

4. Refers the case back to the General Court of the European Union for judgment, in the light of the three pleas of the application, taking account of Article 8(3) of Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70, on the legality of Decision 2011/3 in so far as it declared that the aid paid from 3 December 2009 under the second public transport service contract concluded for the years 2005 to 2014 was compatible with the internal market;
5. Reserves the costs.

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<sup>(1)</sup> OJ C 252, 31.8.2013.

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**Judgment of the Court (Grand Chamber) of 6 October 2015 (request for a preliminary ruling from the Tribunal d'instance de Bordeaux — France) — Thierry Delvigne v Commune de Lesparre-Médoc, Préfet de la Gironde**

(Case C-650/13) <sup>(1)</sup>

*(Reference for a preliminary ruling — Charter of Fundamental Rights of the European Union — Articles 39 and 49 — European Parliament — Elections — Right to vote — Citizenship of the European Union — Retroactive effect of the more lenient criminal law — National legislation providing for the deprivation of the right to vote in the case of a criminal conviction by a final judgment delivered before 1 March 1994)*

(2015/C 389/03)

Language of the case: French

**Referring court**

Tribunal d'instance de Bordeaux

**Parties to the main proceedings**

Applicant: Thierry Delvigne

Defendants: Commune de Lesparre-Médoc, Préfet de la Gironde

**Operative part of the judgment**

Article 39(2) and the last sentence of Article 49(1) of the Charter of Fundamental Rights of the European Union must be interpreted as not precluding legislation of a Member State, such as that at issue in the main proceedings, which excludes, by operation of law, from those entitled to vote in elections to the European Parliament persons who, like the applicant in the main proceedings, were convicted of a serious crime and whose conviction became final before 1 March 1994.

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<sup>(1)</sup> OJ C 129, 28.4.2014.