

However, those provisions and principles must be interpreted as precluding national legislation establishing a mechanism of assistance in compiling the documentation under which the contracting authority may require a tenderer, on payment of a financial penalty, to remedy the lack of a document which, according to the express provisions in the contract documentation, must result in the exclusion of that tenderer, or to eliminate the irregularities affecting its tender such that any corrections or changes would amount to a new tender.

⁽¹⁾ OJ C 22, 23.1.2017.

Judgment of the Court (Second Chamber) of 1 March 2018 (request for a preliminary ruling from the Kammergericht Berlin — Germany) — proceedings brought by Doris Margret Lisette Mahnkopf

(Case C-558/16) ⁽¹⁾

(Reference for a preliminary ruling — Area of freedom, security and justice — Regulation (EU) No 650/2012 — Succession and European Certificate of Succession — Scope — Ability to include the surviving spouse's share in the European Certificate of Succession)

(2018/C 142/12)

Language of the case: German

Referring court

Kammergericht Berlin

Parties to the main proceedings

Doris Margret Lisette Mahnkopf

Other party: Sven Mahnkopf

Operative part of the judgment

Article 1(1) of Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession must be interpreted as meaning that a national provision, such as that at issue in the main proceedings, which prescribes, on the death of one of the spouses, a fixed allocation of the accrued gains by increasing the surviving spouse's share of the estate falls within the scope of that regulation.

⁽¹⁾ OJ C 30, 30.1.2017.

Judgment of the Court (First Chamber) of 28 February 2018 (request for a preliminary ruling from the Verwaltungsgericht Berlin — Germany) — Trinseo Deutschland Anlagengesellschaft mbH v Bundesrepublik Deutschland

(Case C-577/16) ⁽¹⁾

(Reference for a preliminary ruling — Environment — Scheme for greenhouse gas emission allowance trading within the European Union — Directive 2003/87/EC — Scope — Article 2(1) — Annex I — Activities subject to the trading scheme — Production of polymers — Use of heat supplied by a third-party installation — Application for free allocation of emission allowances — Period 2013-2020)

(2018/C 142/13)

Language of the case: German

Referring court

Verwaltungsgericht Berlin