

Judgment of the Court (Fifth Chamber) of 27 February 2020 (request for a preliminary ruling from the Tribunal Superior de Justicia de Castilla-La Mancha — Spain) — Subdelegación del Gobierno en Ciudad Real v RH

(Case C-836/18) ⁽¹⁾

(Reference for a preliminary ruling — Article 20 TFEU — European Union citizens — Union citizen who has never exercised the freedom of movement — Application for a temporary residence permit for the spouse, who is a third-country national — Rejection — Obligation to support the spouse — Union citizen having insufficient resources — Obligation of the spouses to live together — National legislation and practice — Effective enjoyment of the substance of the rights conferred on Union citizens — Deprived)

(2020/C 137/28)

Language of the case: Spanish

Referring court

Tribunal Superior de Justicia de Castilla-La Mancha

Parties to the main proceedings

Applicant: Subdelegación del Gobierno en Ciudad Real

Defendant: RH

Operative part of the judgment

1. Article 20 TFEU must be interpreted as precluding a Member State from rejecting an application for family reunification submitted by the spouse, who is a third-country national, of a Union citizen who holds the nationality of that Member State and who has never exercised the freedom of movement, on the sole ground that that Union citizen does not have, for him or herself and his or her spouse, sufficient resources not to become a burden on the national social assistance system, without it having been examined whether there is a relationship of dependency between that Union citizen and his or her spouse of such a kind that, if the latter were refused a derived right of residence, that Union citizen would be obliged to leave the territory of the European Union as a whole and would thus be deprived of the effective enjoyment of the substance of the rights conferred by his or her status;
2. Article 20 TFEU must be interpreted as meaning that a relationship of dependency, such as to justify the grant of a derived right of residence under that article, does not exist on the sole ground that the national of a Member State, who is of full age and has never exercised the freedom of movement, and his or her spouse, who is of full age and a third-country national, are required to live together, by virtue of the obligations arising out of the marriage under the law of the Member State of which the Union citizen is a national.

⁽¹⁾ OJ C 139, 15.4.2019.

Judgment of the Court (Eighth Chamber) of 27 February 2020 (request for a preliminary ruling from the Sąd Okręgowy w Poznaniu — Poland) — Corporis sp. z o.o. v Gefion Insurance A/S

(Case C-25/19) ⁽¹⁾

(Reference for a preliminary ruling — Directive 2009/138/EC — Representation of a non-life insurance undertaking — Representative permanently resident in national territory — Service of documents — Receipt of the document initiating proceedings — Regulation (EC) No 1393/2007 — Non-applicability)

(2020/C 137/29)

Language of the case: Polish

Referring court

Sąd Okręgowy w Poznaniu

Parties to the main proceedings

Applicant: Corporis sp. z o.o.

Defendant: Gefion Insurance A/S

Operative part of the judgment

Article 152(1) of Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II), read in conjunction with Article 151 of that directive and recital 8 of Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000, must be interpreted as meaning that the appointment by a non-life insurance undertaking of a representative in the host Member State also includes the authorisation for that representative to receive a document initiating court proceedings for damages in respect of a road traffic accident.

⁽¹⁾ OJ C 164, 13.5.2019.

Judgment of the Court (Ninth Chamber) of 27 February 2020 — Republic of Lithuania v European Commission

(Case C-79/19 P) ⁽¹⁾

(Appeal — EAGGF, EAGF and EAFRD — Expenditure excluded from EU financing — Expenditure incurred by the Republic of Lithuania — Aid for early retirement — Regulation (EC) No 1257/1999 — Article 33m(1) — Distortion of the evidence)

(2020/C 137/30)

Language of the case: Lithuanian

Parties

Appellant: Republic of Lithuania (initially represented by R. Krasuckaitė, and subsequently by K. Dieninis, acting as Agents)

Other party to the proceedings: European Commission (represented by J. Jokubauskaitė and J. Aquilina, acting as Agents)

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders the Republic of Lithuania to pay the costs.

⁽¹⁾ OJ C 131, 8.4.2019.