

Parties to the main proceedings

Applicant: Município de Palmela

Defendant: Autoridade de Segurança Alimentar e Económica (ASAE) — Divisão de Gestão de Contraordenações

Operative part of the judgment

Article 8(1) of Directive 83/189/EEC of the Council of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations, as amended by the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded, and Article 8(1) of Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services, as amended by Directive 98/48/EC of the European Parliament and of the Council of 20 July 1998, must be interpreted as meaning that the penalty of unenforceability of a technical regulation which has not been notified, such as Article 16(1) and (2) of the Regulamento que estabelece as condições de segurança a observar na localização, implantação, conceção e organização funcional dos espaços de jogo e recreio, respetivamente, equipamento e superfícies de impacto (Regulation on the mandatory safety requirements regarding the localisation, implementation, design and functional organisation of play and recreation areas and their equipment and impact surfaces), annexed to Decreto-Lei No 379/97 (Decree-Law No 379/97), of 27 December 1997, as amended by Decreto-Lei No 119/2009 (Decree-Law No 119/2009), of 19 May 2009, applies only to that technical regulation and not to the entire legislative text in which it is contained.

⁽¹⁾ OJ C 211, 13.6.2016.

Judgment of the Court (Sixth Chamber) of 9 February 2017 (request for a preliminary ruling from the High Court of Justice, Family Division (England and Wales) — United Kingdom) — M.S. v P.S.

(Case C-283/16) ⁽¹⁾

(Reference for a preliminary ruling — Regulation (EC) No 4/2009 — Article 41(1) — Recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations — Enforcement of a decision in a Member State — Application submitted directly to the competent authority of the Member State of enforcement — National legislation requiring recourse to be had to the Central Authority of the Member State of enforcement)

(2017/C 104/32)

Language of the case: English

Referring court

High Court of Justice, Family Division (England and Wales)

Parties to the main proceedings

Applicant: M.S.

Defendant: P.S.

Operative part of the judgment

1. Chapter IV of Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations, in particular Article 41(1) thereof, must be interpreted as meaning that a maintenance creditor who has obtained an order in one Member State and wishes to enforce it in another Member State may make an application directly to the competent authority of the latter Member State, such as a specialised court, and cannot be required to submit the application to that court through the Central Authority of the Member State of enforcement;

2. Member States are required to give full effect to the right laid down in Article 41(1) of Regulation No 4/2009 by amending, where appropriate, their rules of procedure. In any event, it is for the national court to apply Article 41(1), if necessary refusing to apply any conflicting provision of national law and, as a consequence, to allow a maintenance creditor to submit her application directly to the competent authority of the Member State of enforcement, even if national law does not make provision for such an application.

⁽¹⁾ OJ C 279, 1.8.2016.

Order of the Court (Ninth Chamber) of 26 January 2017 — d.d. Synergy Hellas Anonymi Emporiki Etaireia Parochis Ypiresion Pliroforikis v Commission

(Case C-45/16 P) ⁽¹⁾

(Appeal — Article 181 of the Rules of Procedure of the Court — ‘Multi-level patient-specific artery and arteriogenesis model for outcome prediction, decision support treatment, and virtual hand-on training (ARTreat) contract’, concluded under the Seventh Framework Programme for research, technological development and demonstration activities (2007-2013) — Termination of that contract due to irregularities committed in the performance of another contract concluded with the European Commission — Good faith — Legitimate expectation the contract would not be terminated)

(2017/C 104/33)

Language of the case: Greek

Parties

Appellant: d.d. Synergy Hellas Anonymi Emporiki Etaireia Parochis Ypiresion Pliroforikis (represented by: K. Damis, dikigoros)

Other party to the proceedings: European Commission (represented by: R. Lyal, acting as Agent)

Operative part of the order

1. The appeal is dismissed.
2. d.d. Synergy Hellas Anonymi Emporiki Etaireia Parochis Ypiresion Pliroforikis is ordered to pay the costs.

⁽¹⁾ OJ C 98, 14.03.2016.

Order of the Court (Tenth Chamber) of 24 January 2017 — Carsten René Beul v European Parliament, Council of the European Union

(Case C-53/16 P) ⁽¹⁾

(Appeal — Article 181 of the Rules of Procedure of the Court of Justice — Action for annulment — Functioning of the financial markets — Requirements for the carrying out of the statutory audit of annual and consolidated financial statements of public-interest entities — Regulation (EU) No 537/2014 — Rules on the organisation and selection of statutory auditors and audit firms by public-interest entities — No individual concern — Manifest inadmissibility)

(2017/C 104/34)

Language of the case: German

Parties

Appellant: Carsten René Beul (represented by: H.-M. Pott and T. Eckhold, Rechtsanwälte)