— Council Decision 2008/583/EC of 15 July 2008 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2007/868/EC; and

— Council Decision 2009/62/EC of 26 January 2009 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2008/583/EC.

2. Council Regulation (EC) No 501/2009 of 15 June 2009 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2009/62/EC is invalid in so far as, by that regulation, the Liberation Tigers of Tamil Eelam were kept on the list provided for in Article 2(3) of Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism.

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(1) OJ C 354, 26.10.2015.

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**Judgment of the Court (Eighth Chamber) of 19 June 2019 (request for a preliminary ruling from the First-tier Tribunal (Tax Chamber) — United Kingdom) — C & J Clark International Ltd v Commissioners for Her Majesty's Revenue & Customs**

**(Case C-612/16)** (1)

***(Reference for a preliminary ruling — Anti-dumping — Interpretation and validity of regulations re-imposing anti-dumping duties following the delivery by the Court of a judgment declaring invalidity — Legal basis — Non-retroactivity — Limitation)***

(2019/C 270/03)

*Language of the case: English*

**Referring court**

First-tier Tribunal (Tax Chamber)

**Parties to the main proceedings**

*Applicant:* C & J Clark International Ltd

*Defendant:* Commissioners for Her Majesty's Revenue & Customs

**Operative part of the judgment**

1. An examination of the questions of validity referred to the Court has revealed nothing capable of affecting the validity of Commission Implementing Regulation (EU) 2016/1395 of 18 August 2016 re-imposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and produced by Buckinghan Shoe Mfg Co. Ltd, Buildyet Shoes Mfg., DongGuan Elegant Top Shoes Co. Ltd, Dongguan Stella Footwear Co. Ltd, Dongguan Taiway Sports Goods Limited, Foshan City Nanhai Qun Rui Footwear Co., Jianle Footwear Industrial, Sihui Kingo Rubber Shoes Factory, Synfort Shoes Co. Ltd, Taicang Kotoni Shoes Co. Ltd, Wei Hao Shoe Co. Ltd, Wei Hua Shoe Co. Ltd, Win Profile Industries Ltd, and implementing the judgment of the Court of Justice in joined cases C-659/13 and C-34/14, or the validity of Commission Implementing Regulation (EU) 2016/1647 of 13 September 2016 re-imposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in Vietnam and produced by Best Royal Co. Ltd, Lac Cuong Footwear Co., Ltd, Lac Ty Co., Ltd, Saoviet Joint Stock Company (Megastar Joint Stock Company), VMC Royal Co Ltd, Freetrend Industrial Ltd and its

related company Freetrend Industrial A (Vietnam) Co, Ltd, Fulgent Sun Footwear Co., Ltd, General Shoes Ltd, Golden Star Co, Ltd, Golden Top Company Co., Ltd, Kingmaker Footwear Co. Ltd, Tripos Enterprise Inc., Vietnam Shoe Majesty Co., Ltd, and implementing the judgment of the Court of Justice in joined cases C-659/13 and C-34/14;

2. The rules on limitation laid down in Article 221(3) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code, as amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council of 16 November 2000, are applicable to the collection of the anti-dumping duties established by the implementing regulations referred to in point 1 of the operative part of the present judgment.

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(1) OJ C 38, 6.2.2017.

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**Judgment of the Court (Grand Chamber) of 18 June 2019 — Republic of Austria v Federal Republic of Germany**

**(Case C-591/17)** [1]

***(Failure of a Member State to fulfil obligations — Articles 18, 34, 56 and 92 TFEU — Legislation of a Member State prescribing an infrastructure use charge for passenger vehicles — Situation in which owners of vehicles registered in that Member State qualify for relief from motor vehicle tax in an amount corresponding to that charge)***

(2019/C 270/04)

*Language of the case: German*

**Parties**

*Applicant:* Republic of Austria (represented by: G. Hesse, J. Schmoll and C. Drexel, acting as Agents)

*Defendant:* Federal Republic of Germany (represented by: T. Henze and S. Eisenberg, acting as Agents, and by C. Hillgruber, Rechtsanwalt)

*Intervener in support of the applicant:* Kingdom of the Netherlands (represented by: J. Langer, J.M. Hoogveld and M.K. Bulterman, acting as Agents)

*Intervener in support of the defendant:* Kingdom of Denmark (represented by: J. Nymann-Lindegren and M. Wolff, acting as Agents)

**Operative part of the judgment**

The Court:

1. Declares that the Federal Republic of Germany, by introducing the infrastructure use charge for passenger vehicles and by providing, simultaneously, a relief from motor vehicle tax in an amount at least equivalent to the amount of the charge paid, to the benefit of owners of vehicles registered in Germany, failed to fulfil its obligations under Articles 18, 34, 56 and 92 TFEU.

2. Dismisses the action as to the remainder.