

**Judgment of the Court (Grand Chamber) of 6 October 2015 (request for a preliminary ruling from the Tribunalul Sibiu — Romania) — Dragoș Constantin Târșia v Statul roman and Serviciul public comunitar regim permise de conducere și înmatriculare a autovehiculelor**

(Case C-69/14) <sup>(1)</sup>

*(Reference for a preliminary ruling — Principles of equivalence and effectiveness — Res judicata — Recovery of undue payments — Recovery of taxes levied by a Member State in breach of EU law — Final decision of a court or tribunal imposing payment of a tax which is incompatible with EU law — Application for revision of such a decision — National legislation allowing the revision, in the light of later preliminary rulings given by the Court, of final decisions of a court or tribunal made exclusively in administrative proceedings)*

(2015/C 389/06)

Language of the case: Romanian

**Referring court**

Tribunalul Sibiu

**Parties to the main proceedings**

Applicant: Dragoș Constantin Târșia

Defendants: Statul roman and Serviciul public comunitar regim permise de conducere și înmatriculare a autovehiculelor

**Operative part of the judgment**

EU law, in particular the principles of equivalence and effectiveness, must be interpreted as not precluding, in circumstances such as those in the dispute in the main proceedings, a situation where there is no possibility for a national court to revise a final decision of a court or tribunal made in the course of civil proceedings when that decision is found to be incompatible with an interpretation of EU law upheld by the Court of Justice of the European Union after the date on which that decision became final, even though such a possibility does exist as regards final decisions of a court or tribunal incompatible with EU law made in the course of administrative proceedings.

<sup>(1)</sup> OJ C 142, 12.5.2014.

---

**Judgment of the Court (Fifth Chamber) of 6 October 2015 (request for a preliminary ruling from the First-tier Tribunal (Information Rights) — United Kingdom) — East Sussex County Council v Information Commissioner**

(Case C-71/14) <sup>(1)</sup>

*(Reference for a preliminary ruling — Aarhus Convention — Directive 2003/4/EC — Articles 5 and 6 — Public access to environmental information — Charge for supplying environmental information — Reasonable amount — Costs of maintaining a database and overheads — Access to justice — Administrative and judicial review of a decision imposing a charge)*

(2015/C 389/07)

Language of the case: English

**Referring court**

First-tier Tribunal (Information Rights)

**Parties to the main proceedings**

*Applicant:* East Sussex County Council

*Defendant:* Information Commissioner

*Other parties:* Property Search Group, Local Government Association

**Operative part of the judgment**

1. Article 5(2) of Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC must be interpreted as meaning that the charge for supplying a particular type of environmental information may not include any part of the cost of maintaining a database, such as that at issue in the main proceedings, used for that purpose by the public authority, but may include the overheads attributable to the time spent by the staff of the public authority on answering individual requests for information, properly taken into account in fixing the charge, provided that the total amount of the charge does not exceed a reasonable amount.
2. Article 6 of Directive 2003/4 must be interpreted as not precluding national legislation under which the reasonableness of a charge for supplying a particular type of environmental information is the subject only of limited administrative and judicial review as provided for in English law, provided that the review is carried out on the basis of objective elements and, in accordance with the principles of equivalence and effectiveness, relates to the question whether the public authority making the charge has complied with the conditions in Article 5(2) of that directive, which is for the referring tribunal to ascertain.

---

<sup>(1)</sup> OJ C 102, 7.4.2014.

---

**Judgment of the Court (Grand Chamber) of 6 October 2015 (request for a preliminary ruling from the Tribunal Català de Contractes del Sector Públic — Spain) — Consorci Sanitari del Maresme v Corporació de Salut del Maresme i la Selva**

(Case C-203/14) <sup>(1)</sup>

*(Reference for a preliminary ruling — Article 267 TFEU — Jurisdiction of the Court — Status of the referring body as a court or tribunal — Independence — Compulsory jurisdiction — Directive 89/665/EEC — Article 2 — Bodies responsible for review procedures — Directive 2004/18/EC — Articles 1(8) and 52 — Public procurement procedures — Meaning of ‘public entity’ — Public authorities — Inclusion)*

(2015/C 389/08)

Language of the case: Spanish

**Referring court**

Tribunal Català de Contractes del Sector Públic

**Parties to the main proceedings**

*Applicant:* Consorci Sanitari del Maresme

*Defendant:* Corporació de Salut del Maresme i la Selva