

## V

*(Announcements)*

## COURT PROCEEDINGS

## COURT OF JUSTICE

**Judgment of the Court (Grand Chamber) of 21 January 2020 (request for a preliminary ruling from the Tribunal Económico-Administrativo Central — Spain) — Proceedings brought by Banco de Santander SA**

**(Case C-274/14) <sup>(1)</sup>**

***(Reference for a preliminary ruling — Article 267 TFEU — Definition of ‘court or tribunal of a Member State’ — Criteria — Independence of the national body concerned — Irremovability of the members — Inadmissibility of the request for a preliminary ruling)***

(2020/C 77/02)

*Language of the case: Spanish*

**Referring court**

Tribunal Económico-Administrativo Central

**Party to the main proceedings**

Banco de Santander SA

**Operative part of the judgment**

The request for a preliminary ruling from the Tribunal Económico-Administrativo Central (Central Tax Tribunal, Spain), made by decision of 2 April 2014, is inadmissible.

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<sup>(1)</sup> OJ C 303, 8.9.2014.

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**Judgment of the Court (Fourth Chamber) of 22 January 2020 — PTC Therapeutics International Ltd v European Medicines Agency, European Confederation of Pharmaceutical Entrepreneurs (Eucope)**

**(Case C-175/18 P) <sup>(1)</sup>**

***(Appeal — Access to documents of EU institutions, bodies, offices or agencies — Regulation (EC) No 1049/2001 — First indent of Article 4(2) — Exception relating to the protection of commercial interests — Article 4(3) — Protection of the decision-making process — Documents submitted to the European Medicines Agency in the context of a marketing authorisation application for a medicinal product for human use — Decision to grant a third party access to the documents — General presumption of confidentiality — No obligation for an EU institution, body, office or agency to apply a general presumption of confidentiality)***

(2020/C 77/03)

*Language of the case: English*

**Parties**

**Appellant:** PTC Therapeutics International Ltd (represented by: G. Castle, B. Kelly, and K. Ewert, Solicitors, and by C. Thomas, Barrister, and M. Demetriou QC)

*Other parties to the proceedings:* European Medicines Agency (initially represented by: T. Jabłoński, S. Marino, S. Drosos, A. Spina and A. Rusanov, and subsequently by T. Jabłoński, S. Marino and S. Drosos, acting as Agents), European Confederation of Pharmaceutical Entrepreneurs (Eucope) (represented by: S. Cowlshaw, Solicitor, and D. Scannell, Barrister)

### Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders PTC Therapeutics International Ltd to bear its own costs and to pay those incurred by the European Medicines Agency (EMA);
3. Orders the European Confederation of Pharmaceutical Entrepreneurs to bear its own costs.

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<sup>(1)</sup> OJ C 231, 2.7.2018.

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**Judgment of the Court (Second Chamber) of 22 January 2020 (request for a preliminary ruling from the Juzgado de lo Contencioso-Administrativo No 14 de Madrid — Spain) — Almudena Baldonado Martín v Ayuntamiento de Madrid**

(Case C-177/18) <sup>(1)</sup>

*(Reference for a preliminary ruling — Social policy — Directive 1999/70/EC — Framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP — Clause 4 — Principle of non-discrimination — Clause 5 — Measures to prevent abuse arising from the use of successive fixed-term employment contracts or relationships — Compensation if the employment relationship is terminated — Articles 151 and 153 TFEU — Articles 20 and 21 of the Charter of Fundamental Rights of the European Union — Applicability — Difference of treatment based on whether a public or private regime, within the meaning of national law, governs the employment relationship)*

(2020/C 77/04)

Language of the case: Spanish

### Referring court

Juzgado de lo Contencioso-Administrativo No 14 de Madrid

### Parties to the main proceedings

*Applicant:* Almudena Baldonado Martín

*Defendant:* Ayuntamiento de Madrid

### Operative part of the judgment

1. Clause 4(1) of the framework agreement on fixed-term work concluded on 18 March 1999, which is set out in the annex to Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, must be interpreted as not precluding a national law that does not provide for the payment of any compensation either for fixed-term workers employed as interim civil servants or for established civil servants who have an employment relationship of indefinite duration, upon the termination of their employment, whereas it provides for the payment of such compensation to contract workers employed for an indefinite duration upon the termination of their contract of employment on an objective ground;