

2. Article 13(1) and Article 23(1) of Directive 2008/50 must be interpreted as meaning that, in order to establish whether a limit value with an averaging period of one calendar year, as laid down in Annex XI to that directive, has been exceeded, it is sufficient that a pollution level higher than that value be measured at a single sampling point.

(¹) OJ C 104, 19.3.2018.

Judgment of the Court (Fourth Chamber) of 26 June 2019 — European Commission v Hellenic Republic

(Case C-729/17) (¹)

(Failure of a Member State to fulfil obligations — Article 258 TFEU — Article 49 TFEU — Directive 2006/123/EC — Article 15(2) and (3) — Directive 2005/36/EC — Articles 13, 14, 50 and Annex VII — Freedom of establishment — Recognition of professional qualifications — National provisions concerning suppliers of training of mediators)

(2019/C 280/05)

Language of the case: Greek

Parties

Applicant: European Commission (represented by: H. Tserepa-Lacombe and H. Støvlbæk, acting as Agents)

Defendant: Hellenic Republic (represented by: M. Tassopoulou, D. Tsagkaraki and Ch. Machairas, acting as Agents)

Operative part of the judgment

The Court:

1. Declares that:-

- by restricting the legal form of mediation training service providers to non-profit companies, which have to be set up jointly by at least one association of lawyers and at least one Professional Chamber in Greece, the Hellenic Republic has failed to fulfil its obligations under Article 15(2)(b) and (c) and Article 15(3) of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market; and
- by subjecting the procedure for the recognition of academic qualifications to the imposition of additional requirements related to the content of certificates required and to compensatory measures without a prior assessment of substantial differences from national training, and by maintaining in force discriminatory provisions which require applicants for accreditation as mediators who have accreditation that was obtained outside Greece or from a recognised provider of training outside Greece following training provided in Greece, to prove experience of having taken part in at least three mediation procedures, the Hellenic Republic has failed to fulfil its obligations under Articles 13, 14 and 50(1) of, and Annex VII to, Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005, on the recognition of professional qualifications, as amended by Directive 2013/55/EU of the European Parliament and the Council of 20 November 2013;

2. Orders the Hellenic Republic to pay the costs.

(¹) OJ C 83, 5.3.2018.