

V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Request for a preliminary ruling from the Bayerisches Verwaltungsgericht München (Germany) lodged on 28 May 2013 — RWE AG v Freistaat Bayern

(Case C-296/13)

(2013/C 274/02)

*Language of the case: German***Referring court**

Bayerisches Verwaltungsgericht München

Parties to the main proceedings*Applicant:* RWE AG*Defendant:* Freistaat Bayern

By decision of the Court of 25 July 2013 the case was removed from the register.

Request for a preliminary ruling from the Oberster Gerichtshof (Austria) lodged on 17 June 2013 — Österreichischer Gewerkschaftsbund v Wirtschaftskammer Österreich — Fachverband der Autobus-, Luftfahrt- und Schifffahrtsunternehmen

(Case C-328/13)

(2013/C 274/03)

*Language of the case: German***Referring court**

Oberster Gerichtshof

Parties to the main proceedings*Applicant:* Österreichischer Gewerkschaftsbund

Defendant: Wirtschaftskammer Österreich — Fachverband der Autobus-, Luftfahrt- und Schifffahrtsunternehmen

Questions referred

- (a) Is the wording of Article 3(3) of Directive 2001/23/EC, ⁽¹⁾ according to which the ‘terms and conditions’ agreed in any collective agreement and applicable to the transferor must continue to be observed ‘on the same terms’ until the ‘date of termination or expiry of the collective agreement’, to be interpreted as also covering terms and conditions laid down by a collective agreement which have continuing effect indefinitely under national law, despite the termination of the collective agreement, until another collective agreement takes effect or the employees concerned have concluded new individual agreements?
- (b) Is Article 3(3) of Directive 2001/23/EC to be interpreted to the effect that ‘application of another collective agreement’ of the transferee is to be understood as including the continuing effect of the likewise terminated collective agreement of the transferee in the abovementioned sense?

⁽¹⁾ Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees’ rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses, OJ 2001 L 82, p. 16.

Request for a preliminary ruling from the Unabhängiger Verwaltungssenat Wien (Austria) lodged on 17 June 2013 — Ferdinand Stefan

(Case C-329/13)

(2013/C 274/04)

*Language of the case: German***Referring court**

Unabhängiger Verwaltungssenat Wien