

2. Neither the fact that a taxable person's upstream suppliers in the supply chain have not cooperated with the tax authorities nor the fact that there has been no transshipment of the goods concerned constitutes, in itself, sufficient objective evidence for concluding that that taxable person knew, or ought to have known, that the transaction relied on as its basis for the right to deduct value added tax was connected with tax fraud. Nevertheless, those two facts constitute objective evidence which may be taken into account, in the context of an overall assessment of all the facts and circumstances of the case, in order to determine whether the taxable person knew, or ought to have known, that the transaction relied on as its basis for the right to deduct was connected with tax fraud.

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<sup>(1)</sup> OJ C 175, 10.6.2014.

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**Order of the Court (Seventh Chamber) of 11 June 2015 — *Faci SpA v European Commission***

(Case C-291/14 P) <sup>(1)</sup>

*(Appeals — Rules of Procedure of the Court of Justice — Article 181 — Competition — Agreements, decisions and concerted practices — European tin stabilisers and epoxidised soya bean oil and esters markets — Fines — Gravity of the infringement — Principle of effective judicial protection — Appeal manifestly inadmissible or manifestly unfounded)*

(2015/C 320/10)

Language of the case: English

**Parties**

Appellant: *Faci SpA* (represented by: S. Piccardo, avvocato, and S. Crosby, Solicitor)

Other party to the proceedings: European Commission (represented by: F. Castilla Contreras, J. Norris-Usher and F. Ronkes Agerbeek, acting as Agents)

**Operative part of the order**

1. The appeal is dismissed.
2. *Faci SpA* shall pay the costs.

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<sup>(1)</sup> OJ C 303, 8.9.2014.

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**Order of the Court (Tenth Chamber) of 21 May 2015 (request for a preliminary ruling from the Nejvyšší správní soud — Czech Republic) — *Slovenská autobusová doprava Trnava a.s. v Krajský úřad Olomouckého kraje***

(Case C-318/14) <sup>(1)</sup>

*(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — Articles 49 TFEU and 52 TFEU — Freedom of establishment — Regulation (EC) No 1370/2007 — Public transport by rail and by road — Bus transport on urban public transport lines — Carrier established in another Member State and operating through a branch — Requirement to obtain special authorisation — Discretionary power of the competent authority — Public service contract)*

(2015/C 320/11)

Language of the case: Czech

**Referring court**

Nejvyšší správní soud