

Judgment of the Court (Fifth Chamber) of 7 April 2016 — Holcim (Romania) SA v European Commission

(Case C-556/14 P) ⁽¹⁾

(Appeal — Environment — Scheme for greenhouse gas emission allowance trading in the European Union — Directive 2003/87/EC — Articles 19 and 20 — Regulation (EC) No 2216/2004 — Article 10 — System of registries for transactions concerning emission allowances — Liability for fault — Commission's refusal to disclose information on and to prohibit all transactions involving stolen emission allowances — Strict liability)

(2016/C 211/18)

Language of the case: English

Parties

Appellant: Holcim (Romania) SA (represented by: L. Arnauts, avocat)

Other party to the proceedings: European Commission (represented by: E. White and K. Mifsud Bonnici, Agents)

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Holcim (Romania) SA to pay the costs.

⁽¹⁾ OJ C 65, 23.2.2015.

Judgment of the Court (Fourth Chamber) of 21 April 2016 (request for a preliminary ruling from the Tribunal Superior de Justicia de la Comunidad Autónoma del País Vasco — Spain) — Mimoun Khachab v Subdelegación del Gobierno en Álava

(Case C-558/14) ⁽¹⁾

(Reference for a preliminary ruling — Directive 2003/86/EC — Article 7(1)(c) — Family reunification — Requirements for the exercise of the right to family reunification — Stable and regular resources which are sufficient — National legislation permitting a prospective assessment of the likelihood that the sponsor will retain his resources — Compatibility)

(2016/C 211/19)

Language of the case: Spanish

Referring court

Tribunal Superior de Justicia de la Comunidad Autónoma del País Vasco

Parties to the main proceedings

Appellant: Mimoun Khachab

Respondent: Subdelegación del Gobierno en Álava

Operative part of the judgment

Article 7(1)(c) of Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification must be interpreted as allowing the competent authorities of a Member State to refuse an application for family reunification on the basis of a prospective assessment of the likelihood of the sponsor retaining, or failing to retain, the necessary stable and regular resources which are sufficient to maintain himself and the members of his family, without recourse to the social assistance system of that Member State, in the year following the date of submission of that application, that assessment being based on the pattern of the sponsor's income in the six months preceding that date.

⁽¹⁾ OJ C 46, 9.2.2015.

Judgment of the Court (Grand Chamber) of 12 April 2016 (request for a preliminary ruling from the Østre Landsret — Denmark) — Caner Genc v Integrationsministeriet

(Case C-561/14) ⁽¹⁾

(Reference for a preliminary ruling — EEC-Turkey Association Agreement — Decision No 1/80 — Article 13 — Standstill clause — Family reunification — National legislation laying down new, more stringent conditions on access to family reunification for family members, who are not economically active, of economically active Turkish nationals who are resident and have a residence permit in the Member State in question — Condition requiring ties sufficient to enable successful integration)

(2016/C 211/20)

Language of the case: Danish

Referring court

Østre Landsret

Parties to the main proceedings

Applicant: Caner Genc

Defendant: Integrationsministeriet

Operative part of the judgment

A national measure such as that at issue in the main proceedings, making family reunification between a Turkish worker residing lawfully in the Member State concerned and his minor child subject to the condition that the latter have, or have the possibility of establishing, sufficient ties with Denmark to enable him successfully to integrate, when the child concerned and his other parent reside in the State of origin or in another State, and the application for family reunification is made more than two years from the date on which the parent residing in the Member State concerned obtained a permanent residence permit or a residence permit with a possibility of permanent residence constitutes a 'new restriction', within the meaning of Article 13 of Decision 1/80 of the Association Council of 19 September 1980 on the development of the Association set up by the Agreement establishing an Association between the European Economic Community and Turkey, signed in Ankara on 12 September 1963 by the Republic of Turkey, on the one hand, and by the Member States of the EEC and the Community, on the other, and concluded, approved and confirmed on behalf of the Community by Council Decision 64/732/EEC of 23 December 1963.

Such a restriction is not justified.

⁽¹⁾ OJ C 65, 23.2.2015.