

**Operative part of the judgment**

1. With a view to gaining access, subject to passing an aptitude test, to the regulated profession of lawyer in a Member State, the provisions of Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher education diplomas awarded on completion of professional education and training of at least three years' duration, as amended by Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 may be relied upon by a person who holds a degree issued in that Member State on completion of a cycle of post-secondary studies lasting more than three years, and who also holds an equivalent degree issued in another Member State after additional training of less than three years and enabling him, in that latter State, to have access to the regulated profession of lawyer, which he was actually practising in the latter State on the date on which he applied for admission to the aptitude test;
2. Directive 89/48, as amended by Directive 2001/19, must be interpreted as precluding the competent authorities of the host Member State from denying to a person in a situation such as that of the applicant in the main proceedings authorisation to take the aptitude test for the profession of lawyer without proof of completion of the period of practical experience required by the legislation of that Member State.

(<sup>1</sup>) OJ C 141, 20.6.2009.

**Judgment of the Court (Second Chamber) of 22 December 2010 (reference for a preliminary ruling from the Verwaltungsgerichtshof — Austria) — Ilonka Sayn-Wittgenstein v Landeshauptmann von Wien**

(Case C-208/09) (<sup>1</sup>)

*(European citizenship — Freedom to move and reside in the Member States — Law of a Member State with constitutional status abolishing the nobility in that State — Surname of an adult, a national of that State, obtained by adoption in another Member State, in which that adult resides — Title of nobility and nobiliary particle forming part of the surname — Registration by the authorities of the first Member State in the register of civil status — Correction of the entry by the authorities on their own initiative — Removal of the title of nobility and nobiliary particle)*

(2011/C 63/06)

Language of the case: German

**Referring court**

Verwaltungsgerichtshof

**Parties to the main proceedings**

Applicant: Ilonka Sayn-Wittgenstein

Defendant: Landeshauptmann von Wien

**Re:**

Reference for a preliminary ruling — Verwaltungsgerichtshof — Interpretation of Art. 18 EC — Constitutional law of a Member State aimed at abolishing the nobility in that State and prohibiting its nationals from bearing foreign noble titles — Refusal of the authorities of that Member State to enter in the register of births a noble title and a noble particle forming part of a surname which an adult person, being a national of that State, acquired in another Member State, in which she resides, following her adoption by a national of that latter State

**Operative part of the judgment**

Article 21 TFEU must be interpreted as not precluding the authorities of a Member State, in circumstances such as those in the main proceedings, from refusing to recognise all the elements of the surname of a national of that State, as determined in another Member State — in which that national resides — at the time of his or her adoption as an adult by a national of that other Member State, where that surname includes a title of nobility which is not permitted in the first Member State under its constitutional law, provided that the measures adopted by those authorities in that context are justified on public policy grounds, that is to say, they are necessary for the protection of the interests which they are intended to secure and are proportionate to the legitimate aim pursued.

(<sup>1</sup>) OJ C 193, 15.08.2009.

**Judgment of the Court (Third Chamber) of 22 December 2010 (reference for a preliminary ruling from the Markkinaoikeus — Finland) — Mehiläinen Oy, Terveystalo Healthcare Oy, formerly Suomen Terveystalo Oyj v Oulun kaupunki**

(Case C-215/09) (<sup>1</sup>)

*(Public service contracts — Directive 2004/18/EC — Mixed contract — Contract concluded between a contracting authority and a private company independent of it — Establishment, on an equal basis, of a joint venture to provide health care services — Undertaking by the partners to purchase health care services for their staff from the joint venture for a transitional period of four years)*

(2011/C 63/07)

Language of the case: Finnish

**Referring court**

Markkinaoikeus

**Parties to the main proceedings**

Applicants: Mehiläinen Oy, Terveystalo Healthcare Oy, formerly Suomen Terveystalo Oyj

Defendant: Oulun kaupunki