal data’ — Articles 6 and 7 — Principles relating to data quality and criteria for making data processing legitimate — Article 17 — Security of processing — Working time — Record of working time — Access by the national authority responsible for monitoring working conditions — Employer’s obligation to make available the record of working time so as to allow its immediate consultation

(2014/C 261/18)

Language of the case: Portuguese

Referring court

Tribunal do Trabalho da Covilhã (Labour Court, Covilhã)

Parties to the main proceedings

Applicants: Pharmacontinente-Saúde e Higiene SA, Domingos Sequeira de Almeida, Luis Mesquita Soares Moutinho, Rui Teixeira Soares de Almeida, André de Carvalho e Sousa

Defendant: Autoridade Para As Condições do Trabalho (ACT)

Operative part of the order

1. Article 2(a) of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data is to be interpreted as meaning that a record of working time, such as that at issue in the main proceedings, which indicates, in relation to each worker, the times when working hours begin and end, as well as the corresponding breaks and intervals, is covered by the concept of ‘personal data’ as referred to in that provision.
2. Article 6(1)(b) and (c) and Article 7(c) and (e) of Directive 95/46 must be interpreted as not precluding national legislation, such as that at issue in the main proceedings, which requires an employer to make the record of working time available to the national authority responsible for monitoring working conditions so as to allow its immediate consultation, provided that this obligation is necessary for the purposes of the performance by that authority of its task of monitoring the application of the legislation relating to working conditions, in particular as regards working time.

3. It is for the referring court to determine whether the employer's obligation to provide the national authority responsible for monitoring working conditions access to the record of working time so as to allow its immediate consultation may be considered necessary for the purposes of the performance by that authority of its monitoring task, by contributing to the more effective application of the legislation relating to working conditions, in particular as regards working time, and, if so, whether the penalties imposed with a view to ensuring the effective application of the requirements laid down by Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003, concerning certain aspects of the organisation of working time, are consistent with the principle of proportionality.

⁽¹⁾ OJ C 52, 22.2.2014.

Request for a preliminary ruling from the Curtea de Apel Bacău (Romania) lodged on 15 January 2014 — Municipiul Piatra Neamț v Ministerul Dezvoltării Regionale și Administrației Publice

(Case C-13/14)

(2014/C 261/19)

Language of the case: Romanian

Referring court

Curtea de Apel Bacău

Parties to the main proceedings

Applicant: Municipiul Piatra Neamț

Defendant: Ministerul Dezvoltării Regionale și Administrației Publice

By Order of 12 June 2014, the Court (Eighth Chamber) has declared that the request for a preliminary ruling is manifestly inadmissible.

Action brought on 7 April 2014 — European Commission v Hellenic Republic

(Case C-167/14)

(2014/C 261/20)

Language of the case: Greek

Parties

Applicant: European Commission (represented by: G. Zabbos and E. Manhaeve, acting as Agents)

Defendant: Hellenic Republic

Form of order sought

The applicant claims that the Court should:

- Declare that the Hellenic Republic, by failing to take all the measures necessary to comply with the judgment of the Court of 25 October 2007 in Case C-440/06 *Commission v Greece*, failed to fulfil its obligations under Article 260(1) TFEU;
- Order the Hellenic Republic to pay to the Commission a proposed financial penalty of EUR 47 462,40 for each day of delay in complying with the judgment delivered in Case C-440/06, from the date of delivery of judgment in the present case until the date of compliance with the judgment in Case C-440/06;