

Judgment of the Court (Seventh Chamber) of 7 July 2022 (request for a preliminary ruling from the Cour du travail de Mons — Belgium) — Ville de Mons, Zone de secours Hainaut-Centre v RM

(Case C-377/21) ⁽¹⁾

(Reference for a preliminary ruling — Social policy — Directive 97/81/EC — Framework Agreement on part-time work — Clause 4 — Principle of non-discrimination — Principle of pro rata temporis — Taking into account, for the purpose of calculating the remuneration of a full-time professional firefighter, the length of service for remuneration purposes which he has acquired as a volunteer firefighter, in accordance with the principle of pro rata temporis)

(2022/C 318/24)

Language of the case: French

Referring court

Cour du travail de Mons

Parties to the main proceedings

Applicant: Ville de Mons. Zone de secours Hainaut-Centre

Defendant: RM

Operative part of the judgment

Clause 4 of the Framework Agreement implemented by Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC is to be interpreted as not precluding national legislation which, for the purposes of calculating the remuneration of professional firefighters employed on a full-time basis, accredits, in respect of the length of service for remuneration purposes, work performed previously on a part-time basis as a volunteer firefighter in line with the principle of pro rata temporis, that is to say, on the basis of the work actually performed.

⁽¹⁾ OJ C 391, 27.9.2021.

Judgment of the Court (First Chamber) of 30 June 2022 (request for a preliminary ruling from the Lietuvos vyriausiasis administracinis teismas — Lithuania) — M.A.

(Case C-72/22 PPU) ⁽¹⁾

(Reference for a preliminary ruling — Urgent preliminary ruling procedure — Asylum and immigration policy — Directive 2011/95/EU — Article 4 — Common procedures for granting and withdrawing international protection — Directive 2013/32/EU — Articles 6 and 7 — Standards for the reception of applicants for international protection — Article 18 of the Charter of Fundamental Rights of the European Union — Directive 2013/33/EU — Article 8 — Detention of the applicant — Ground for detention — Protection of national security or public order — Detention of the applicant for having entered the territory of the European Union unlawfully)

(2022/C 318/25)

Language of the case: Lithuanian

Referring court

Lietuvos vyriausiasis administracinis teismas

Parties to the main proceedings

Applicant: M.A.

Intervener: Valstybės sienos apsaugos tarnyba

Operative part of the judgment

1. Articles 6 and 7(1) of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection must be interpreted as precluding legislation of a Member State pursuant to which, in the event of a declaration of a state of war or a state of emergency or a declaration of an emergency due to a mass influx of foreigners, illegally staying third-country nationals are de facto denied the opportunity of having access, in the territory of that Member State, to the procedure for examining an application for international protection.
2. Article 8(2) and (3) of Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of persons seeking international protection must be interpreted as precluding legislation of a Member State under which, in the event of a declaration of a state of war or a state of emergency or a declaration of an emergency due to a mass influx of foreigners, an applicant for asylum may be detained on the sole ground that his or her stay in the territory of that Member State is unlawful.

⁽¹⁾ OJ C 171, 25.4.2022.

Order of the President of the Court of 30 June 2022 (request for a preliminary ruling from the Tribunal Judicial da Comarca de Lisboa — Juízo Local Cível de Lisboa — Portugal) — DS, CF, DT, CL v Orbest, SA

(Case C-704/21) ⁽¹⁾

(Air transport — Regulation (EC) No 261/2004 — Compensation and assistance to passengers — Cancellation or long delay of flights — Exemption from the obligation to pay compensation — Extraordinary circumstances — Collision of a catering vehicle with an aircraft parked at the airport)

(2022/C 318/26)

Language of the case: Portuguese

Referring court

Tribunal Judicial da Comarca de Lisboa — Juízo Local Cível de Lisboa

Parties to the main proceedings

Applicants: DS, CF, DT, CL

Defendant: Orbest, SA

Operative part of the order

Case C-704/21 is removed from the Register of the Court.

⁽¹⁾ Date of filing: 23.11.2021.

Appeal brought on 10 March 2022 by Laboratorios Ern, SA against the judgment of the General Court (Sixth Chamber) delivered on 12 January 2022 in Case T-160/21, Laboratorios Ern v EUIPO — Malpricht (APIRETAL)

(Case C-187/22 P)

(2022/C 318/27)

Language of the case: English

Parties

Appellant: Laboratorios Ern, SA (represented by: T. González Martínez and R. Guerras Mazón, abogados)

Other parties to the proceedings: European Union Intellectual Property Office (EUIPO), Ingrid Malpricht