

**Appeal brought on 21 September 2020 by CA Consumer Finance against the judgment of the General Court (Second Chamber enlarged) delivered on 8 July 2020 in Case T-578/18, CA Consumer Finance v ECB**

**(Case C-458/20 P)**

(2020/C 433/35)

*Language of the case: French*

**Parties**

*Appellant:* CA Consumer Finance (represented by: A. Champsaur and A. Delors, avocates)

*Other party to the proceedings:* European Central Bank

**Form of order sought**

- Set aside paragraph 2 of the operative part of the judgment of the General Court of 8 July 2020 in Case T-578/18, *CA Consumer Finance v ECB* dismissing the remainder of the appellant's claims to annul ECB Decision ECB/SSM/2018-FRCAG-77 of 16 July 2018;
- Grant in its entirety the form of order sought by CA Consumer Finance at first instance before the General Court; and
- Order the ECB to pay all the costs.

**Grounds of appeal and main arguments**

By the three grounds of appeal, the appellant claims that:

- (1) the General Court erred in law and infringed the obligation to state reasons by failing to reply to the plea based on the infringement of the principle of legal certainty by Decision ECB/SSM/2018-FRCAG-77 and infringed the principle of legal certainty by holding that there had been a breach of Article 26(3) of Regulation No (EU) 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firm while expressly acknowledging the lack of clarity of that provision;
- (2) the General Court infringed Article 18(1) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions, as well as the obligation to state reasons, by failing to show negligent conduct on the part of the appellant;
- (3) the General Court erred in law and infringed the obligation to state reasons by failing to reply to the plea alleging infringement by decision ECB/SSM/2018-FRCAG-77 of the principle of proportionality and the principle of equal treatment, and infringed those two principles by implicitly holding that the penalty was well founded in principle.

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**Request for a preliminary ruling from the Tribunale di Milano (Italy) lodged on 25 September 2020 — Associazione per gli Studi Giuridici sull'Immigrazione (ASGI) and Others v Presidenza del Consiglio dei Ministri — Dipartimento per le politiche della famiglia, Ministero dell'Economia e delle Finanze**

**(Case C-462/20)**

(2020/C 433/36)

*Language of the case: Italian*

**Referring court**

Tribunale di Milano

### Parties to the main proceedings

*Applicants:* Associazione per gli Studi Giuridici sull'Immigrazione (ASGI), Avvocati per niente onlus (APN), Associazione NAGA — Organizzazione di volontariato per l'Assistenza Socio-Sanitaria e per i Diritti di Cittadini Stranieri, Rom e Sinti

*Defendants:* Presidenza del Consiglio dei Ministri — Dipartimento per le politiche della famiglia, Ministero dell'Economia e delle Finanze

### Questions referred

1. Does Article 11(1)(d) or (f) of Directive 2003/109/EC <sup>(1)</sup> preclude national legislation such as that under consideration here, which provides for the issue by the government of a Member State to nationals of that Member State or of other Member States of the European Union, but not to third-country nationals who are long-term residents, of a document which confers entitlement to discounts on supplies of goods and services by public and private entities that have entered into an agreement with the government of the Member State in question?
2. Does Article 12(1)(e) of Directive 2011/98/EU <sup>(2)</sup>, in conjunction with Article 1(z) and Article 3[(1)](j) of Regulation (EC) No 883/2004 <sup>(3)</sup>, or Article 12(1)(g) of Directive 2011/98/EU preclude national legislation such as that under consideration here, which provides for the issue by the government of a Member State to nationals of that Member State or of other Member States of the European Union, but not to third-country nationals as referred to in Article 3(1)(b) and (c) of Directive 2011/98/EU, of a document which confers entitlement to discounts on supplies of goods and services by public and private entities that have entered into an agreement with the government of the Member State in question?
3. Does Article 14(1)(e) of Directive 2009/50/EC, <sup>(4)</sup> in conjunction with Article 1(z) and Article 3[(1)](j) of Regulation (EC) No 883/2004, or Article 14(1)(g) of Directive 2009/50/EC, preclude national legislation such as that under consideration here, which provides for the issue by the government of a Member State to nationals of that Member State or of other Member States of the European Union, but not to third-country nationals holding an 'EU Blue Card' within the meaning of Directive 2009/50/EC, of a document which confers entitlement to discounts on supplies of goods and services by public and private entities that have entered into an agreement with the government of the Member State in question?
4. Does Article 29 of Directive 2011/95/EU preclude national legislation such as that under consideration here, which provides for the issue by the government of a Member State to nationals of that Member State or of other Member States of the European Union, but not to third-country nationals benefiting from international protection, of a document which confers entitlement to discounts on supplies of goods and services by public and private entities that have entered into an agreement with the government of the Member State in question?

<sup>(1)</sup> Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents (OJ 2004 L 16, p. 44).

<sup>(2)</sup> Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (OJ 2011 L 343, p. 1).

<sup>(3)</sup> Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ 2004 L 166, p. 1).

<sup>(4)</sup> Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment (OJ 2009 L 155, p. 17).

**Appeal brought on 26 September 2020 by KF against the order of the General Court (Seventh Chamber) delivered on 10 July 2020 in Case T-619/19, KF v SatCen**

**(Case C-464/20 P)**

(2020/C 433/37)

*Language of the case: English*

### Parties

*Appellants:* KF (represented by: A. Kunst, Rechtsanwältin)

*Other party to the proceedings:* European Union Satellite Centre (SatCen)