



USER MANUAL

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Product Overview

EuroCases is a multilingual web based service providing legal information. It gives access to national case law related to the application of EU law. It describes situations to which EU legal instruments or the case law of the Court of Justice of the European Union would apply across Member States.

This is a specialized product targeted at the needs of lawyers who are fluent in one or more foreign languages and who apply the provisions of EU law in their daily practice.

Product Contents

National Case Law

You can find the case law of supreme courts and some lower courts of the 28 EU Member States related to the application of EU law.

The full text versions of over 100,000 judgements, decisions, rulings etc. are available in the relevant national language. Approximately another 15,000 cases, most of them rendered before year 2000, are presented only with bibliographic annotation (without judgment's text).

Some more prominent judgements are supplemented with bibliography, keywords, and summaries in English, German, Bulgarian and/or French.

EU Case Law

You can find the case law of the Court of Justice of the European Union in Luxembourg in English, French, German and Bulgarian.

EU Law

Treaties (primary law)

Legislation (secondary law): regulations, directives, decisions, etc.

International Agreements between the EU and third countries or between Member States

You can find EU law in English, French, German and Bulgarian.

Main National Information Sources

Jurisdiction	Sources	Courts
Austria	RIS – Rechtsinformationssystem Legal Information System of the Austrian government	<ul style="list-style-type: none"> Verfassungsgerichtshof – Constitutional Court Oberster Gerichtshof – Supreme Court Verwaltungsgerichtshof – Supreme

		<p>Administrative Court</p> <ul style="list-style-type: none"> • Bundesverwaltungsgericht – Federal Administrative Court • Bundesfinanzgericht – Federal Finance Court • District, regional and provincial courts ruling on civil and administrative cases
Germany	<p>The websites of Federal Courts</p> <p>The websites of the judicial authorities of the German federal states (Bundesländer)</p>	<ul style="list-style-type: none"> • Bundesverfassungsgericht – Federal Constitutional Court • Bundesgerichtshof – Federal Court • Bundesverwaltungsgericht – Federal Administrative Court • Bundespatentgericht – Federal Patent Court • Bundesfinanzhof – Federal Finance Court • Bundesarbeitsgericht – Federal Labour Court • Bundessozialgericht – Federal Social Court • District, regional and provincial courts ruling on civil and administrative cases
France	Legifrance, a national law portal containing legislation and case law	<ul style="list-style-type: none"> • Conseil constitutionnel – Constitutional Council/Court Conseil d'Etat – State Council => Supreme Administrative Court • Cour de Cassation – Supreme Court of Cassation • Trial courts and Appellate Courts ruling on civil and administrative cases
UK	<p>The websites of the Supreme Court and Parliament</p> <p>judiciary.gov.uk</p> <p>Centralized case law portal</p>	<ul style="list-style-type: none"> • Supreme Court (since 2009) • House of Lords (until 2009) • Court of Appeal (England and Wales) • High Court (England and Wales) • Magistrates' courts and county courts ruling on civil and administrative cases
Bulgaria	The websites of the Supreme Court of Cassation and the Supreme Administrative	<ul style="list-style-type: none"> • Constitutional court • Supreme Court of Cassation

	Court legalacts.justice.bg Centralized case law portal of the Supreme Judicial Council	<ul style="list-style-type: none"> • Supreme Administrative Court • Appellate, district, regional and administrative courts
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In addition to legislation and case law, you can find information from open source databases, which contain information on case law related to the application of EU law.

1. **The Dec.Nat Database** maintained by the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union. The Supreme Administrative Court represents Bulgaria in the Association and the other countries are represented by authorities of similar role.

This database contains some 27,000 references to national decisions concerning Community Law from 1959 up to the present day. This case law is categorized, keywords are provided and summaries are included for some of the decisions. The information is available in French and English.

2. **The JuriFast Database** is also maintained by the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union and contains references for preliminary ruling by Member States' national courts, preliminary rulings by the Court of Justice of the EU in response to those references and decisions of national courts following a preliminary ruling which apply the interpretation of provisions of Community Law given by the Court. It also contains many other decisions of national courts related to the application of EU law.

3. **The JURE Database** is maintained by the European Commission and contains decisions of national courts in the field of Private International Law.

4. **The database of the Court of Justice of the EU in Luxembourg:** on this website you can find the Information Exchange System for Case Law relating to the Lugano Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters and the Brussels Convention (which is very similar to the Lugano Convention) that has been created pursuant to Protocol 2 annexed to the Lugano Convention. The system contains selected decisions of national courts that may impact the interpretation of the Lugano Convention.

5. **Reflets** is a monthly newsletter published by the Court of Justice of the European Union since 1999 containing selected case law of International Courts and national courts related to the application of EU law. Originally it only existed in French however since 2010 the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union has been translating it in English. It contains key decision identification data and summaries of decisions.

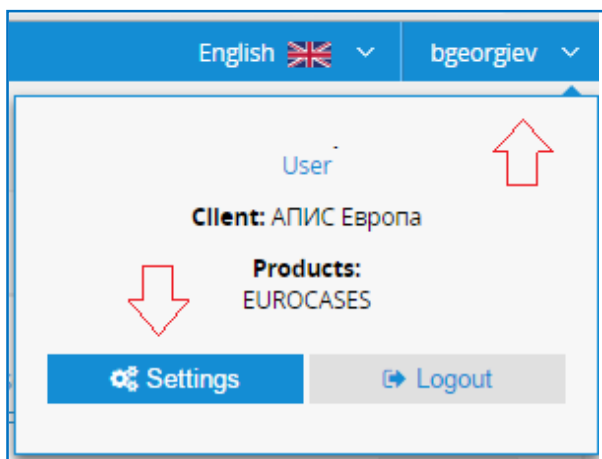
6. **ApisData** – the team of EuroCases creates for some of the acts short summaries and key words on the language of the document with translation into English. For instance the decision of a German court may have a short summary up to a page in German and a relevant translation in English.

Key Functionalities

Login

EuroCases is a multilingual web based legal service, that provides access to national case law of the leading European legislatures related to the application of EU law. Its use is conducted through internet browser with the address <http://eurocases.eu> . To access the service, the product would require a user name and a password.

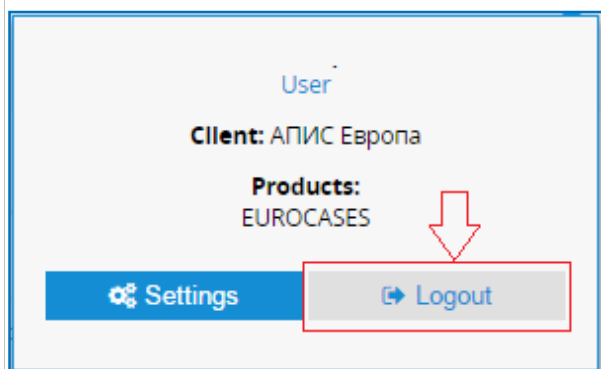
The password can be changed by the user, unlike the user name. In order to change the password, the user should enter the application and from the Settings menu can perform the desired change.



In case of a forgotten password, the Log-in contains an option, through which a new password could be obtained. To do this, the user should enter the e-mail address used when registration was made in Apis EuroCases.

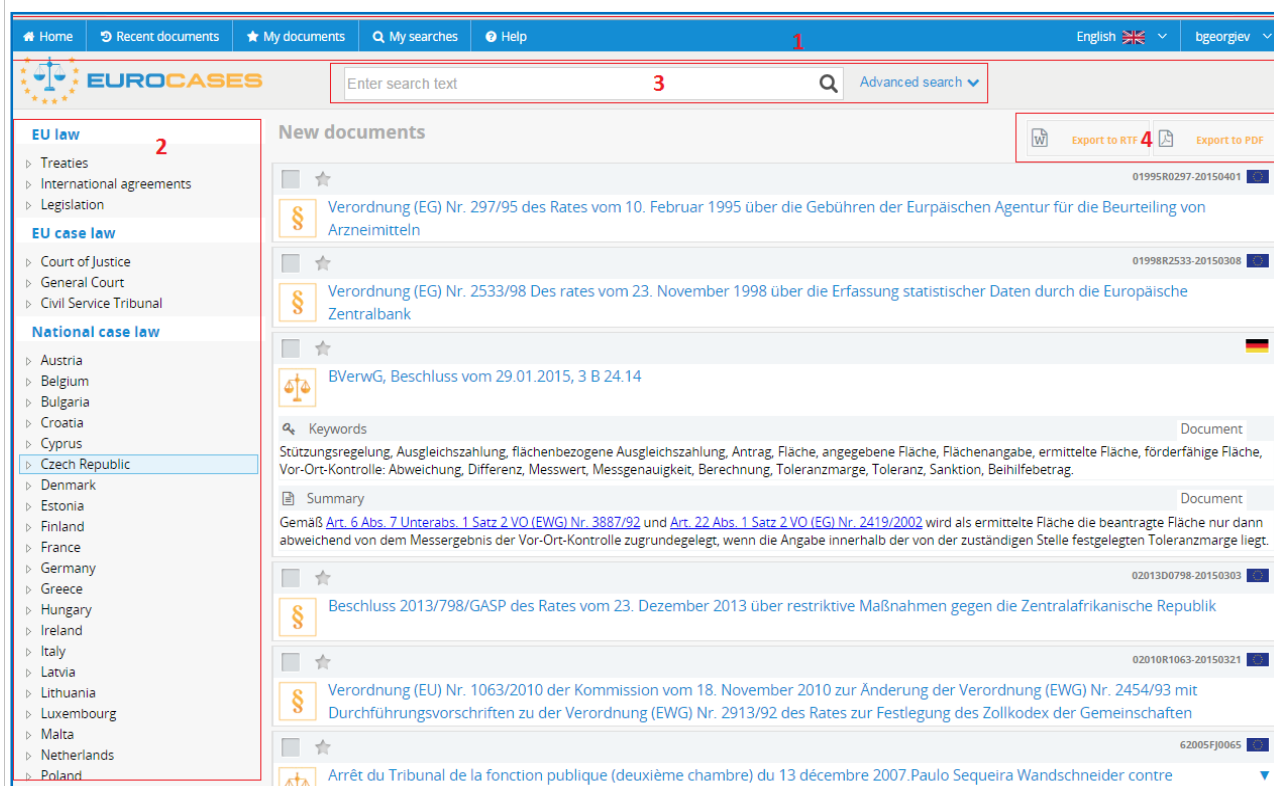
Logout

Logout is made from the username menu, which is located in the upper right corner of the screen. There you will find the Logout option.



Home page


When you open the application, you are taken to the Home page. It consists of several sections.

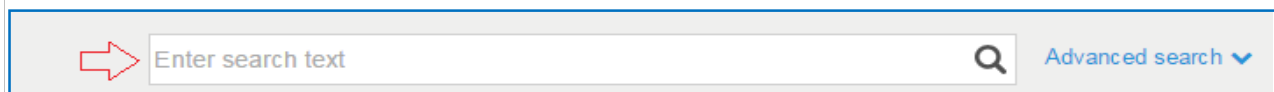


1. Horizontal menu bar, which also incorporates the language setting for the interface and user settings.
2. Panel on the left of your screen where you can find the document tree divided by category.
3. Search box for Quick and Advanced search.
4. Options to export in PDF and RTF file formats for documents or lists of documents.
5. New documents: those are the most recent documents added to the application's database.

Search

Quick search

You can search the entire database by entering your search query in the Search box. The user enters the search term or phrase and clicks the  icon or presses Enter to start the search.



You can search for an individual word or for a phrase, e.g. “credit” or “recognition of tax credit”.

As a result of your search, the application will return a list of documents containing different versions

of your search term, such as credit, credits, crediting, etc.

The Search functionality works in the same way for search phrases containing two or more words. If you search for “tax credit”, you will receive a list of documents which contain either the exact phrase or combinations of the words in different forms, such as “tax credits”. The list will also have documents which contain the two words separated from each other in different parts of the document. You will find such documents towards the end of the list of results.

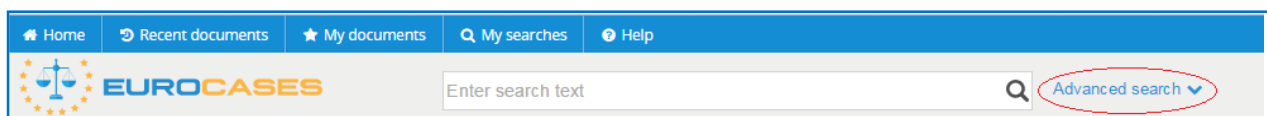
This will give you a more comprehensive list of results and users will not miss out on any relevant information when they enter search phrases.

In some cases, it is more useful to search for the root of the word with all its possible endings. To do this, please add an asterisk * to the root of the word. In this way, you will find all documents containing the root and all possible endings. For example, taxa* will result in taxation but not in taxes or taxing. Therefore, you may use tax* to retrieve more results containing words with this root.

When you search for phrases of two or more words, it is possible to search for documents that contain an exact match of the phrase. To do this, please *place the search phrase between quotes*. For example “tax credit” will only retrieve documents containing this exact phrase and will exclude documents containing the two words but in different order or separated.

Advanced search

You can open Advanced search from the option next to the quick search box. When you select Advanced search, you will see a drop-down panel.



Advanced search consists of two sections: *EU legislation* and *Case law*. *както се търси само в избраната част..*

In this case, the search is applied only to selected parts of the the data.

Search in EU legislation

Advanced search in EU legislation only allows you to search for documents of legislative nature that are part of EU law, such as treaties, regulations, directives, etc.

In addition to the search term or phrase, you can also select certain search criteria.

- You can limit your search to “Search in titles only”, which will retrieve documents that contain your search query in their title only.
- You can use Boolean expressions with the operators AND, OR, NOT or NEAR.

If you use the Boolean operator AND to connect the terms, you will receive documents containing all your search terms.

If you use the Boolean operator OR to connect the terms, you will receive documents containing at least one of your search terms.

If you use the Boolean operator NOT to connect the terms, you will receive documents containing the search terms but excluding one or more of them that were specified.

If you use the Boolean operator NEAR to connect two terms, you will receive documents containing the two words in close proximity. Proximity can be expressed in number of words in between and can be additionally specified.


For example, if you use the expression *tax [AND] credit [NOT] corporate*, you will obtain a list of all documents containing “tax” and “credit” but not containing “corporate”.

Similarly, you can use the expression *status [NEAR] refugee* and a proximity value of 5, which means that the documents retrieved will contain the two words that will be 5 words apart.

The box where you can set the proximity value (the number of words) is located right next to the NEAR button.

Advanced search in EU legislation also allows you to choose from the following criteria:


- Option to limit your Search area only to legislation in force (not repealed) or to basic acts of primary law (Limit to basic acts);

- By document type: click the  icon to open a new window where you can select types of acts you want to limit your search to, such as treaties, regulations, directives, etc.;
- By Celex number or ELI: you can use one of those identifiers for your search.

The Celex Number is a unique identifier used in the official electronic platform of the EU, known as EUR-Lex. Each document published in this database is assigned a celex number, which is formed according to strict rules.

ELI (European Legislation Identifier) national identifier: ELI is a unique number used to identify European and national legislative documents in a harmonized and consistent manner which enables a quicker and more efficient system for data search and exchange accessible to citizens or specialized users, such as legislators, magistrates or lawyers.

- By Publication in the Official Journal (date, number, initial page): you can enter the date of publication of the legislative act;
- By classifiers (Directory of EU legislation, EuroVoc thesaurus and Subject matter).

You can open each classifier by clicking the  icon. Legislative acts and case law are assigned to terminology categories under the four classifiers. If you select a specific classifier term, your search will be limited to the documents, which are assigned to it.

Three of the four classifiers, Directory of EU legislation, EuroVoc thesaurus and Subject matter, are developed and used by the EUR-Lex official electronic platform of the EU. The fourth classifier, called EuroCases classifier, was developed by Apis.

Search in Case law

Advanced search in Case law only applies to documents created by EU or Member States' courts or specialized jurisdictions, excluding any documents of legislative nature.

In addition to the search term or phrase, you can also select certain search criteria:

- You can limit your search to “Search in titles only”, which will retrieve documents that contain your search query in their title only;
- You can use Boolean expressions with the operators AND, OR, NOT or NEAR;

For example, if you use the expression *tax [AND] credit [NOT] corporate*, you will obtain a list of all documents containing “tax” and “credit” but not containing “corporate”.

EUROCASES

tax credit

☐ Search in titles only **AND** **OR** **NOT** **NEAR** 5

Search area

☒ All ☐ EU case law ☐ National case law

Document reference

Parties

Celex number / ECLI

Jurisdiction

☒ Date ☐ Time period

dd/mm/yyyy - dd/mm/yyyy

Referred EU act / provision

Legal act

Provision

Classifiers

EuroVoc thesaurus

Subject matter

Directory of EU case law

EuroCases classifier

☐ Show classification schemes before and after Lisbon Treaty

Search Clear Close

Similarly, you can use the expression *status [NEAR] refugee* and a proximity value of 5, which means that the documents retrieved will contain the two words that will be 5 words apart.

The box where you can set the proximity value (the number of words) is located right next to the *NEAR* button.

☐ Search in titles only **AND** **OR** **NOT** **NEAR** 5

- You can limit your Search area only to EU case law or National case law.

Depending on the selected field, the window for Advanced search changes. If only “EU case law” is selected in the search application, the available criteria will be Document type or Procedure type. There will also be options for search based on Advocate General or Judge Rapporteur. The corresponding list for every option is available by clicking the icon.

- You can search for a specific EU legal act or a provision thereof. To do that, click the icon. An additional window will open where you can now re-enter your search for case law relevant to the EU act you are interested in.

Referred EU act / provision
Legal act

Provision

Choose legal act

- Treaties
- International agreements
- Agreements between Member States
- Regulations
- Directives
- Decisions
- CFSP acts
- JHA acts
- Recommendations
- Opinions
- ECB guidelines
- Resolutions
- Declarations
- Other acts

Enter search text

Number
Year
Celex number / ECLI

« 1 2 3 4 5 »

31970L0032: Richtlinie 70/32/EWG der Kommission vom 17. Dezember 1969 über die Lieferungen von Waren an den Staat, seine Gebietskörperschaften und die sonstigen juristischen Personen des öffentlichen Rechts

31972L0250: Fünfte Richtlinie 72/250/EWG des Rates vom 4. Juli 1972 zur Harmonisierung der Rechtsvorschriften der Mitgliedstaaten über die Umsatzsteuer - Einführung der Mehrwertsteuer in Italien

31963L0340: Council Directive 63/340/EEC of 31 May 1963 on the abolition of all prohibitions on or obstacles to payments for services where the only restrictions on exchange of services are those governing such payments


31960L0921: EEC Council: First Directive for the implementation of Article 67 of the Treaty

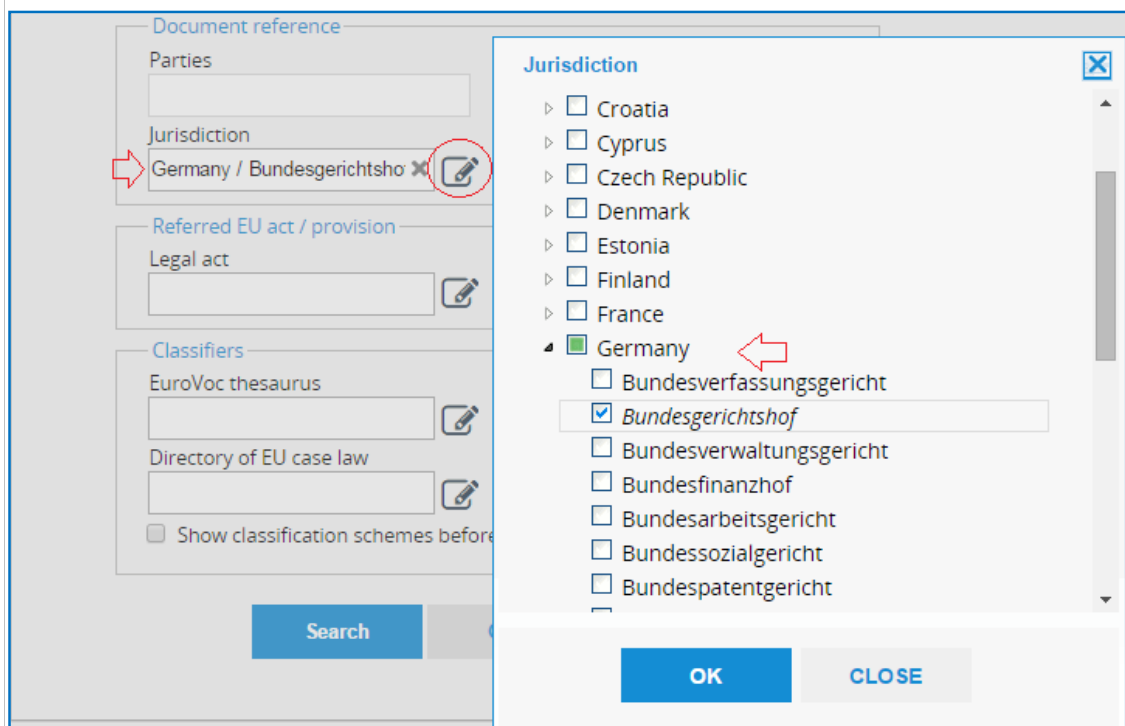
31977L0489: Council Directive 77/489/EEC of 18 July 1977 on the protection of animals during international transport


- Search by Celex number/ECLI: You can search for a document using its Celex or ECLI number. You need to enter the number in the respective box.

The Celex Number is a unique identifier used in the official electronic platform of the EU, known as EUR-Lex. Each document published on this database is assigned a celex number, which is formed according to strict rules.

The ECLI national identifier is a unified identifier having the same recognizable format for all Member States and EU courts. An (not actual) example of an ECLI number: ECLI:NL:HR:2009:384425, which may be deciphered as Judgement 384425 of the Supreme Court (HR) of the Netherlands (NL) of 2009.

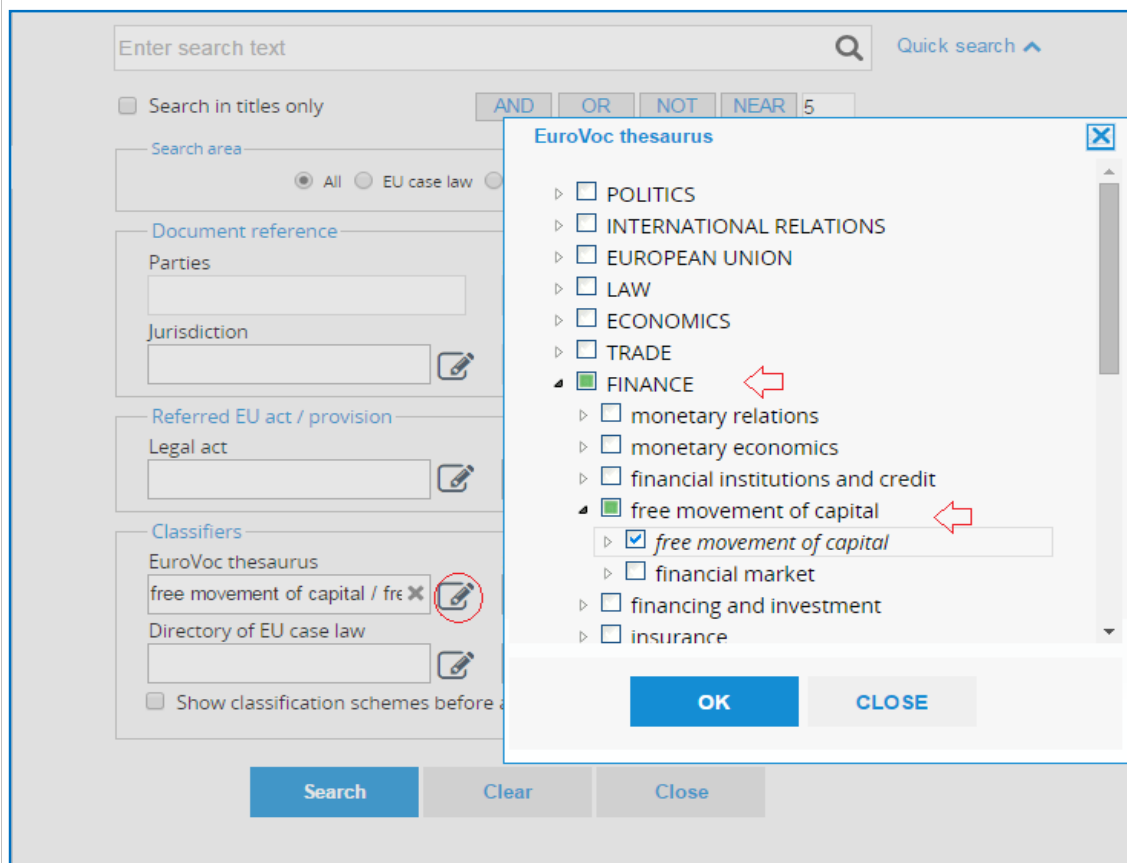
- Search by jurisdiction (Member State or a specific court): you can use it by clicking the  icon and selecting the Member State or court which the judgment you search for is relevant to;



- By date of the legal act or by time period: date or period in which the document was created;
- By classifiers (EuroVoc thesaurus, Directory of EU case law, Subject matter, and EuroCases classifier). You can open each classifier by clicking the  icon.

Legislative acts and case law are assigned to terminology categories under the four classifiers. If you select a specific classifier term, your search will be limited to the documents, which are assigned to it.


Three of the four classifiers, Directory of EU legislation, EuroVoc thesaurus and Subject matter, are developed and used by the EUR-Lex official electronic platform of the EU. The fourth classifier, called EuroCases classifier, was developed by Apis.



The screenshot shows the EUROCASES search interface. The main search bar contains the text "Enter search text". Below it, there are options for "Search in titles only" and "Search area" (All, EU case law). The "Document reference" section includes fields for "Parties" and "Jurisdiction". The "Referred EU act / provision" section includes a field for "Legal act". The "Classifiers" section includes a dropdown for "EuroVoc thesaurus" with the selected term "free movement of capital / free movement of capital". A red circle highlights the "free movement of capital / free movement of capital" text. The "EuroVoc thesaurus" dialog box is open, showing a hierarchical list of terms. The "FINANCE" category is expanded, and the "free movement of capital" term is selected. The "free movement of capital" term is also highlighted in the main search bar. The dialog box has "OK" and "CLOSE" buttons.

Search in the body of the document

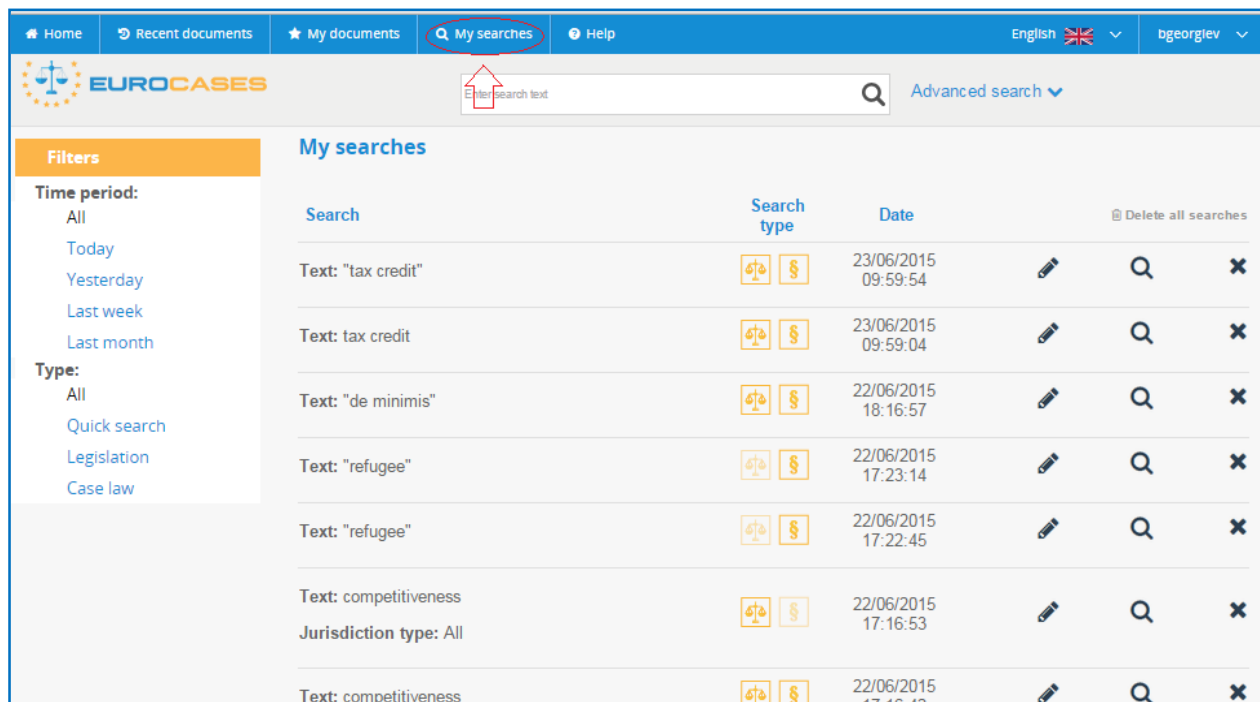
When you open a document from the list of results, the search term or phrase is highlighted. If you searched for a phrase of two or more words, both the phrase as a whole and the individual words will be highlighted.

Using the local search bar, you can navigate the locations of the hits in the body of the text. You can also use  icon to remove or restore highlighting.

(see the “Search in document” section below)

My searches

My searches is an option, which retrieves a list of the user’s search queries.



Filters




































Time period:

- All
- Today
- Yesterday
- Last week
- Last month

Type:

- All
- Quick search
- Legislation
- Case law

My searches

Search	Search type	Date	Delete all searches		
Text: "tax credit"	 	23/06/2015 09:59:54			
Text: tax credit	 	23/06/2015 09:59:04			
Text: "de minimis"	 	22/06/2015 18:16:57			
Text: "refugee"	 	22/06/2015 17:23:14			
Text: "refugee"	 	22/06/2015 17:22:45			
Text: competitiveness	 	22/06/2015 17:16:53			
Jurisdiction type: All					
Text: competitiveness	 	22/06/2015 17:16:53			






On the left of the screen, you can find two types of filters:

Time period: it defines the period in which those searches were run

and

Type of search: it defines the type of search (Quick or Advanced) and specifies the corpus searched (Legislation or Case law).

On the right of the screen, you can see a list of all the searches, including:

- The text of the search query;
- An icon identifying the type of search: legislation, case law or all (in which case both icons are active);  
- Date of search; Functionality to populate the search query in the Search field  ;
- Direct execution of the same search query  ;
- Functionality to delete the search query from the list .

Working with document lists

Generating lists

Lists can be generated as a result of opening folders on the Home page or running a search.

When the application is open in the Home page, on the left of the screen you will find document trees divided into different categories.

You can expand each category and use its sub-levels by hovering over and clicking the triangle icon in front of the text.

The level or sub-level will open, if you click on the text.



Sorting

By default, results are listed in order of relevance to your search. The list can be rearranged alphabetically or by document date.

1339 Documents found

Export to RTF Export to PDF

« < 1 2 3 4 5 6 7 8 9 10 > » page: [] []

Relevance Alphabetical Relevance Document date

Commission Regulation (EU) No 1408/2013 of 18 December 2013 on the application of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture

32013R1407

Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid Text with EEA relevance

32007R1535

You can also switch between ascending and descending order.

If the document list was not generated by a search but by opening levels in the document tree, you cannot arrange the list by relevance.

Filters

When a list of documents is displayed, you can see filters in the panel on the left of the screen.

Those filters are based on the four classifiers to which documents can be assigned. You can use them to filter the list of displayed documents and show only documents classified as related to a certain topic.

Available filters

EuroVoc thesaurus

- POLITICS (8)
- INTERNATIONAL RELATIONS (11)
- EUROPEAN UNION (66)
- LAW (166)
- ECONOMICS (3)
- TRADE (34)
- FINANCE (22)
- SOCIAL QUESTIONS (43)
- EDUCATION AND COMMUNICATIONS (7)

Directory of EU case law

- Systematic classification scheme after the Lisbon Treaty (2010) (24)
- Classification scheme before the Lisbon Treaty (2009) (4306)

EuroCases classifier

- Labour Law (18)
- Social Security Law (24)
- Competition Law (5)
- Company Law (5)
- Consumer and Health Protection Law (10)
- EU Constitutional Law (12)
- Intellectual Property Law (9)
- Public Procurement Law (2)
- Freedom of Movement (92)
- Fundamental Rights Law (17)

Subject matter

- Jurisdiction
- Austria (162)
- Belgium (703)

4519 Documents found

Export to RTF Export to PDF

« < 1 2 3 4 5 6 7 8 9 > » page: [] []

Relevance [] []

Administrativen sad Sofia-grad, Opređenje 09.05.2011, Hristo Byankov . Glaven sekretar na Ministerstvo na vatrešnite raboti

Keywords

1. EEC - Free movement of persons - Derogations - Articles 20 and 21 of the Treaty on the Functioning of the European Union Article 4(3) of the Treaty on European Union Principle of sincere cooperation - Admissibility of national legislation making provision for the rescission of a definitive administrative decision in the event of

Tribunal des affaires de sécurité sociale de Nanterre (anciennement Commission de première instance du contentieux de la sécurité sociale de Hauts-de-Seine), jugement du 11.03.1986, Maria Frascogna . Caisse des dépôts et consignations

Keywords

1. EEC - Social security of workers ; Community regulation - Preferential application to the European interim agreement on social security systems - Condition - Community regulation more favourable than agreement for the dependant, 2. EEC - Social security of workers ; Community regulation - Personal scope - Members of

Summary

The European Court of Justice confirmed that the granting of special old-age benefit guaranteeing elderly people a minimum income was a social benefit within the meaning of Council Regulation (EEC) No.1612/68 and that the requirement to have resided for a given number of years in France imposed on an Italian national living

Administrativen sad Sofia-grad, Opređenje 11.08.2010, Hristo Gaydarov . Director na Glavna direktia "Ohranitelna politia" pri Ministerstvo na vatrešnite raboti

Keywords

1. EEC - Free movement of persons - Right of entry and residence - Derogations - Article 27(1) and (2) of Directive 2004/38/EC of the European Parliament and of the Council - Restriction on the exercise by a citizen of the European Union of the right to move freely and entailing a ban on leaving national territory on account of a

Conseil d'Etat (France), 1re et 2e sous-sections, arrêt du 03.04.2002, Renie

Keywords

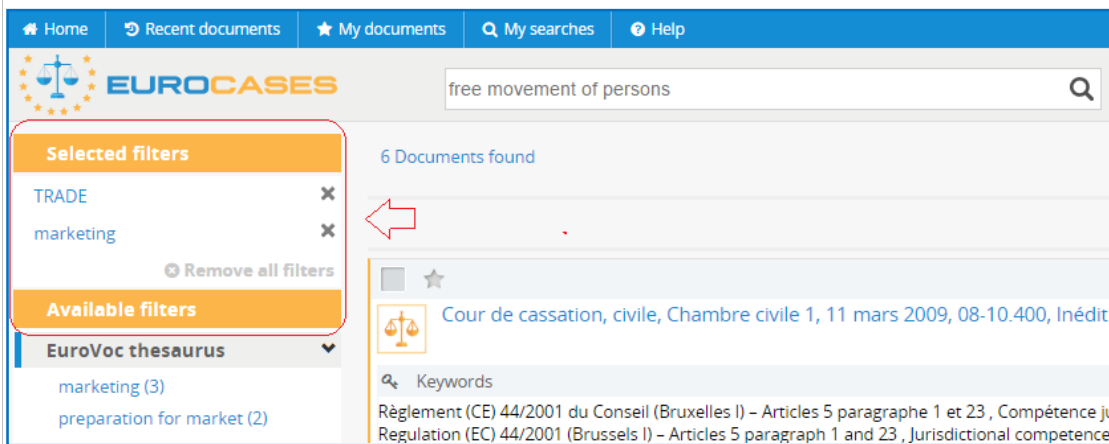
1. EEC - Free movement of persons ; Workers - Equal treatment - Contribution imposed on supplementary pension benefits - Higher rate applied to persons not domiciled for tax purposes in France and falling within a compulsory insurance system - Reduced rate applied to persons not domiciled for tax purposes in France

Summary

When you choose a classification, the application runs a new search and shows relevant documents again broken down by filer.

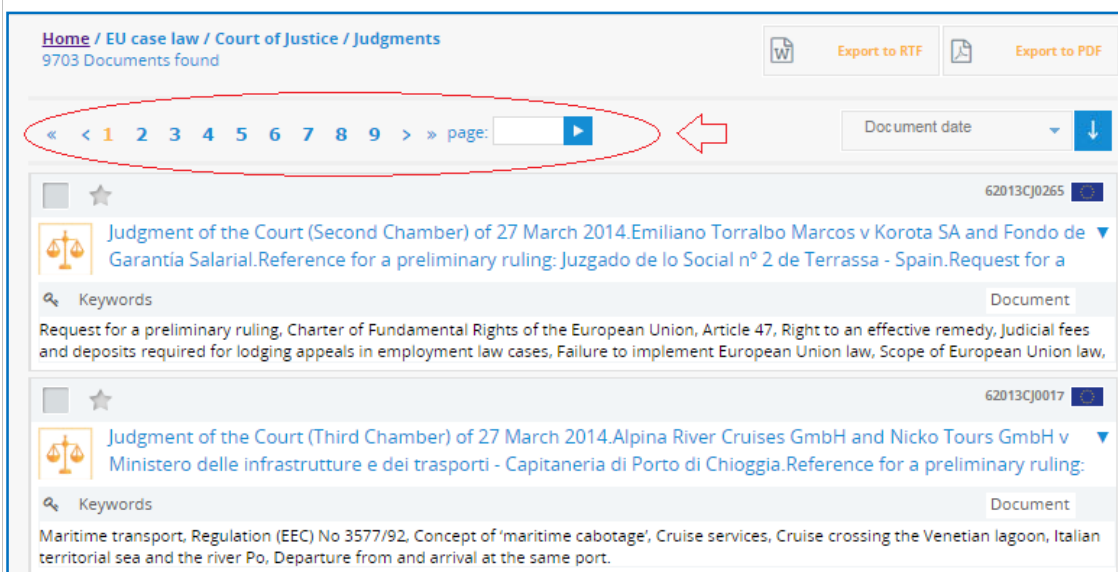
For example, if the user searches for case law concerning the phrase “copyright”, there will be a number of results. The Filters, appearing on the left side of the screen could help to narrow the result towards those, relevant to the current case. It is possible to narrow the result to case law alone. After that the result could be reduced even more through the use of Classifiers – for example “Subject matter” - Telecommunications, which further narrows the result to several documents. They in turn are quite processable, referring to copyright concerning Telecommunications and the Internet.

On top of the panel, above the classifiers, you can see the filters that are set and you can remove them from there.



Pagination

Document lists are arranged in pages of 50 documents each and can be navigated in several ways::By selecting a page number; By entering a page numbering By going to the next/previous page; By jumping to the first/last page;



Document attributes

Each document in the list is displayed with the following attributes (if available):

1. Document number;
2. Source country: you will see the flag of the country/jurisdiction and a hint with its name;
3. Document type: you will see an icon indicating whether the document is part of case law or a legal act;
4. Document title: the title is in the language of the document (if several language versions are available, the list will display only the one which coincides with the language of the interface);
5. Keywords: keywords may be in multiple languages and/or from multiple sources;
6. Summary: summaries may be in multiple languages and/or from multiple sources;
7. Press summary: this is a special type of summary, which may be in multiple languages and/or from multiple sources.

The screenshot displays the EuroCases interface with three document entries. Red circles and numbers highlight specific attributes as defined in the list:

- Entry 1:** Judgment of the Court (Grand Chamber) of 9 November 2010, Bundesrepublik Deutschland v B (C-57/09) and D (C-101/09). References for a preliminary ruling: Bundesverwaltungsgericht - Germany. Directive 2004/83/EC - Minimum standards for the grant of refugee status.
 - 1:** Document number (62009CJ0057).
 - 2:** Source country (Germany flag).
 - 3:** Document type icon (scales of justice).
 - 4:** Document title.
 - 5:** Keywords.
 - 6:** Summary.
- Entry 2:** Conseil d'État, 1ère et 6ème sous-sections réunies, 07/04/2011, 335924.
 - 2:** Source country (France flag).
 - 5:** Keywords.
 - 6:** Summary.
- Entry 3:** Bundesverfassungsgericht, Urteil vom 14.05.1996, 2 BvR 1938.93, 2315.93.
 - 2:** Source country (Germany flag).
 - 5:** Keywords.

Document export

When a list of documents is generated, the user can select the documents for export by checking the relevant box and then selecting the format of the exported file by clicking either the PDF or the RTF button. Each export package can contain up to 5 documents.

14 Documents found

Export to RTF Export to PDF

Relevance

✓ Secretary of State for Transport Ex Parte Factortame Limited and Others

Keywords DecNat

Community law ; Application - Rights conferred on private individuals - Infringement by a Member State - Infringement attributable to the national legislature having a wide discretion to make legislative choices - Obligation to remedy the damage caused to the private individuals - Conditions - Sufficiently serious infringement -

Summary DecNat

The House of Lords, duly asked to rule, upheld the decision of the High Court, ruling that the wilful adoption of legislation which discriminates on the basis of nationality and which inevitably violates Article 52 of the Treaty (later [Article 43 EC](#)) constitutes a clear breach, which cannot be justified and is therefore sufficiently

A (Respondent) v. Chief Constable of West Yorkshire Police (Appellant) and another

Keywords EuroCases

Council Directive 76/207/EEC (the Equal Treatment Directive) – Article 2(1) and 2(2), Sex Discrimination Act 1975 (England, Wales and Scotland) - section 7(2)(b), Police and Criminal Evidence Act 1984 (UK) - section 54(9) , Transsexual , Rejection of an application to become a police constable, Gender reassignment, Trans person

Summary DecNat EuroCases

This case pertained to the refusal by West Yorkshire police to appoint as a female police officer a transsexual individual who had undergone a sex-change operation to become a woman, on the grounds that in the eyes of the law, she was still a man and that she could not, therefore, perform searches in the same way as other

If you open a document, you can also export it from that window and you still have the PDF и RTF file format options available.

Export to W Print Languages DE [1999] UKHL 44


rtf

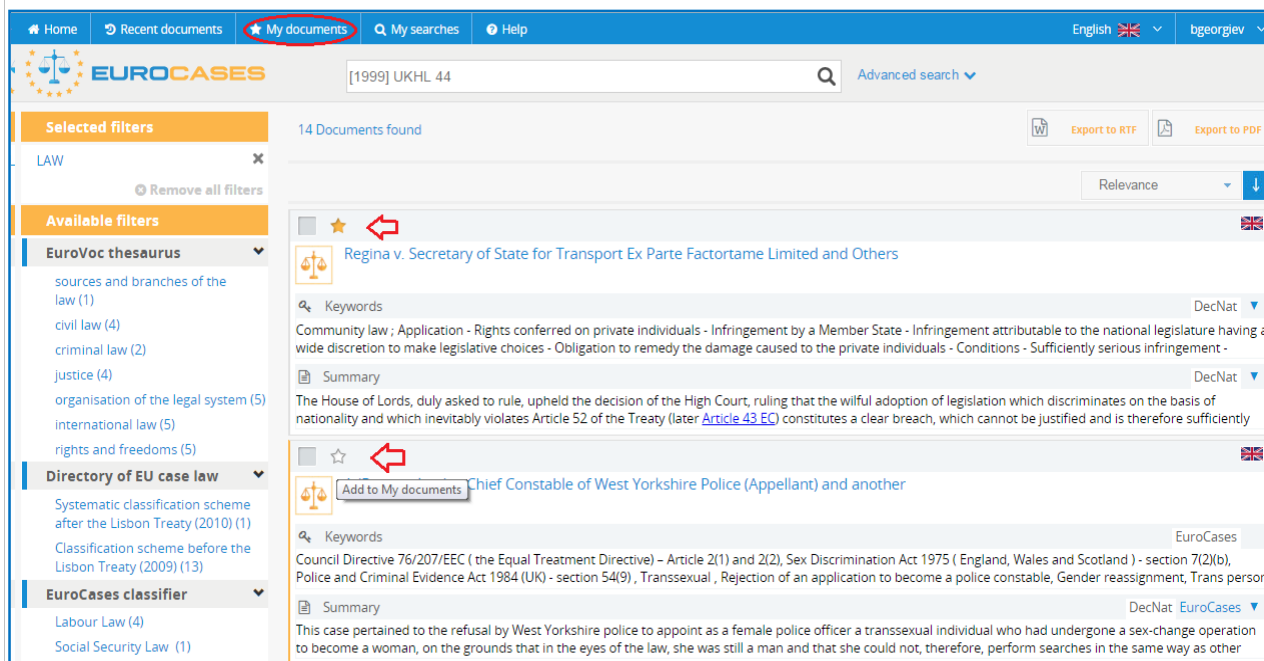
BVerwG, Beschluss vom 09.12.2010, 10 C 19.09

Keywords DecNat Document

1. EEC - Free movement of persons - Visas, asylum, immigration, etc. - Asylum policy Refugee status or subsidiary protection status Council Directive 2004/83/EC - Determining who qualifies for refugee status Acts of persecution Severe violation of fundamental rights Violation of the freedom of religion (Article 9 of the European Convention on Human Rights) "Act of persecution" within the meaning of Article 9(1)(a) of the directive not in the case of all violations but only in the event of an attack on the core protection ("Kernbereich")

Adding information in My documents

Users can run this option to compile their own lists of documents they wish to have available. To add documents to that list, you have to make sure that the  icon is enabled; if it becomes yellow, that means the document was added to the My documents custom list.



Home Recent documents **My documents** My searches Help English bgeorgiev

EUROCASES [1999] UKHL 44 Advanced search

Selected filters 14 Documents found

LAW Remove all filters

Available filters

EuroVoc thesaurus

- sources and branches of the law (1)
- civil law (4)
- criminal law (2)
- justice (4)
- organisation of the legal system (5)
- international law (5)
- rights and freedoms (5)

Directory of EU case law

- Systematic classification scheme after the Lisbon Treaty (2010) (1)
- Classification scheme before the Lisbon Treaty (2009) (13)

EuroCases classifier

- Labour Law (4)
- Social Security Law (1)

Keywords DecNat

Community law ; Application - Rights conferred on private individuals - Infringement by a Member State - Infringement attributable to the national legislature having a wide discretion to make legislative choices - Obligation to remedy the damage caused to the private individuals - Conditions - Sufficiently serious infringement -

Summary DecNat

The House of Lords, duly asked to rule, upheld the decision of the High Court, ruling that the wilful adoption of legislation which discriminates on the basis of nationality and which inevitably violates Article 52 of the Treaty (later [Article 43 EC](#)) constitutes a clear breach, which cannot be justified and is therefore sufficiently

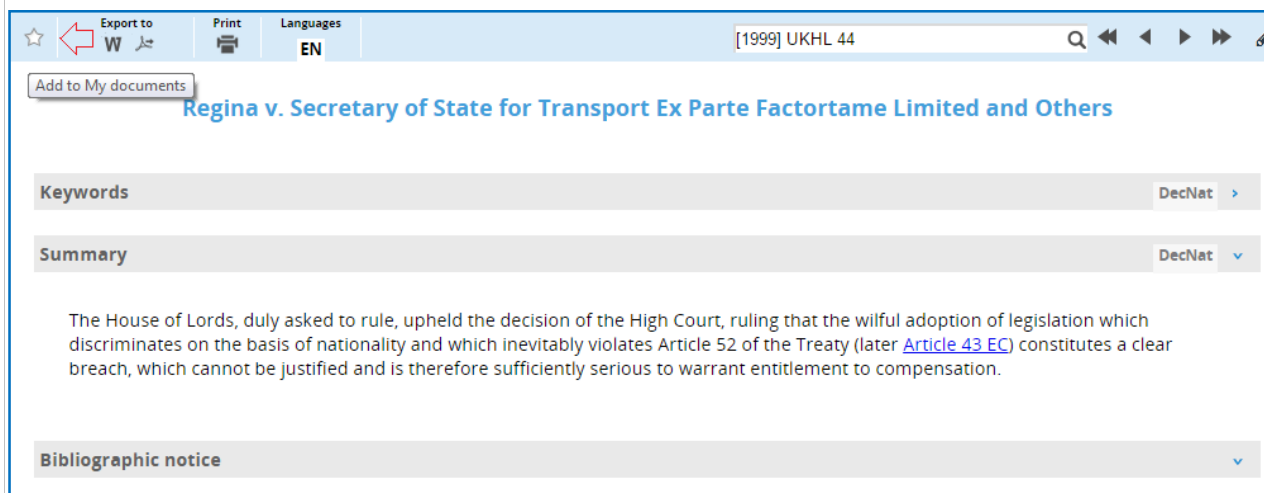
Keywords EuroCases

Council Directive 76/207/EEC (the Equal Treatment Directive) – Article 2(1) and 2(2), Sex Discrimination Act 1975 (England, Wales and Scotland) - section 7(2)(b), Police and Criminal Evidence Act 1984 (UK) - section 54(9) , Transsexual , Rejection of an application to become a police constable, Gender reassignment, Trans person

Summary DecNat EuroCases

This case pertained to the refusal by West Yorkshire police to appoint as a female police officer a transsexual individual who had undergone a sex-change operation to become a woman, on the grounds that in the eyes of the law, she was still a man and that she could not, therefore, perform searches in the same way as other

This function is available both in a list of documents and in an open document.



Export to Print Languages [1999] UKHL 44

EN

Add to My documents

Regina v. Secretary of State for Transport Ex Parte Factortame Limited and Others

Keywords DecNat

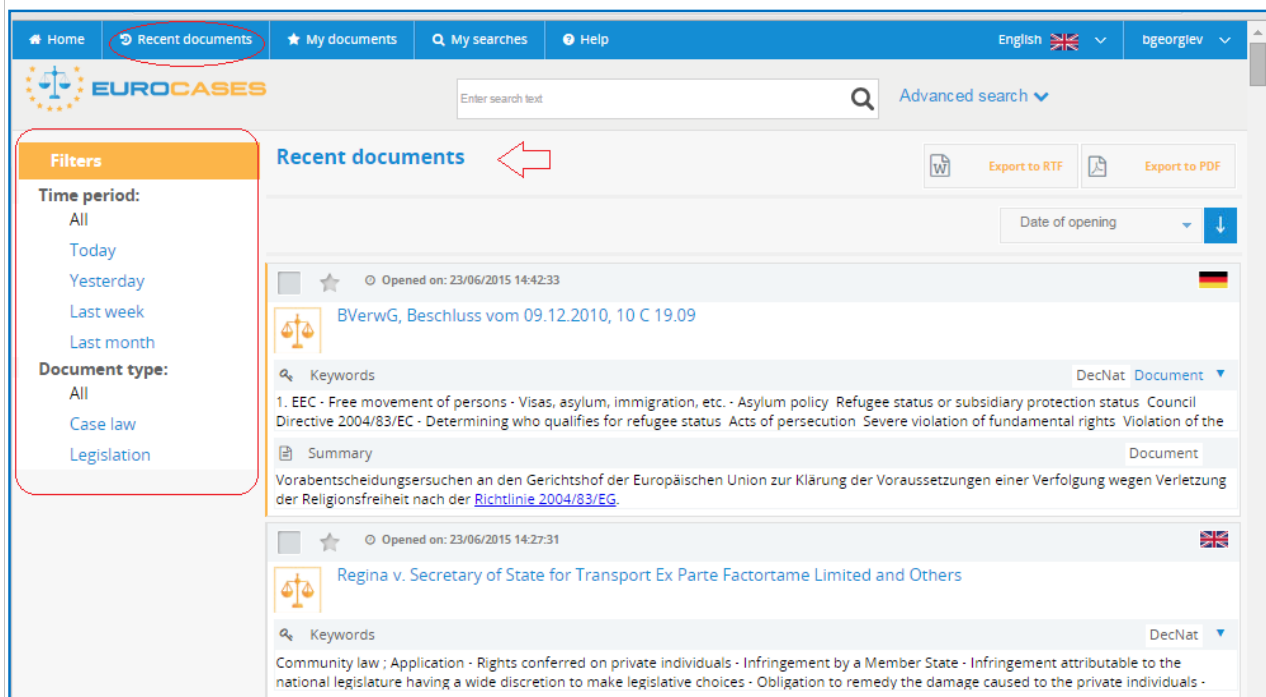
Summary DecNat

The House of Lords, duly asked to rule, upheld the decision of the High Court, ruling that the wilful adoption of legislation which discriminates on the basis of nationality and which inevitably violates Article 52 of the Treaty (later [Article 43 EC](#)) constitutes a clear breach, which cannot be justified and is therefore sufficiently serious to warrant entitlement to compensation.

Bibliographic notice

Recent documents

This is an automatically generated list of the most recent 100 documents opened by the user. The application generates and saves automatically the most recent 100 documents that were opened and if the number exceeds 100, it automatically deletes the oldest ones. By default, the list starts with the most recent documents and proceeds with less recent ones.



The screenshot shows the EUROCASES interface. At the top, there is a navigation bar with links: Home, Recent documents (circled in red), My documents, My searches, and Help. The language is set to English and the user is bgeorgiev. Below the navigation bar, there is a search bar and an 'Advanced search' link. On the left, there is a 'Filters' section with two categories: 'Time period' and 'Document type'. The 'Time period' options are All, Today, Yesterday, Last week, and Last month. The 'Document type' options are All, Case law, and Legislation. The main content area is titled 'Recent documents' and shows a list of documents. The first document is 'BVerwG, Beschluss vom 09.12.2010, 10 C 19.09' with a German flag. The second document is 'Regina v. Secretary of State for Transport Ex Parte Factortame Limited and Others' with a UK flag. A red arrow points to the 'Recent documents' header.

On the left of the screen, you can find two types of filters:

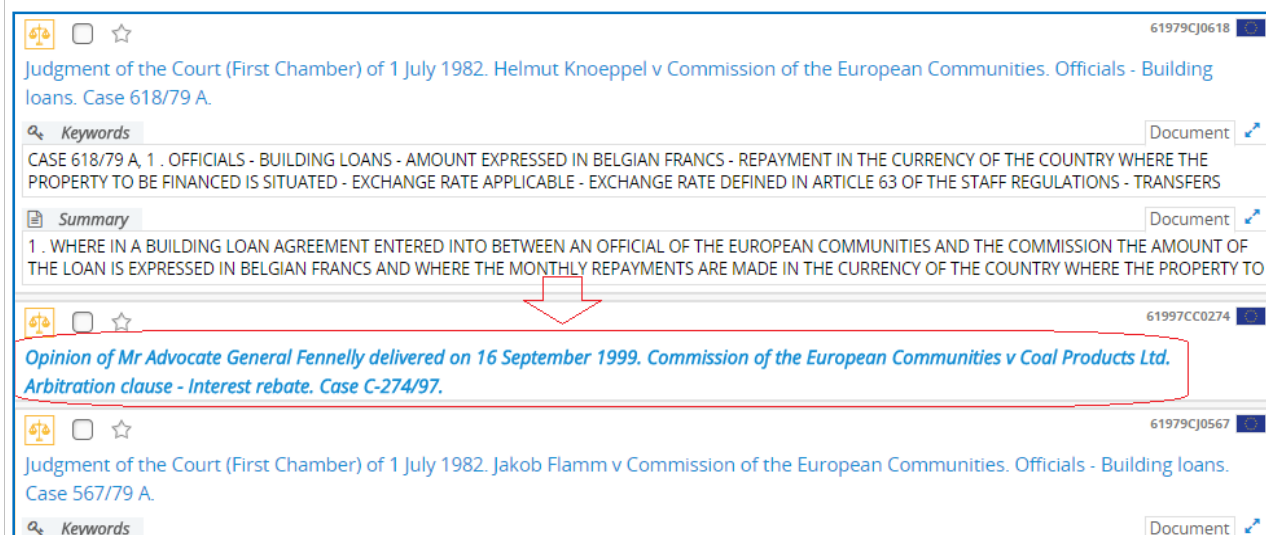
Time period: it defines the period in which those documents were opened.

and

Document type: it defines the type of documents opened by the user: All, Legislation, Case law.

Already viewed documents

This option allows to see documents, previously opened by the user. For example, if the user has read a document and after a new search or filtering the document is again in the list with results, its name is in darker print, which indicates that the document has already been opened during this session.

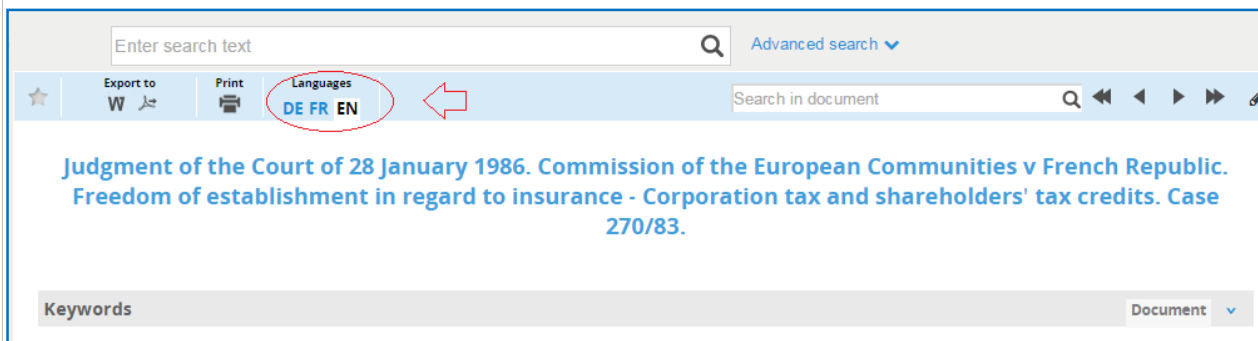


The screenshot shows a list of documents that have been previously opened. The first document is 'Judgment of the Court (First Chamber) of 1 July 1982. Helmut Knoepfel v Commission of the European Communities. Officials - Building loans. Case 618/79 A.' The second document is 'Opinion of Mr Advocate General Fennelly delivered on 16 September 1999. Commission of the European Communities v Coal Products Ltd. Arbitration clause - Interest rebate. Case C-274/97.' The third document is 'Judgment of the Court (First Chamber) of 1 July 1982. Jakob Flamm v Commission of the European Communities. Officials - Building loans. Case 567/79 A.' A red box highlights the second document, and a red arrow points to it.

Working with documents

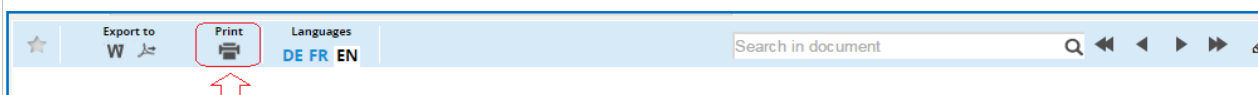
Changing the language version

This option is available for EUR-Lex documents only (EU Law, EU Case Law) by selecting a language from the language bar above the document title.



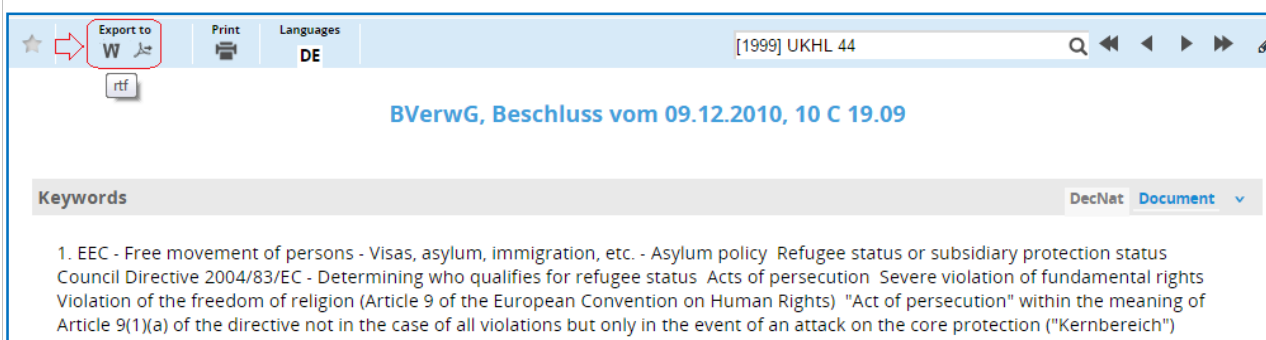
Print

When you click the Print icon, the standard Print window appears in your browser.




Document export

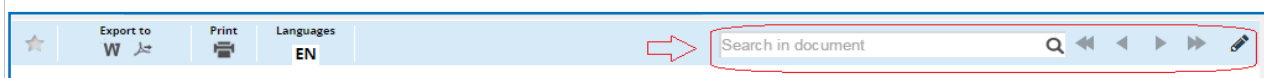
The user can choose to export the document either in RTF or in PDF format and can save the file in a destination (folder) of his/her choice.




Search in document

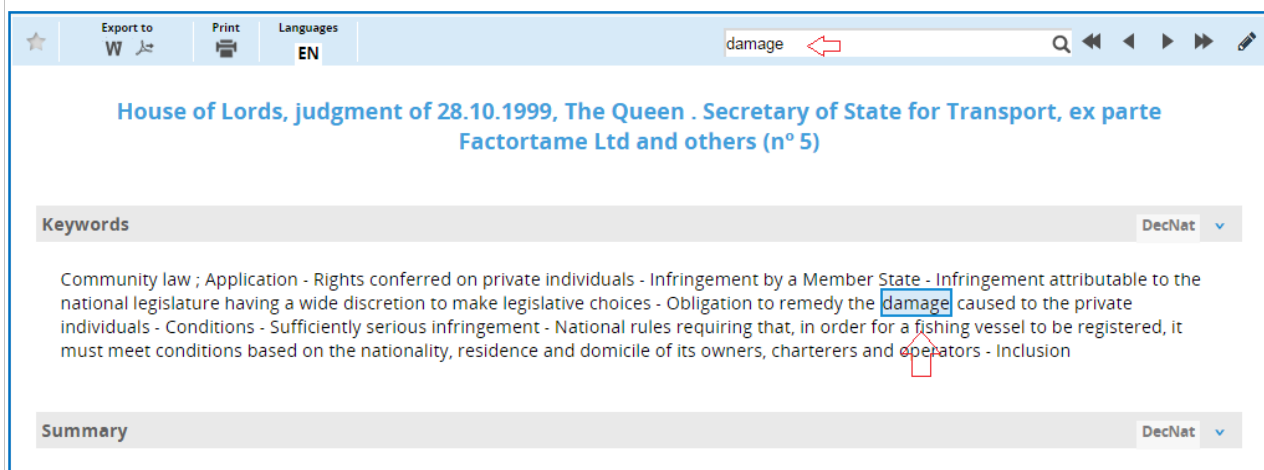
The local search box can be found in the context bar above the text of each document that you open. You can enter a search query, term or phrase, in the box and run the search by clicking the

 icon or by pressing Enter.



The application will highlight all hits, with the current one in a brighter colour. Using the local search bar, you can navigate the locations of the hits in the body of the text: you can go to the previous/next hit or the first/last hit.

You can also use the  icon to remove or restore highlighting in the entire document.

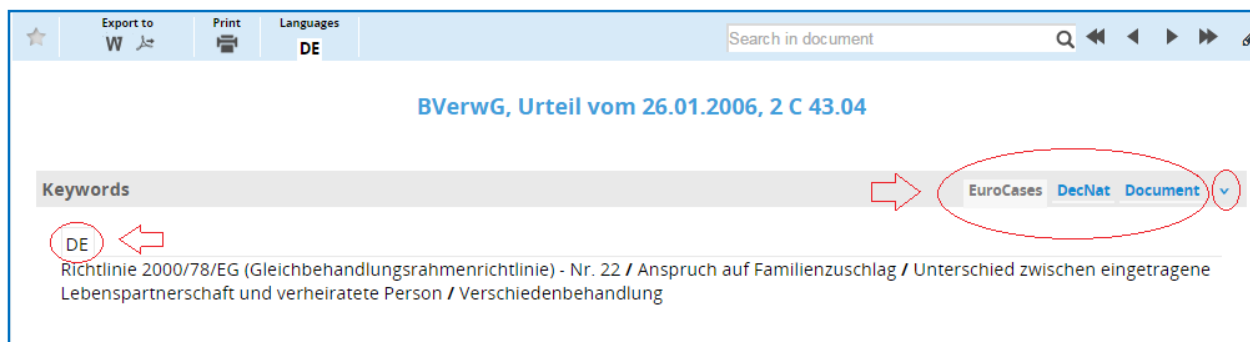


Document attributes

Keywords

Keywords are available for important national court decisions and for almost all CJEU acts. They can be in one or multiple languages from one or multiple sources.

When you open a document, you can find its keywords in a separate section, which may contain different elements depending on the number of sources and language versions.



The Keyword section is expanded by default but you can collapse it using the arrow at the end of the bar.

At the end of the bar, which divides the section, you can find sources of keywords: they may be created by EuroCases or imported from an open source, such as the author of the document (court, jurisdiction), the DecNat, Jure, Reflets databases, etc.

Summary

Summaries are only available for important national court decisions and for almost all CJEU acts. They may be in one or multiple languages from one or multiple sources.



BVerwG, Urteil vom 26.01.2006, 2 C 43.04

Keywords EuroCases DecNat Document >

Summary ← EuroCases DecNat Document v

EN DE

In the present case the claimant seeks to recover family benefits from the respondent whereby the former was a civil servant employed by the latter. However, the German Federal court rejected the claim and adopted the same position as the appeal court that Art. 40 para. 1 Nr. 1 of the German Civil Servants Pay Act (hereafter referred to as BbesG) is not contrary to Directive 2000/78/EC if there is a limitation of the eligibility for and entitlement to family benefits for employees which are, in comparison to married persons, in a registered partnership. Bearing in mind Nr. 22 of Directive 2000/78/EC and the jurisprudence of the European Court of Justice in the joint cases [C - 122/99](#) and [C - 125/99](#) the German Federal Court (Bundesgerichtshof) held that the the national legislation is left with a discretion as to matters relating to the marital status and the respective benefit payments dependent on it and that a different treatment of married persons on the one hand and of persons in a registered partnership on the other hand, as far as the guaranteeing and granting of remuneration is concerned, is not a discrimination on the grounds of sex. The German Federal Court (Bundesgerichtshof) also pointed out to the fact that the legislature had decided on purpose not to introduce an entitlement to family benefits for persons which are in a registered partnership and for this reason here an analogue application of the guarantee for family benefits granted to married civil servants is not possible.

When you open a document, you can find its summary in a separate section, which may contain different elements depending on the number of sources and language versions. The Summary section is expanded by default but you can collapse it.

At the end of the bar, which divides the section, you can find sources of summaries: they may be created by EuroCases or imported from an open source, such as the relevant court, the DecNat, Jure, Reflets databases, etc.

Press release

Press release are a special category of summary, which is most often created by the source of the document, e.g. the Press Office of a court. When you open a document, you can find its press summary in a separate section, which may contain different elements depending on the number of sources and language versions. The section is expanded by default but you can collapse it.

☆

Export to
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Print

Languages
DE

Search in document

◀ ▶ 🔍

BGH, URTEIL vom 05.05.2015, XI ZR 406/13

Summary

Document >

Press release

[Pressemitteilung Nr. 78/15 vom 5.5.2015](#)
[Pressemitteilung Nr. 7/15 vom 19.1.2015](#)

Bibliographic notice

Publication reference

The publication reference is located at the very beginning for EU legal acts only. It contains the number of the Official Journal (OJ) where the act was published and information about the available language versions on the EUR-Lex website.

Council Directive 2013/42/EU of 22 July 2013 amending Directive 2006/112/EC on the common system of value added tax, as regards a Quick Reaction Mechanism against VAT fraud

Publication reference

◀

OJ L 201, 26.7.2013, p. 1–3 (BG, ES, CS, DA, DE, ET, EL, EN, FR, IT, LV, LT, HR, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV)

Languages, formats and links to OJ

Those data are located at the very beginning for EU legal acts only. They show the language versions and file formats available on the EUR-Lex website.

Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions (recast) (Text with EEA relevance) (Consolidated version: 2014-01-01)

Languages, formats and link to OJ

BG ES CS DA DE ET EL EN FR GA HR IT LV LT HU MT NL PL PT RO SK SL FI SV

PDF

HTML

◀

Bibliographic notice

For EUR-Lex documents the bibliographic notice is identical to the one in the EUR-Lex portal.

For national court decisions processed by APIS officers, the bibliographic notice contains document metadata, classifications, publication and references.

Document metadata

Those are data uniquely identifying the document.

Bibliographic notice

Document metadata

Jurisdiction: United Kingdom
Court: The Supreme Court
Date of document: 2013-05-01
Document number: [2013] UKSC 25
Document type: Judgment

Classifications

Classifications

Each document is assigned to some category under one of the four classifiers and each term refers to a list of documents assigned to it.

Bibliographic notice

Document metadata

Jurisdiction: United Kingdom
Court: The Supreme Court
Date of document: 2013-05-01
Document number: [2013] UKSC 25
Document type: Judgment

Classifications

EuroCases classifier

[Environmental Law](#)
[Environmental Law / Air pollution and air quality](#)

EuroVoc thesaurus

[pollution](#)

Subject matter

[Pollution \(POLL\)](#)

Directory of EU case law

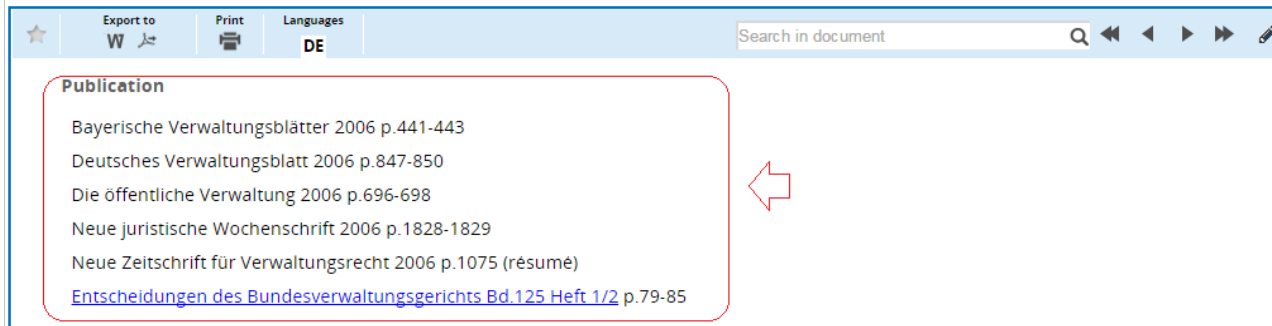
[Systematic classification scheme after the Lisbon Treaty \(2010\) / Internal policy of the European Union / Environment, sustainable development and climate](#)

- *EuroVoc* is a multilingual, multidisciplinary thesaurus covering the activities of the EU.
- *Directory of EU Case Law* is a hierarchical subject classifier of CJEU case law. It is used as part of the EUR-Lex system.
- *EuroCases* is a hierarchical subject classifier of case law.
- *Subject matter* is a classifier by subjects to which legal documents are related.

Three of the four classifiers, *Directory of EU legislation*, *EuroVoc thesaurus* and *Subject matter*, are developed and used by the *EUR-Lex* official electronic platform of the EU. The fourth classifier, called *EuroCases classifier*, was developed by Apis.

Publication

This section contains information about publications of the court decision in professional law journals.



Publication

- Bayerische Verwaltungsblätter 2006 p.441-443
- Deutsches Verwaltungsblatt 2006 p.847-850
- Die öffentliche Verwaltung 2006 p.696-698
- Neue juristische Wochenschrift 2006 p.1828-1829
- Neue Zeitschrift für Verwaltungsrecht 2006 p.1075 (résumé)
- [Entscheidungen des Bundesverwaltungsgerichts Bd.125 Heft 1/2 p.79-85](#)

References

This section contains references to other acts related to the opened document. They are arranged in several groups:

- EU Treaties;
- EU core provisions;
- National core provisions;
- Other acts relevant to the case.
- Other referred EU provisions;
- EU case law;

Export to W Print Languages EN Search in document

References

Treaty ←

Treaty establishing the European Economic Community (EEC)

EU core provisions ←

[31977L0388](#)

[31977L0388, Article 13B](#)

Other referred EU provisions ←

[11997E, Article 234, Paragraph 3](#)

EU case law ←

[62001CJ0275](#)

[61992CJ0063](#)

[61998CJ0158](#)

[61999CJ0150](#)

[61998CJ0409](#)

[61996CJ0349](#)

[61994CJ0231](#)

[61997CJ0359](#)

National core provisions ←

[Value Added Tax Act 1994 \(UK\)](#)

Outbound references

Those are quotations of EU law or CJEU case law. They are marked in blue and when you hover over them, you get a hint with the title of the relevant act and, as applicable, the text of the quoted provision.

Export to W Print Languages EN Search in document

APMSD received it. APSA contended that, in these circumstances, the claimant's action against it was time-barred since it had been raised more than 10 years after APSA had put the Product into circulation. In advancing this defence, APSA relied on section 11A(3) of the Limitation Act 1980 and [Article 11 of Council Directive 85/374/EEC](#) of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products:

"Member States shall provide in their legislation that the rights extinguished upon the expiry of a period of ten years from the date on which the producer put into circulation the actual product which caused the damage, unless the injured person has in the meantime instituted proceedings against the producer."

5. Faced with this defence in his action against APSA, in his application for an order that APSA be substituted for the Product, the claimant relied on rule 19.5(3)(a) of the Limitation Act 1980 and rule 19.5(3)(a) of the Limitation Act 1980 and rule 19.5(3)(a) of the Limitation Act 1980.

6. It is, of course, common ground that the application was made in time for the claimant to initiate proceedings against the producer of the Product. In the circumstances, it was inconsistent with Article 11. By contrast, the claimant contended that the provisions of domestic law permitting this substitution would not be inconsistent with Article 11.

§ 31985L0374

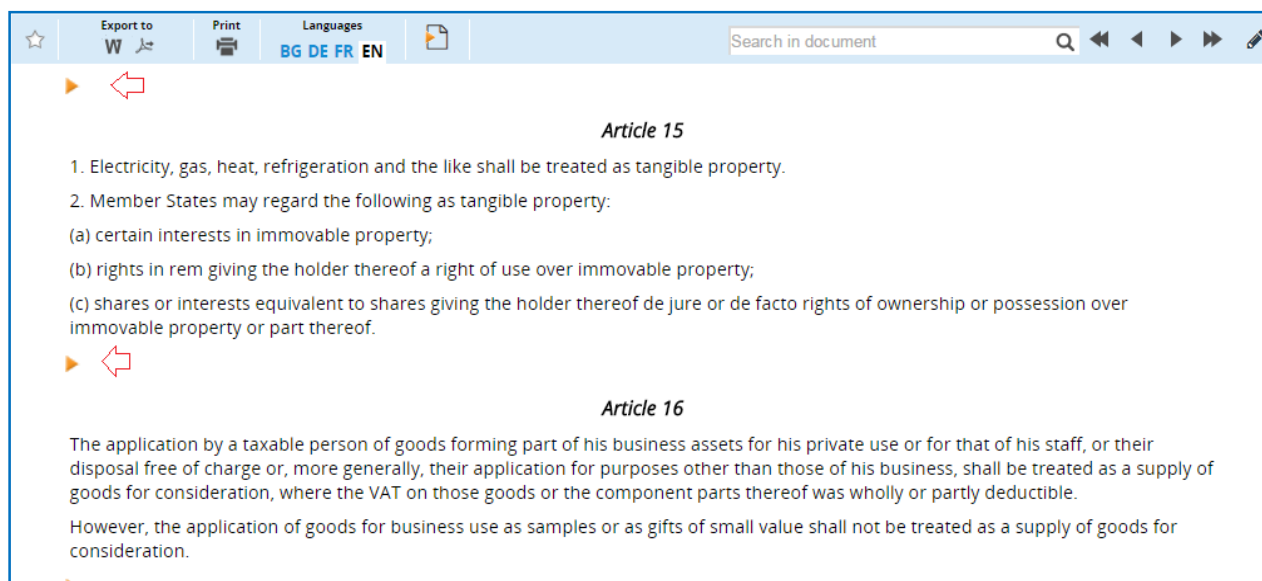
Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products

Article 11

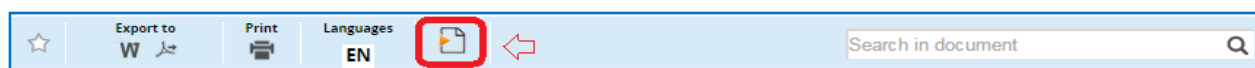
Member States shall provide in their legislation that the rights conferred upon the injured person pursuant to this Directive shall be extinguished upon the expiry of a period of 10 years from the date on which the producer put into circulation the actual product which caused the damage, unless the injured person has in the meantime instituted proceedings against the producer.

Inbound (reverse) references

Those are references from other documents made to a provision/paragraph of the opened document. The orange triangle icon next to each article retrieves a list of documents, which contain quotations of this provision.



Along with links to a provision, all other documents, referring to it could be open. A list is produced, containing all documents, which quote the initial one. This option could be used from the icon on the context bar above the text of each document.

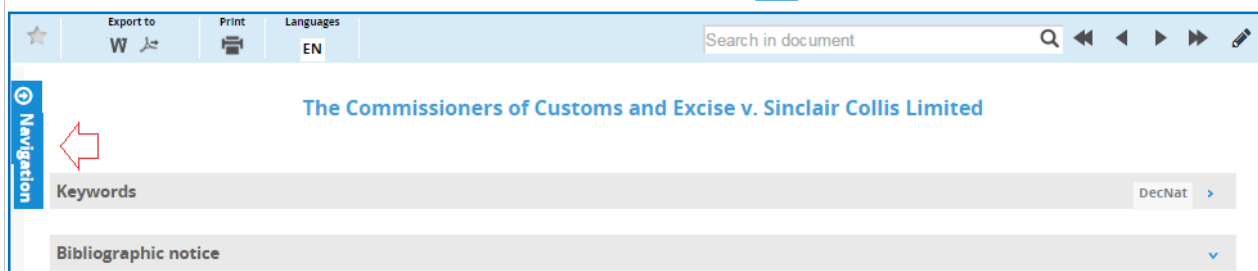


Document Contents

In the left navigation panel, you can find the contents of a document and when you select an item from the table of contents, the application will take you to the relevant item within the document structure.

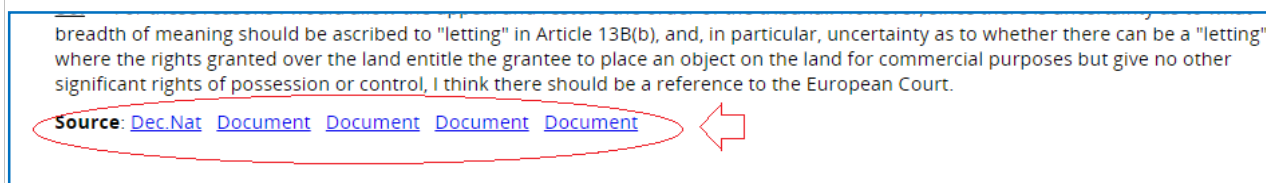


You can collapse and expand the Contents panel using the  icon.



Source

At the end of each document, you can find references to the sources of information about that document online. Those can be sources of the text of the document or parts of it: summary, keywords, etc. In this way, you will be able to see the original source of information, if still existing and freely accessible.



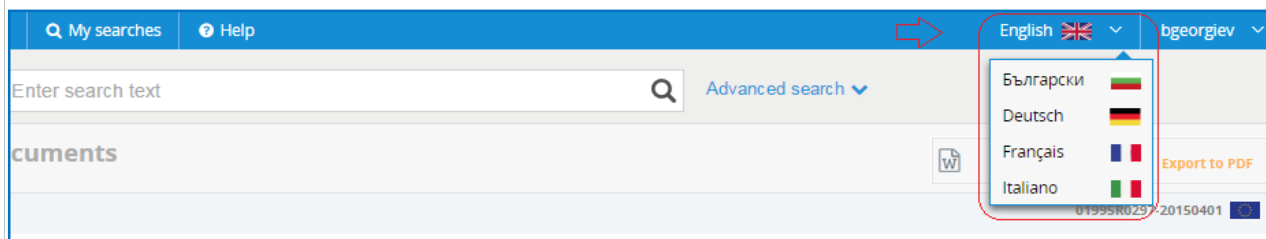
Some of this sources are not in the data base itself, but are connected with references, and can be easily found and opened in the Internet. For example, it is possible for a court decision to have a summary, which by some reason is not included in the data base, but has link leading to it.

Change of interface language

Currently, the EuroCases interface is available in five main languages: Bulgarian, English, German, French, and Italian.

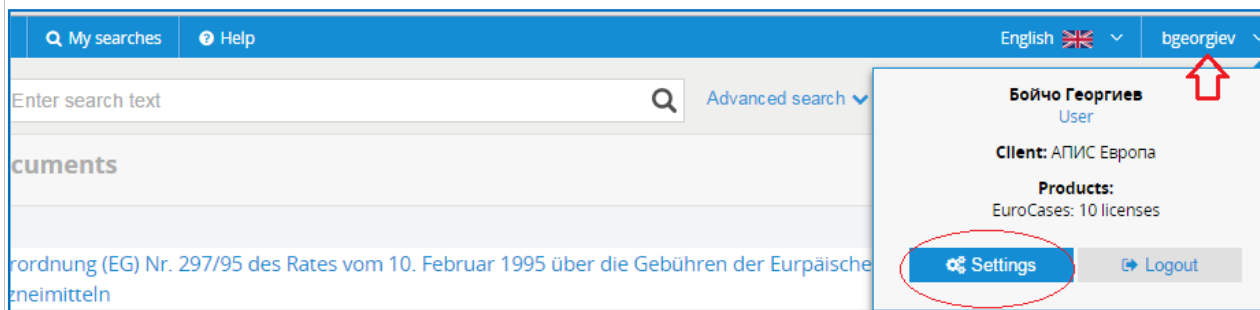
Changing the interface language will result in:

- Change of language of documents that have several language versions in a list of EU legislation and CJEU case law;
- Change of language of any open document that has several language versions;
- Change of language of all the menus, buttons, hints and other elements of the interface.



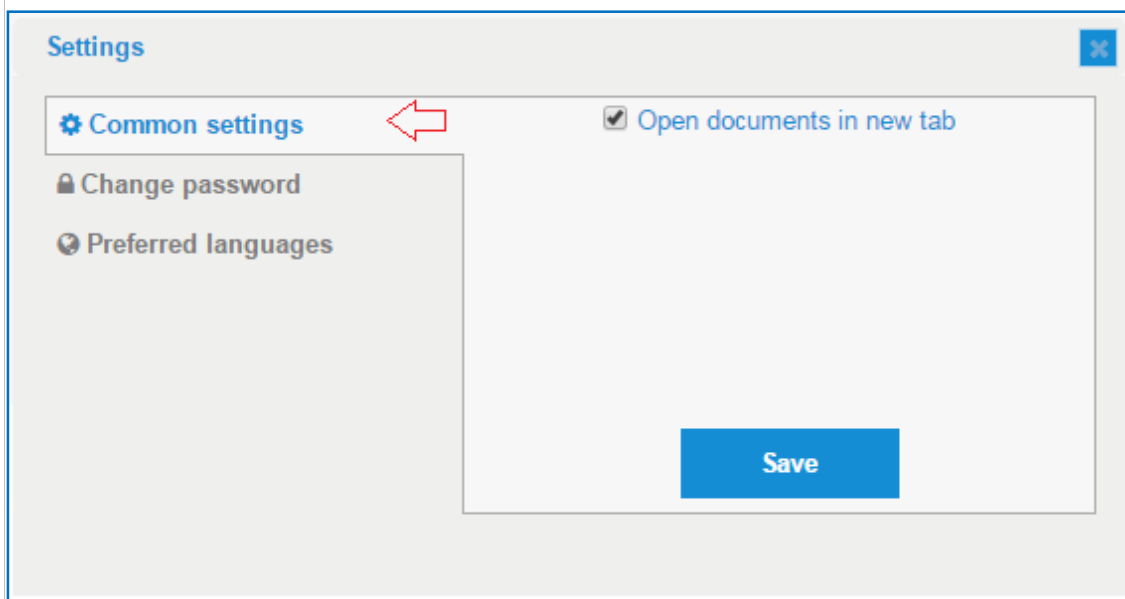
User Settings

You can find your user settings in the right corner of the horizontal menu bar where your user name and information are displayed. A dedicated Settings button is displayed.



Common settings

This functionality enables the user to set in advance the way how to open the documents from the application. By default each document will be opened in a new tab of the browser. This can be changed from this option and all the documents can be opened in the current window whereby the windows can be navigated by the means of the "back" button. This enables the user to work with the application according to his or her preferences.



Change password

You can change your password in the Settings menu. You need to re-enter your new password for confirmation and then click the Save button to save it.

Settings

Common settings

Change password

Preferred languages

New password

Repeat password

Save

Preferred Languages






The user can select a language version which will open by default, if no version is available in the language of the interface.

Settings

Common settings

Change password

Preferred languages

1		Български	▼ ▲
2		Français	▼ ▲
3		English	▼ ▲
4		Deutsch	▼ ▲
5		Italiano	▼ ▲

Save