

## V

*(Announcements)*

## COURT PROCEEDINGS

## COURT OF JUSTICE

**Order of the Court (Ninth Chamber) of 18 January 2022 — Hungary v European Commission****(Case C-185/20 P) <sup>(1)</sup>*****(Appeal — Article 181 of the Rules of Procedure of the Court of Justice — Action for annulment — EAGF and EAFRD — Expenditure excluded from EU financing — Expenditure incurred by Hungary)*****(2022/C 222/02)***Language of the case: Hungarian***Parties***Appellant:* Hungary (represented by: M. Z. Fehér and G. Koós, agents)*Other party:* European Commission (represented by: V. Bottka and J. Aquilina, agents)**Operative part of the order**

1. The appeal is dismissed as being, in part, manifestly inadmissible and, in part, manifestly unfounded.
2. Hungary shall pay the costs.

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<sup>(1)</sup> OJ C 262, 10.8.2020.

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**Order of the Court (Sixth Chamber) of 3 March 2022 — Single Resolution Board v Hypo Vorarlberg Bank AG****(Case C-663/20 P) <sup>(1)</sup>*****(Appeal — Article 182 of the Rules of Procedure of the Court — Banking union — Single Resolution Mechanism (SRM) — Single Resolution Fund (SRF) — Calculation of the 2017 ex ante contributions — Authentication of a decision of the Single Resolution Board (SRB) — Obligation to state reasons — Confidential data)*****(2022/C 222/03)***Language of the case: German***Parties***Appellant:* Single Resolution Board (represented: initially by P. A. Messina, J. Kerlin and H. Ehlers, acting as Agents, and by H.-G. Kamann and P. Gey, Rechtsanwälte, and F. Louis, avocat, and subsequently by J. Kerlin and H. Ehlers, acting as Agents, and by H.-G. Kamann and P. Gey, Rechtsanwälte, and F. Louis, avocat)

*Other party to the proceedings:* Hypo Vorarlberg Bank AG (represented by: G. Eisenberger and A. Brenneis, Rechtsanwälte)

### **Operative part of the order**

1. The judgment of the General Court of the European Union of 23 September 2020, *Hypo Vorarlberg Bank v SRB* (T-414/17, not published, EU:T:2020:437), is set aside.
2. The decision of the Executive Session of the Single Resolution Board of 11 April 2017 on the calculation of the 2017 ex ante contributions to the Single Resolution Fund (SRB/ES/SRF/2017/05) is annulled, in so far as it concerns Hypo Vorarlberg Bank AG.
3. The effects of the decision of the Executive Session of the Single Resolution Board of 11 April 2017 on the calculation of the 2017 ex ante contributions to the Single Resolution Fund (SRB/ES/SRF/2017/05), in so far as it concerns Hypo Vorarlberg Bank AG, are maintained until the entry into force, within a reasonable period which cannot exceed six months from the date of service of this order, of a new decision of the Single Resolution Board fixing the 2017 ex ante contribution to the Single Resolution Fund of that institution.
4. The Single Resolution Board shall bear its own costs, both at first instance and on appeal, and shall pay the costs incurred by Hypo Vorarlberg Bank AG at first instance.
5. Hypo Vorarlberg Bank AG shall bear its own costs relating to the appeal proceedings.
6. There is no longer any need to adjudicate on the application submitted by the Kingdom of Spain for leave to intervene in support of the form of order sought by the Single Resolution Board.

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<sup>(1)</sup> OJ C 44, 8.2.2021.

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### **Order of the Court (Sixth Chamber) of 3 March 2022 — Single Resolution Board (SRB) v Portigon AG, European Commission**

**(Case C-664/20 P) <sup>(1)</sup>**

***(Appeal — Article 182 of the Rules of Procedure of the Court — Banking union — Single Resolution Mechanism (SRM) — Single Resolution Fund (SRF) — Calculation of the 2017 ex ante contributions — Authentication of a decision of the Single Resolution Board (SRB) — Obligation to state reasons — Confidential data)***

**(2022/C 222/04)**

*Language of the case: German*

### **Parties**

*Appellant:* Single Resolution Board (SRB) (represented: initially by P. A. Messina and J. Kerlin, acting as Agents, and by H.-G. Kamann and P. Gey, Rechtsanwälte, and F. Louis, avocat, and subsequently by K. Jakub, acting as Agent, and by H.-G. Kamann and P. Gey, Rechtsanwälte, and F. Louis, avocat)

*Other parties to the proceedings:* Portigon AG (represented by: D. Bliesener, F. Geber and V. Jungkind, Rechtsanwälte), European Commission (represented by: D. Triantafyllou, A. Nijenhuis and A. Steiblytė, acting as Agents)

### **Operative part of the order**

1. The judgment of the General Court of the European Union of 23 September 2020, *Portigon v SRB* (T-420/17, not published, EU:T:2020:438), is set aside.