

— misinterpreted the Contested Regulation in finding that it also covers NMA grouts containing acrylamide.

For these reasons the Appellants claim that the judgment of the General Court in Case T-368/11 should be set aside and the Contested Regulation should be annulled.

⁽¹⁾ OJ L 101, p. 12

⁽²⁾ Commission Regulation (EC) No 1488/94 of 28 June 1994 laying down the principles for the assessment of risks to man and the environment of existing substances in accordance with Council Regulation (EEC) No 793/93, OJ L 161, p. 3

Appeal brought on 16 April 2013 by Council of the European Union against the judgment of the General Court (Fourth Chamber) delivered on 5 February 2013 in Case T-494/10: Bank Saderat Iran v Council of the European Union

(Case C-200/13 P)

(2013/C 171/43)

Language of the case: English

Parties

Appellant: Council of the European Union (represented by: M. Bishop and S. Boelaert, agents)

Other parties to the proceedings: Bank Saderat Iran, European Commission

Form of order sought

The appellant claims that the Court should:

- set aside the judgment of the General Court (Fourth Chamber) of 5 February 2013 in Case T-494/10;
- give a definitive ruling on the case and dismiss the application brought by Bank Saderat against the contested measures;
- order Bank Saderat to pay the costs incurred by the Council in the proceedings at first instance and in this appeal.

Pleas in law and main arguments

The Council considers that the judgment of the General Court of 5 February 2013 in Case T-494/10, *Bank Saderat Iran v. Council*, is vitiated by the following errors of law:

1. The General Court was mistaken to rule, with regard to the admissibility of the action, that Bank Saderat was entitled to rely on fundamental rights protections and guarantees regardless of whether it could be considered as an emanation of the Iranian State;
2. The General Court was wrong to hold that one of the reasons given for imposing restrictive measures against Bank Saderat was insufficiently precise;
3. The General Court erroneously applied the case-law concerning the communication of information on the Council's file;
4. The General Court erroneously considered that the reasons given for imposing restrictive measures against Bank Saderat were not substantiated, insofar as:
 - it failed to take due account of the fact that the evidence for Bank Saderat's support to Iran's nuclear proliferation activities comes from confidential sources;
 - it failed to take due account of a reference in United Nations Security Council Resolution 1803 (2008) to Bank Saderat in connection with Iran's nuclear proliferation activities;
 - it was mistaken to consider that the Council needed to produce detailed information concerning Bank Saderat's handling of letters of credit of two designated entities involved in Iran's nuclear proliferation activities.

Action brought on 18 April 2013 — United Kingdom of Great Britain and Northern Ireland v Council of the European Union

(Case C-209/13)

(2013/C 171/44)

Language of the case: English

Parties

Applicant: United Kingdom of Great Britain and Northern Ireland (represented by: E. Jenkinson, S. Behzadi-Spencer, Agents, M. Hoskins QC, P. Baker QC, V. Wakefield, Barrister)

Defendant: Council of the European Union

The applicant claims that the Court should:

- Annul Council Decision 2013/52/EU ⁽¹⁾ authorising enhanced cooperation in the area of financial transaction tax; and