

Judgment of the Court (Second Chamber) of 5 March 2020 (request for a preliminary ruling from the Cour d'appel de Bruxelles — Belgium) — Viasat UK Ltd and Viasat Inc. v Institut belge des services postaux et des télécommunications (IBPT)

(Case C-100/19) ⁽¹⁾

(Reference for a preliminary ruling — Approximation of laws — Telecommunications sector — Harmonised use of radio spectrum in the 2 GHz frequency bands for the implementation of systems providing mobile satellite services — Decision No 626/2008/EC — Article 4(1)(c), Article 7(1), and Article 8(1) — Complementary ground components — Authorisations issued by Member States — Requirement for operators to provide service coverage for a certain percentage of the population and the territory — Non-compliance — Effect)

(2020/C 137/31)

Language of the case: French

Referring court

Cour d'appel de Bruxelles

Parties to the main proceedings

Applicants: Viasat UK Ltd and Viasat Inc.

Defendant: Institut belge des services postaux et des télécommunications (IBPT)

Other parties to the proceedings: Inmarsat Ventures Ltd c.o. and Eutelsat SA

Operative part of the judgment

Article 8(1) of Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008 on the selection and authorisation of systems providing mobile satellite services (MSS), read in conjunction with Article 7(1) thereof, must be interpreted as meaning that, where it is established that an operator selected in accordance with Title II of that decision and authorised to use the radio spectrum pursuant to Article 7 thereof has failed to provide mobile satellite services by means of a mobile satellite system by the deadline set in Article 4(1)(c)(ii) of Decision No 626/2008, the competent authorities of the Member States are not entitled to refuse to grant the authorisations necessary for the provision of complementary ground components of mobile satellite systems to that operator on the ground that that operator has failed to honour the commitment given in its application.

⁽¹⁾ OJ C 131, 8.4.2019.

Judgment of the Court (Sixth Chamber) of 5 March 2020 — European Commission v Republic of Cyprus

(Case C-248/19) ⁽¹⁾

(Failure of Member State to fulfil obligations — Article 258 TFEU — Directive 91/271/EEC — Treatment of urban waste water — Articles 3, 4, 10 and 15 — Annex I, points A, B and D — No collecting systems for urban waste water in certain agglomerations — No secondary or equivalent treatment of urban waste water — Construction and operation of treatment plants — Control of discharges from such plants)

(2020/C 137/32)

Language of the case: Greek

Parties

Applicant: European Commission (represented by D. Triantafyllou and E. Manhaeve, agents)

Defendant: Republic of Cyprus (represented by E. Zachariadou and M. Chatzigeorgiou, agents)

Operative part

The Court:

1. Declares that the Republic of Cyprus, by failing:

- to provide 31 agglomerations (Aradippou, Ypsonas, Dali, Voroklini, Deryneia, Sotira, Xylophagou, Pervolia, Kolossi, Poli Chrysochous, Leivadia, Dromolaxia, Pera Chorio-Nisou, Liopetri, Avgorou, Paliometochi, Kiti, Frenaros, Ormideia, Kokkinotrimithia, Trachoni, Episkopi, Xylotympou, Pano Polemidia, Pyla, Lympia, Parekklesia, Kakopetria, Achna, Meneou and Pyrgos) with a collecting system for urban waste water, and
- to ensure, for the same agglomerations, that the urban waste water entering the collecting systems is subject to secondary treatment or an equivalent treatment before discharge,

has failed to fulfil its obligations under Articles 3, 4, 10 and 15 of and Annex I, points A, B and D, to Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment, as amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008.

2. Orders the Republic of Cyprus to pay the costs.

⁽¹⁾ OJ C 213, 24.6.2019.

Order of the Court (Sixth Chamber) of 13 February 2020 (request for a preliminary ruling from the Centrale Raad van Beroep — Netherlands) — H. Solak v Raad van bestuur van het Uitvoeringsinstituut werknemersverzekeringen (Uwv)

(Case C-258/18) ⁽¹⁾

(Request for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — EEC-Turkey Association Agreement — Article 59 of the Additional Protocol — Decision No 3/80 — Social security for Turkish migrant workers — Waiver of residence clauses — Article 6 — Supplementary benefits — Suspension — Renunciation of the nationality of the host Member State — Regulation (EC) No 883/2004 — Special non-contributory cash benefits — Residence requirement)

(2020/C 137/33)

Language of the case: Dutch

Referring court

Centrale Raad van Beroep

Parties to the main proceedings

Applicant: H. Solak

Defendant: Raad van bestuur van het Uitvoeringsinstituut werknemersverzekeringen (Uwv)

Operative part of the order

Article 6(1), first paragraph, of Decision No 3/80 of the Association Council of 19 September 1980 on the application of the social security schemes of the Member States of the European Communities to Turkish workers and members of their families, read together with Article 59 of the Additional Protocol, signed on 23 November 1970 at Brussels and concluded, approved and confirmed on behalf of the European Economic Community by Council Regulation (EEC) No 2760/72 of 19 December 1972, must be interpreted as not precluding national legislation pursuant to which the payment of a benefit intended to supplement an invalidity pension in order to ensure a minimum income, granted in accordance with that