

A national court may not, when carrying out a judicial review of a decision of the national regulatory authority, require that authority to demonstrate that the obligation actually attains the objectives set out in Article 8 of Directive 2002/21, as amended by Directive 2009/140.

<sup>(1)</sup> OJ C 138, 27.4.2015.

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**Judgment of the Court (Eighth Chamber) of 22 September 2016 (request for a preliminary ruling from the Gerechtshof Amsterdam — Netherlands) — Kawasaki Motors Europe NV v Inspecteur van de Belastingdienst/Douane**

(Case C-91/15) <sup>(1)</sup>

*(Reference for a preliminary ruling — Assessment of validity — Regulation (EC) No 1051/2009 — Common Customs Tariff — Tariff classification — Combined Nomenclature — Heading 8701 — Tractors — Subheadings 8701 90 11 to 8701 90 39 — Agricultural tractors (excluding pedestrian-controlled tractors) and forestry tractors, wheeled, new — Light four-wheeled all terrain vehicles designed to be used as tractors)*

(2016/C 419/16)

Language of the case: Dutch

**Referring court**

Gerechtshof Amsterdam

**Parties to the main proceedings**

Applicant: Kawasaki Motors Europe NV

Defendant: Inspecteur van de Belastingdienst/Douane

**Operative part of the judgment**

Paragraph 2 of the annex to Commission Regulation (EC) No 1051/2009 of 3 November 2009 concerning the classification of certain goods in the Combined Nomenclature is invalid in so far as it classifies the vehicle described in that paragraph under subheading 8107 90 90 of that Combined Nomenclature, as amended by Commission Regulation (EC) No 948/2009 of 30 September 2009, and not under one of subheadings 8701 90 11 to 8701 90 39 of that Combined Nomenclature, which correspond to the engine power of that vehicle.

<sup>(1)</sup> OJ C 146, 4.5.2015.

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**Judgment of the Court (Grand Chamber) of 20 September 2016 — Konstantinos Mallis (C-105/15 P), Elli Konstantinou Malli (C-105/15 P), Tameio Pronoias Prosopikou Trapezis Kyprou (C-106/15 P), Petros Chatzithoma (C-107/15 P), Elenitsa Chatzithoma (C-107/15 P), Lella Chatziioannou (C-108/15 P), Marinos Nikolaou (C-109/15 P) v European Commission, European Central Bank**

(Joined Cases C-105/15 P to C-109/15 P) <sup>(1)</sup>

*(Appeals — Stability support programme for the Republic of Cyprus — Eurogroup statement concerning, in particular, the restructuring of the banking sector in Cyprus — Actions for annulment)*

(2016/C 419/17)

Language of the case: Greek

**Parties**

Appellants: Konstantinos Mallis (C-105/15 P), Elli Konstantinou Malli (C-105/15 P), Tameio Pronoias Prosopikou Trapezis Kyprou (C-106/15 P), Petros Chatzithoma (C-107/15 P), Elenitsa Chatzithoma (C-107/15 P), Lella Chatziioannou (C-108/15 P), Marinos Nikolaou (C-109/15 P) (represented by: E. Efstathiou, K. Efstathiou and K. Liasidou, dikigoro)