



Newsletter

Week XLVIII - XLIX: 25th November to 6th December 2024

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Week XLVIII: 25th to 29nd November

Wednesday 27th November

General Court

[Judgment in Case T-526/19 RENV Nord Stream 2 v Parliament and Council](#)

(Energy)

In April 2019, by adopting the amending [Directive \(EU\) 2019/692](#), the EU legislator amended the [Gas Directive](#) in order to ensure that the rules applicable to gas transmission pipelines connecting two or more Member States are also applicable, within the European Union, to gas transmission pipelines to and from non-EU countries.

These rules provide, in particular, for the effective separation of transmission structures from production and supply structures, as well as third-party access to transmission networks.

However, with regard to gas pipelines between a Member State and a non-EU country completed before the date of entry into force of the amending directive, i.e. May 23, 2019, the amending directive provides that the Member State – in whose territory the first point of connection of such a pipeline to the network of that Member State is located – may decide to derogate from the above rules for the sections of this pipeline located in its territory and territorial sea.

Nord Stream 2 AG, a Swiss subsidiary of Gazprom, is responsible for the planning, construction and operation of the Nord Stream 2 gas pipeline. It challenged the amending directive before the General Court of the European Union, which dismissed the action as inadmissible with an order dated May 20, 2020 ([T-526/19](#), see also [press release No 62/20](#)).

Nord Stream 2 AG subsequently appealed to the Court of Justice against the General Court's order. By judgment of July 12, 2022, the Court held that the action brought by Nord Stream 2 AG was admissible in part ([C-348/20 P](#), see also [press release No 122/22](#)).

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All times are 9:30 unless otherwise stated.

Don't forget to check the diary on our website for details of other cases.

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It set aside, in substance, the order of the General Court and referred the case back for the General Court to rule on the merits of the action.

[Background Documents T-526/19 RENV](#)

There will be a press release for this case.

Wednesday 27th November

General Court

[Judgment in Case T-561/21 HSBC Holdings and Others v Commission](#)

(Competition)

The HSBC Group is a banking group whose businesses include investment banking, corporate banking and capital markets.

HSBC Holdings is the parent company of HSBC France and HSBC France is the parent company of HSBC Bank. HSBC France and HSBC Bank are responsible for trading Euro Interest Rate Derivatives (EIRDs). HSBC France is responsible for rate submissions to the Euro Interbank Offered Rate (Euribor) panel.

This case has its origins in a Commission decision of December 7, 2016 (2016 Decision, see [summary of the decision](#)). In this decision, the Commission found that Crédit Agricole, the HSBC Group and JPMorgan Chase participated in a single and continuous infringement consisting of the restriction and/or distortion of competition in the EIRD sector. For this infringement, the Commission imposed a fine of €33,606,000 on HSBC.

In its judgment of September 24, 2019 ([T-105/17](#), see also [press release No 116/19](#)), the General Court of the European Union largely endorsed the Commission's finding that HSBC had participated in an infringement of competition law. However, it annulled the fine imposed on the grounds of insufficient statement of reasons. Both the Commission ([C-806/19 P](#)) and the HSBC group ([C-883/19 P](#)) appealed against this judgment.

In June 2021, the Commission adopted a new decision (Decision 2021). The Commission stated that the sole purpose of this new decision was to remedy the situation resulting from the T-105/17 judgment, by imposing a fine on HSBC for the infringement found in the 2016 decision, taking into account the considerations set out in that judgment. The revised amount of the fine was €31,739,000.

On July 23, 2021, the Commission withdrew its appeal in Case C-806/19 P.

On 8 September 2021 the HSBC group brought the present action against the new

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decision. It seeks, first, partial annulment of the Commission's decision and, second, a reduction in the amount of the fine imposed by the contested decision.

The proceedings in this case have been suspended pending delivery of the judgment in Case [C-883/19 P](#) (see also press release [No 8/23](#)), by which the Court set aside the judgment of the General Court T-105/17 in so far as it dismissed the action brought by HSBC Holdings plc.

However, the part of the judgment under appeal which annulled the fine imposed on the HSBC group remains in force.

[Background Documents T-561/21](#)

There will be a press release for this case.

Week XLIX: 2nd to 6th December

Thursday 5th December

[Judgment in Case C-3/24 MISTRAL TRANS](#)

(Approximation of laws)

The reference for a preliminary ruling concerns the interpretation of the Money Laundering Directive. The request was made in the context of a dispute between Mistral Trans' and the National Tax Administration, Latvia concerning a fine imposed on Mistral Trans for breaches of national provisions on the prevention of money laundering and terrorist financing.

In particular, the Court is being asked to look into the definition of the term 'external accountant' in Article 2(1)(3)(a) of [Directive 2015/849](#).

[Background Documents C-3/24](#)

Judgment can be sent upon request

HEARINGS OF NOTE*

Information Note concerning streaming on the Curia website

Please note the following [new conditions](#) for streaming on the website including the new length of availability of the video recordings:

In order to facilitate public access to its judicial activity, the Court of Justice of the European Union offers a system for broadcasting hearings.

The delivery of judgments of the Court of Justice and the reading of opinions of the Advocate Generals are broadcast live on [this page](#). Broadcasting will be enabled at the start of the hearing, at the time indicated in the [judicial calendar](#).

Certain hearings of the Court of Justice involving oral pleadings are, however, broadcast with a delay. This concerns, as a rule, hearings in cases referred to the full Court, to the Grand Chamber, or, exceptionally, where this is justified by the importance of the case, to a chamber of five judges. The video recordings of those hearings will remain available on this website for a maximum period of one month after the close of the hearing.

Court of Justice

Tuesday 26th November 2024: 09:00 – [Case C-97/23 P WhatsApp Ireland v European Data Protection Board](#) (Provisions governing the institutions – data protection) (**streamed on Curia**)

Wednesday 27th November 2024: 09:30 – [Case C-654/23 Inteligo Media](#) (Consumer protection – data protection)

Wednesday 27th November 2024: 09:30 – [Case C-807/23 Jones Day](#) (Freedom of movement for workers)

Thursday 28th November 2024: 14:30 – [Case C-759/23 PJ Carroll and Nicoventures Trading](#) (Acts of the institutions – Freedom of establishment – Freedom to provide services)

Thursday 28th November 2024: 14:30 – [Case C-57/23 Policejní prezidium \(Conservation of biometric and genetic data\)](#) (Principles, objectives and tasks of the Treaties - Data protection)

Monday 2nd December 2024: 14:30 – [Case C-92/23 Commission v Hungary \(Right to provide media services in a radio frequency\)](#) (Principles of Community law) (**streamed on Curia**)

Tuesday 3rd December 2024: 09:30 – [Case C-713/23 Wojewoda Mazowiecki](#) (Citizenship of the Union - Right of entry and residence) (**streamed on Curia**)

Wednesday 4th December 2024: 09:30 – [Case C-4/24 P BNP Paribas Public Sector v SRB](#) (Economic and monetary policy)

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General Court

Wednesday 27th November 2024: 09:30 – [Case T-283/23 Aven v Council](#) (Restrictive Measures - Ukraine)

Thursday 28th November 2024: 09:30 – [Case T-583/22 Fédération environnement durable and Others v Commission](#) (Environment)

Thursday 28th November 2024: 09:30 – [Case T-450/22 MeSoFa v SRB](#) (Economic and monetary policy)

Tuesday 3rd December 2024: 09:30 – [Case T-551/23 Baltic International Bank v ECB](#) (Economic and monetary policy - European Central Bank)

* This is a non-exhaustive list and does not include all the hearings over the next two weeks.

