

2. Refers the case back to the General Court of the European Union for judgment on the merits;
3. Reserves the costs.

(¹) OJ C 45, 10.2.2020.

Judgment of the Court (Fifth Chamber) of 24 June 2021 (request for a preliminary ruling from the Oberverwaltungsgericht für das Land Nordrhein-Westfalen — Germany) — DB Netz AG v Bundesrepublik Deutschland

(Case C-12/20) (¹)

(Reference for a preliminary ruling — Rail transport — International rail freight corridors — Regulation (EU) No 913/2010 — Article 13(1) — Establishment of a one-stop shop for each freight corridor — Article 14 — Nature of the framework for the allocation of the infrastructure capacity on the freight corridor laid down by the executive board — Article 20 — Regulatory bodies — Directive 2012/34/EU — Article 27 — Procedure for submitting applications for infrastructure capacity — Role of infrastructure managers — Articles 56 and 57 — Functions of the regulatory bodies and cooperation between regulatory bodies)

(2021/C 320/08)

Language of the case: German

Referring court

Oberverwaltungsgericht für das Land Nordrhein-Westfalen

Parties to the main proceedings

Applicant: DB Netz AG

Defendant: Bundesrepublik Deutschland

Operative part of the judgment

1. Article 13(1), Article 14(9) and Article 18 (c) of Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight, and Article 27(1) and (2) of Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European rail area, read in conjunction with point 3(a) of Annex IV to that directive, must be interpreted as meaning that the infrastructure manager, defined in Article 3(2) of that directive, is the competent authority for adopting, in the context of the national network statement, the applicable rules for submitting applications for infrastructure capacity, including those regarding the exclusive use of a particular electronic booking system, to the one-stop shop provided for in Article 13(1);
2. The review by a national regulatory body of the rules relating to the procedure for submitting applications for infrastructure capacity to the one-stop shop laid down in the network statement is governed by the provisions of Article 20 of Regulation No 913/2010 and those provisions must be interpreted as meaning that the regulatory body of a Member State cannot object to those rules without complying with the cooperation obligations arising from Article 20 and, in particular, without consulting the regulatory bodies of the other Member States involved in the freight corridor in order to achieve, as far as possible, a uniform approach;

3. Article 14(1) of Regulation No 913/2010, must be interpreted as meaning that the framework for the allocation of the infrastructure capacity on the freight corridor laid down by the executive board pursuant to that provision does not constitute an act of EU law.

(¹) OJ C 137, 27.4.2020.

Judgment of the Court (Tenth Chamber) of 24 June 2021 — WD v European Food Safety Authority

(Case C-167/20 P) (¹)

(Appeal — Civil service — Members of the temporary staff — Fixed-term contract — Decision not to reclassify — Lack of appraisal reports — Decision not to renew the contract)

(2021/C 320/09)

Language of the case: French

Parties

Appellant: WD (represented by: L. Levi, avocate)

Other party to the proceedings: European Food Safety Authority (represented by: D. Detken and F. Volpi, acting as Agents, and by D. Waelbroeck, C. Dekemexhe and A. Duron, avocats)

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders WD to bear her own costs relating to the appeal and pay those incurred by the European Food Safety Authority (EFSA).

(¹) OJ C 271, 17.8.2020.

Order of the Court (Seventh Chamber) of 18 May 2021 (request for a preliminary ruling from the Landesverwaltungsgericht Steiermark — Austria) — Fluctus s.r.o., Fluentum s.r.o., KI v Landespolizeidirektion Steiermark

(Case C-920/19) (¹)

(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — Article 56 TFEU — Freedom to provide services — Restrictions — Gambling — Dual system of organisation of the market — Monopoly on lottery products and casino games — Prior authorisation for the use of automatic gaming machines — Advertising practices of the monopolist — Criteria for assessment — Constitutional case-law finding the national legislation to be compatible with EU law)

(2021/C 320/10)

Language of the case: German

Referring court

Landesverwaltungsgericht Steiermark

Parties to the main proceedings

Appellants: Fluctus s.r.o., Fluentum s.r.o., KI