

Operative part of the judgment

The Court:

1. Declares that there is no longer any need to adjudicate on the action in so far as it was brought by Mr Igors Buimisters;
2. Dismisses the action;
3. Orders Trasta Komerbanka AS and the other applicants whose names are included in the annex, with the exception of Mr Buimisters, to pay the costs;
4. Orders Mr Buimisters to bear his own costs;
5. Orders the European Commission and the Republic of Latvia to bear their own costs.

(¹) OJ C 441, 28.11.2016.

Judgment of the General Court of 30 November 2022 — Austria v Commission

(Case T-101/18) (¹)

(State aid — Nuclear industry — Aid planned by Hungary for the development of two new nuclear reactors at the Paks site — Decision declaring the aid compatible with the internal market subject to compliance with certain commitments — Article 107(3)(c) TFEU — Compliance of the aid with EU law other than State aid law — Inextricable link — Promotion of nuclear energy — First paragraph of Article 192 of the Euratom Treaty — Principle of protection of the environment, ‘polluter pays’ principle, precautionary principle and principle of sustainability — Determination of the economic activity concerned — Market failure — Distortion of competition — Proportionality of the aid — Need for State intervention — Determination of the aid elements — Public procurement procedure — Obligation to state reasons)

(2023/C 35/50)

Language of the case: German

Parties

Applicant: Republic of Austria (represented by: J. Schmoll, F. Koppensteiner, M. Klamert and T. Ziniel, acting as Agents, and by H. Kristoferitsch, lawyer)

Defendant: European Commission (represented by: K. Blanck, K. Herrmann and P. Němečková, acting as Agents)

Intervener in support of the applicant: Grand Duchy of Luxembourg (represented by: A. Germeaux and T. Schell, acting as Agents, and by P. Kinsch, lawyer)

Interveners in support of the defendant: Czech Republic (represented by: M. Smolek, J. Vlácil, T. Müller, J. Pavliš and L. Halajová, acting as Agents), French Republic (represented by: E. de Moustier and P. Dodeller, acting as Agents), Hungary (represented by: M. Fehér, acting as Agent, and by P. Nagy, N. Grácia Malfeito, B. Karsai, lawyers, and C. Bellamy KC), Republic of Poland (represented by: B. Majczyna, acting as Agent), Slovak Republic (represented by: S. Ondrášiková, acting as Agent), United Kingdom of Great Britain and Northern Ireland (represented by: F. Shibli, L. Baxter and S. McCrory, acting as Agents, and by T. Johnston, Barrister)

Re:

By its action under Article 263 TFEU, the Republic of Austria seeks the annulment of Commission Decision (EU) 2017/2112 of 6 March 2017 on the measure/aid scheme/State aid SA.38454 — 2015/C (ex 2015/N) which Hungary is planning to implement for supporting the development of two new nuclear reactors at Paks II nuclear power station (OJ 2017 L 317, p. 45).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Republic of Austria to bear its own costs and to pay those incurred by the European Commission;
3. Orders the Czech Republic, the French Republic, the Grand Duchy of Luxembourg, Hungary, the Republic of Poland, the Slovak Republic and the United Kingdom of Great Britain and Northern Ireland to bear their own costs.

(¹) OJ C 152, 30.4.2018.

Judgment of the General Court of 7 December 2022 — PNB Banka v ECB

(Case T-275/19) (¹)

(Economic and monetary policy — Prudential supervision of credit institutions — Powers of the ECB — Investigatory powers — On-site inspections — Article 12 of Regulation (EU) No 1024/2013 — Decision of the ECB to conduct an inspection at the premises of a less significant credit institution — Action for annulment — Challengeable act — Admissibility — Competence of the ECB — Obligation to state reasons — Elements capable of justifying an inspection — Article 106 of the Rules of Procedure — Request for a hearing without a statement of reasons)

(2023/C 35/51)

Language of the case: English

Parties

Applicant: PNB Banka AS (Riga, Latvia) (represented by: O. Behrends, lawyer)

Defendant: European Central Bank (represented by: C. Hernández Saseta, F. Bonnard and V. Hümpfner, acting as Agents)

Intervener in support of the defendant: European Commission (represented by: D. Triantafyllou, A. Nijenhuis and A. Steiblyté, acting as Agents)

Re:

By its action based on Article 263 TFEU, the applicant seeks annulment of the decision of the European Central Bank (ECB), notified by letter of 14 February 2019, to conduct an on-site inspection at the applicant's premises.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders PNB Banka AS to bear its own costs and pay those incurred by the European Central Bank (ECB);
3. Orders the European Commission to bear its own costs.

(¹) OJ C 213, 24.6.2019.