

Judgment of the Court (Sixth Chamber) of 15 June 2023 (request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio — Italy) — BM, NP v Ministero dell'Istruzione, dell'Università e della Ricerca — MIUR

(Case C-132/22, ⁽¹⁾ Ministero dell'Istruzione, dell'Università e della Ricerca (Special lists))

(Reference for a preliminary ruling — Freedom of movement for workers — Article 45 TFEU — Regulation (EU) No 492/2011 — Article 3(1) — Obstacle — Equal treatment — Procedure for compiling lists for awarding posts in certain national public institutions — Requirement for admission linked to prior professional experience gained at those institutions — National legislation not allowing professional experience gained in other Member States to be taken into account — Whether justified — Objective of combating job insecurity)

(2023/C 271/07)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per il Lazio

Parties to the main proceedings

Applicants: BM, NP

Defendant: Ministero dell'Istruzione, dell'Università e della Ricerca — MIUR

Operative part of the judgment

Article 45 TFEU and Article 3(1)(b) of Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union

must be interpreted as precluding national legislation that provides that only candidates who have gained a certain amount of professional experience at national public higher-education institutions for the fine arts, music and dance may be admitted to a procedure for inclusion on the lists compiled for the purpose of recruiting, on permanent or temporary employment contracts, staff in those institutions and that thus prevents professional experience gained in other Member States from being taken into consideration for the purpose of admission to that procedure.

⁽¹⁾ OJ C 207, 23.5.2022.

Judgment of the Court (Fifth Chamber) of 15 June 2023 (request for a preliminary ruling from the Conseil d'État — France) — Saint-Louis Sucre v Premier ministre, Ministre de l'Agriculture et de l'Alimentation, SICA des betteraviers d'Étrepagny

(Case C-183/22, ⁽¹⁾ Saint-Louis Sucre (Recognition of a producer organisation))

(Reference for a preliminary ruling — Agriculture — Common organisation of the markets — Regulation (EU) No 1308/2013 — Statutes of producer organisations — Article 153(1)(b) — Rule that members may belong to only one producer organisation — Scope — Article 153(2)(c) — Democratic scrutiny by producer members of the producer organisation and the decisions taken within it — Control exercised by one person over certain members of a producer organisation)

(2023/C 271/08)

Language of the case: French

Referring court

Conseil d'État