

Judgment of the Court (Ninth Chamber) of 18 September 2014 (reference for a preliminary ruling from the Vergabekammer Arnsberg — Germany) — Bundesdruckerei GmbH v Stadt Dortmund

(Case C-549/13) ⁽¹⁾

(Reference for a preliminary ruling — Article 56 TFEU — Freedom to provide services — Restrictions — Directive 96/71/EC — Procedures for the award of public service contracts — National legislation requiring tenderers and their subcontractors to undertake to pay a minimum wage to staff performing the services relating to the public contract — Subcontractor established in another Member State)

(2014/C 421/23)

Language of the case: German

Referring court

Vergabekammer Arnsberg

Parties to the main proceedings

Applicant: Bundesdruckerei GmbH

Defendant: Stadt Dortmund

Operative part of the judgment

In a situation such as that at issue in the main proceedings, in which a tenderer intends to carry out a public contract by having recourse exclusively to workers employed by a subcontractor established in a Member State other than that to which the contracting authority belongs, Article 56 TFEU precludes the application of legislation of the Member State to which that contracting authority belongs which requires that subcontractor to pay those workers a minimum wage fixed by that legislation.

⁽¹⁾ OJ C 24, 25.1.2014.

Appeal brought on 18 September 2013 by Page Protective Services Ltd against the order of the General Court (Fifth Chamber) delivered on 9 July 2013 in Case T-221/13 Page Protective Services Ltd v European External Action Service (EEAS)

(Case C-501/13 P)

(2014/C 421/24)

Language of the case: French

Parties

Appellant: Page Protective Services Ltd (represented by: J.-P. Hordies, avocat, and E. Lock, solicitor)

Other party to the proceedings: European External Action Service (EEAS)

By order of 2 October 2014, the Court (Sixth Chamber) dismissed the appeal and ordered Page Protective Services Ltd to bear its own costs.