

## ECJ 16 November 2023, case C-583/21-586/21 (NC (Transfer of a Spanish notary's office), Transfer of Undertakings)

NC, JD, TA, FZ – v – BA, DA, DV, CG, Spanish case

### Summary

The change in the holder of a notarial practice must be treated in the same way as a change of employer and despite inter alia the fact that the notaries become the holder of a practice by reason of their appointment by the State. The ECJ's summary of the case is available on: <https://curia.europa.eu/jcms/upload/docs/application/pdf/2023-11/cp230173en.pdf>.

### Question

Must Article 1(1) of Directive 2001/23 be interpreted as meaning that that directive is applicable to a situation in which a notary, who is a public official and the private-sector employer of the employees in his or her service, succeeds the previous holder of a notarial practice, takes over his or her records and the staff who were employed by him or her and continues to carry out the same activity on the same premises with the same material resources.

### Ruling

Article 1(1) of Directive 2001/23 must be interpreted as meaning that that directive is applicable to a situation in which a notary, who is a public official and the private-sector employer of the employees posted to his or her practice, succeeds the previous holder of such a practice, takes over his or her records and an essential part of the staff who were employed by him or her and continues to carry out the same activity on the same premises with the same material resources, provided that the identity of that practice is retained, which it is for the referring court to determine, taking into consideration all the relevant circumstances.

## ECJ 23 November 2023, case C-209/21 P (Ryanair v Commission), Miscellaneous

Ryanair DAC – v – European Commission, French Republic, Kingdom of Sweden, EU case

### Summary

The Court definitively dismisses the appeals brought by Ryanair concerning the support measures put in place by France and Sweden during the Covid-19 pandemic. The ECJ's summary of the judgment is available on <https://curia.europa.eu/jcms/upload/docs/application/pdf/2023-11/cp230176en.pdf>.

### Ruling

The Court (Fourth Chamber):

- Dismisses the appeal;
- Orders Ryanair DAC to bear its own costs and to pay those incurred by the European Commission;
- Orders the French Republic and the Kingdom of Sweden to bear their own costs.

193

## ECJ 28 November 2023, case C-148/22 (Commune d'Ans), Religious Discrimination

OP – v – Commune d' Ans, Belgian case

### Summary

Wearing of religious symbols in the workplace: a public administration may decide to prohibit all of its employees from wearing such signs. The ECJ's summary of the case can be found on <https://curia.europa.eu/jcms/upload/docs/application/pdf/2023-11/cp230181en.pdf>.