

**LEGAL DOCUMENTS  
AT EU LEVEL**

RESEARCH OF LEGAL DOCUMENTS

Dr. Markus Frischhut, LL.M.



# LEGAL CITATION AND RESEARCH

**Markus Frischhut**



## Please note:

- This video is **supplementing** this presentation.
- The video is available on the following **website** ([jeanmonnet.mci.edu](http://jeanmonnet.mci.edu)) in two **languages** (DE and EN).
- A handout ('legal citation') summarizes the key examples of how to quote these legal documents.
- A second handout ('*Übersetzungen*') translates the most important terms from EN into DE.
- Please also note that most screenshots in this presentation are linked to the relevant website.



### LEGAL DOCUMENTS AT EU LEVEL

RESEARCH OF LEGAL DOCUMENTS

Dr. Markus Frischhut, LL.M.



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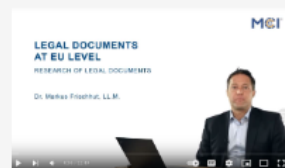
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Videotutorial: "Research and citation of legal documents at EU-Level"

by Dr. Markus Frischhut, LL.M.

[Video > Research of legal documents](#)

Presentation - Tutorial Legal Citation

Handout Legal Citation

Handout Legal Citation - German Translations

URL: <https://www.mci4me.at/de/services/bibliothek/datenbanken>

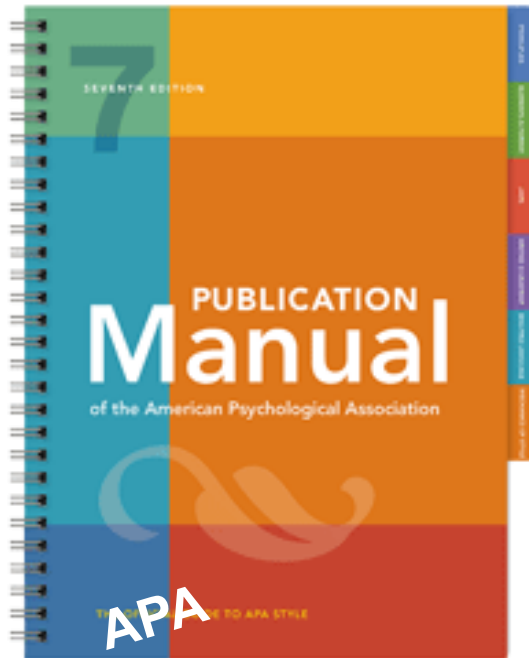


## Students ...

- ... should be able to **cite** legal documents, ...
- ... know, where to **find** those documents and ...
- ... are aware of some important **background information** concerning those documents.

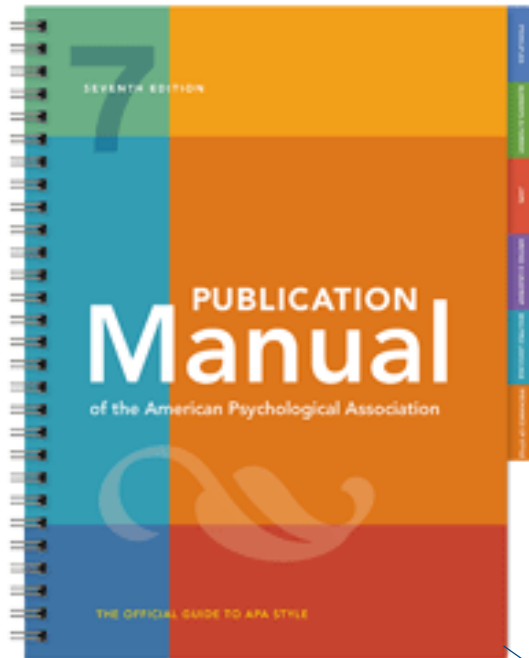


Picture credit: [https://en.wikipedia.org/wiki/Chad's\\_Gap](https://en.wikipedia.org/wiki/Chad's_Gap)



1. Scholarly Writing and Publishing Principles
2. Paper Elements and Format
3. Journal Article Reporting Standards
4. Writing Style and Grammar
5. Bias-Free Language Guidelines
6. Mechanics of Style
7. Tables and Figures
8. Works Credited in the Text
9. Reference List
10. Reference Examples
11. Legal References
12. Publication Process

American Psychological Association. (2020). *Publication manual of the American Psychological Association* (7th ed.). <https://doi.org/10.1037/0000165-000>



## 9 Reference List 281

- Reference Categories 281
- Principles of Reference List Entries 283
- REFERENCE ELEMENTS 285**
- Author 285
- Date 289
- Title 291
- Source 293
- Reference Variations 301
- Reference List Format and Order 303

## 10 Reference Examples 313

- Author Variations 314
- Date Variations 315
- Title Variations 315
- Source Variations 316
- Textual Works 316
- Data Sets, Software, and Tests 337
- Audiovisual Media 341
- Online Media 348

## 11 Legal References 355

- General Guidelines for Legal References 355
- Legal Reference Examples 357

## 12 Publication Process 371

- Preparing for Publication 371
- Understanding the Editorial Publication Process 376
- Manuscript Preparation 381
- Copyright and Permission Guidelines 384
- During and After Publication 390

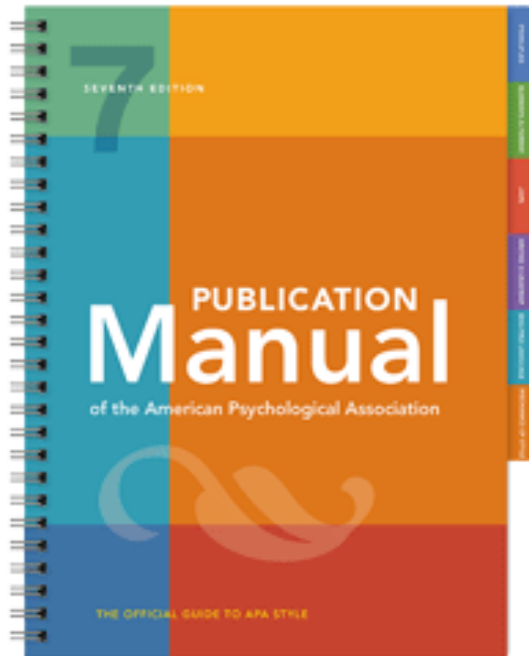
- Credits for Adapted Tables, Figures, and Papers* 397
- References 401
- Index 407

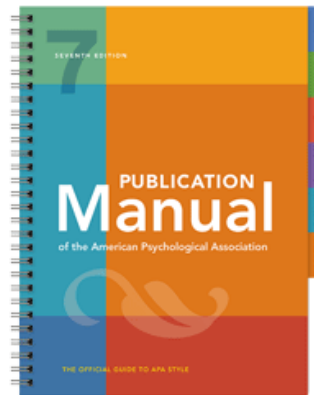
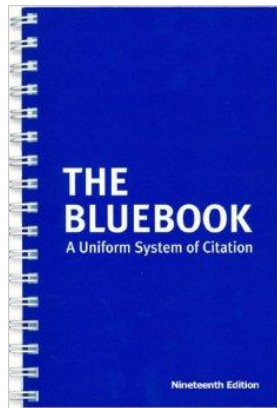


“**legal** style has notable **differences** form the APA Style references outlined in Chapter 10.”

“For the sake of brevity, **only United States** and United Nations **legal examples** are provided in this chapter. For more information on preparing these and others kinds of legal references, consult *The **Bluebook**: A Uniform System of Citation (Bluebook, 2015).*”

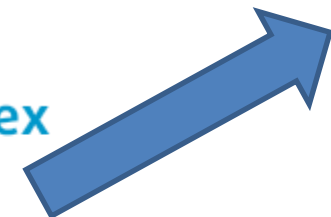
(American Psychological Association, 2020, p. 355)



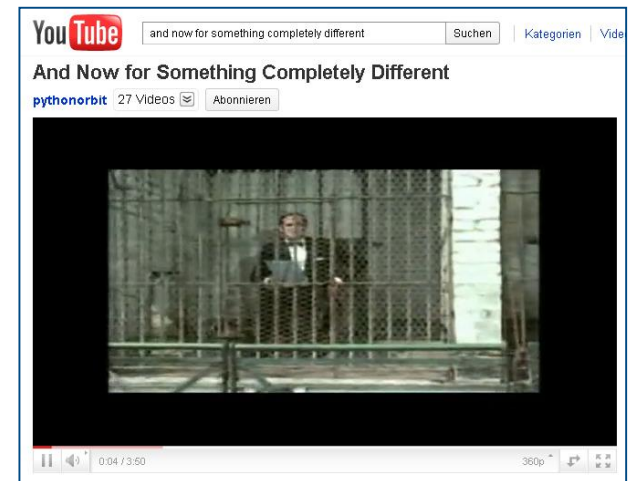


“References to legal materials, however, which include **court decisions, statutes, other legislative materials, and various secondary sources**, are most useful to the reader if they provide the information **in the [European] conventional format of legal citations.**”

(American Psychological Association, 2010, p. 216)



- *APA is referring to the **American** “Bluebook”, which deals with the US legal system, but not with EU law.*
- *Therefore, this gap is filled by referring to **EU / CJEU** standards.*





**x** CONTENTS

6.28 Publication Date 185  
6.29 Title 185  
6.30 Publication Information 186  
6.31 Electronic Sources and Locator Information 187  
6.32 Providing Publication Data for Electronic Sources 189

**7. Reference Examples 193**

Types and Variations 193

Examples by Topic 198

7.01 Periodicals 198  
7.02 Books, Reference Books, and Book Chapters 202  
7.03 Technical and Research Reports 205  
7.04 Meetings and Symposia 206  
7.05 Doctoral Dissertations and Master's Theses 207  
7.06 Reviews and Peer Commentary 208  
7.07 Audiovisual Media 209  
7.08 Data Sets, Software, Measurement Instruments, and Apparatus 210  
7.09 Unpublished and Informally Published Works 211  
7.10 Archival Documents and Collections 212  
7.11 Internet Message Boards, Electronic Mailing Lists, and Other Online Communities 214

Appendix 7.1: References to Legal Materials 216

A7.01 General Forms 216  
A7.02 Text Citations of Legal Materials 217  
A7.03 Court Decisions (*Bluebook* Rule 10) 217  
A7.04 Statutes (*Bluebook* Rule 12) 219  
A7.05 Legislative Materials (*Bluebook* Rule 13) 221  
A7.06 Administrative and Executive Materials (*Bluebook* Rule 14) 223  
A7.07 Patents 224

**8. The Publication Process 225**

Editorial Process 225

8.01 Peer Review 225  
8.02 Manuscript Acceptance or Rejection 226

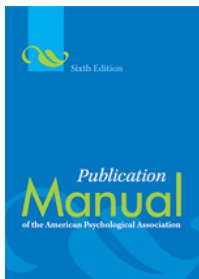
Author Responsibilities 228

8.03 Preparing the Manuscript for Submission 228  
8.04 Complying With Ethical, Legal, and Policy Requirements 231  
8.05 Publisher Policy Requirements 236  
8.06 Working With the Publisher When the Manuscript Has Been Accepted 239  
8.07 Checklist for Manuscript Submission 241

Appendix: Journal Article Reporting Standards (JARS), Meta-Analysis Reporting Standards (MARS), and Flow of Participants Through Each Stage of an Experiment or Quasi-Experiment 245

References 255

Index 259



“The **main difference** is that legal periodicals cite references in **footnotes**, whereas APA journals locate all references, including references to legal materials, in the reference list.”

“References to legal materials, however, which include **court decisions, statutes, other legislative materials, and various secondary sources**, are most useful to the reader if they provide the information in **the conventional format of legal citations.**”

(American Psychological Association, 2010, p. 216)

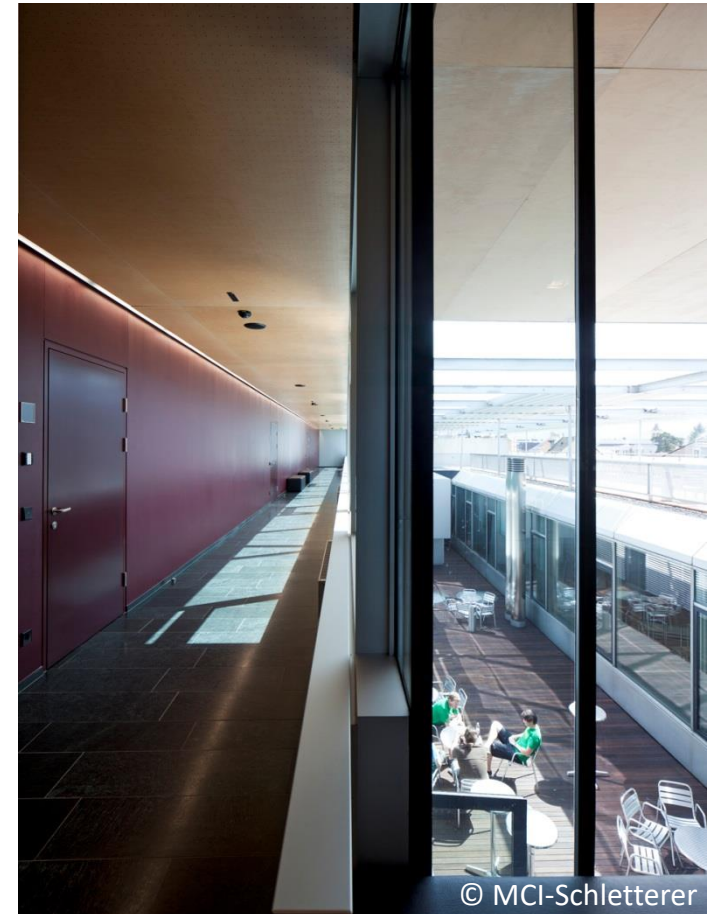
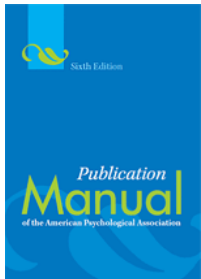
## 7.3 Layout and formal style.

### 7.3.1 Citation / referencing and quoting

The formal norms of an academic paper have to be applied in the master thesis. Referencing and citation must comply with APA style. This citation style should be used exclusively throughout the thesis. Although the above mentioned citation style usually proposes in-text referencing as a norm, you can also put your references in footnotes (especially in the case you write a legal thesis). **Please note: always include the PAGE NUMBER when citing in your paper!**

“Ensure that your legal references are **accurate** and contain all of the information necessary to **enable the reader to locate** the material being referenced.”

(American Psychological Association, 2010, p. 216)



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## Montesquieu

Picture credit:  
<http://www.righiottavo.it/materialididattici/Mozart/ragione.html>



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## Legislature (parliament)

- When dealing with a legal situation, always try to **think** in terms of all three powers.
- Also this **presentation** is mainly (allocation of some documents could also be seen in a different way) **structured** according to this separation of powers.

Against arbitrariness (absolutism)

Limitation of power

Guaranteeing freedom

## Judiciary (courts)



Picture credit: [http://www.rechtsfreund.at/begriff\\_rechtsfreund.htm](http://www.rechtsfreund.at/begriff_rechtsfreund.htm)

## Executive (administration)



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## Judiciary

- **CJEU judgments** (Court of Justice [ECJ] and General court [GC])
- Opinions of the Advocate General
- Austrian High Courts

## Legislative

- Commission Green and White Papers
- Commission MEMOs
- Commission press releases
- Commission proposals
- **Directives and regulations** (EU Secondary law)
- **TEU and TFEU** (EU Primary law)
- Austrian statutory laws (at both federal and regional level)
- Government bills etc.

## Administrative / executive materials

- At EU level: EU Tertiary law
- At national level

*N.B. The allocation of some documents could also be seen in a different way.*

*N.B. In order to keep this presentation as short as possible, not all possible types of documents are covered.*



**Judiciary**  
**(courts)**



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e-Curia ?

## THE COURT OF JUSTICE OF THE EUROPEAN UNION



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Annual Report  
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The General Court – Ensuring EU Instit... →

### News

N° 137/2018 : 20 September 2018

**Judgment of the Court of Justice in Case C-51/17 OTP Bank and OTP Faktoring**

[es](#) [de](#) [el](#) [en](#) [fr](#) [hr](#) [it](#) [hu](#) [pl](#) [pt](#) [ro](#)

The unfairness of an unclear contractual term which places the exchange rate risk on the borrower and does not reflect statutory provisions may be subject to judicial review

N° 136/2018 : 20 September 2018

**Opinion of the Advocate General in the case C-497/17 Oeuvre d'assistance aux bêtes d'abattoirs**

[es](#) [de](#) [el](#) [en](#) [fr](#) [it](#) [pl](#) [pt](#) [sl](#)

Advocate General Wahl proposes that the Court find that products from animals that have been the subject of ritual slaughter without prior stunning can be issued the European 'organic farming' label

### Search for a case

- Court
- Court of Justice
  - General Court
  - Civil Service Tribunal

Case no

Names of the parties

Dates from to

Search

advanced search

### Judicial calendar ?

September 2018

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

### Practical information

Jobs

Traineeships

Freelance translators





List of results by case | List of documents

Search result: 1 case(s)

1/1 **C-211/08 - Commission v Spain** [Case closed]

**Main proceedings**

Judgment of the Court (Grand Chamber) of 15 June 2010.  
**European Commission v Kingdom of Spain.**

Failure of a Member State to fulfil obligations - Article 49 EC - Social security - Hospital care needed during a temporary stay in another Member State - Lack of right to assistance from the competent institution to supplement that of the institution of the Member State of stay.

Case **C-211/08.**

Reports of Cases  
2010 I-05267

Links to the texts

	Curia	EUR-Lex
<b>Judgment</b>		
<b>ECLI:EU:C:2010:340</b>		
<b>Opinion</b>		
ECLI:EU:C:2010:88		

- N.B. When referring to the ECLI, the part “ECLI” itself should **not** be **mentioned** according to the CJEU guidelines.
- Thus: “EU:C:2010:340” and not “ECLI:EU:C:2010:340”.

First footnote: Judgment of 15 June 2010, *Commission v Spain*, C-211/08, EU:C:2010:340, para. 52.

For the **usual name** of the case, you can use the one indicated on the CJEU’s **webpage**.

Subsequent footnotes: Judgment of 15 June 2010, *Commission v Spain*, C-211/08, EU:C:2010:340, para. 58.

Thus, the **same** as in first footnote.

Table of cases: Judgment of 15 June 2010, *Commission v Spain*, C-211/08, EU:C:2010:340

Thus, the **same** as in footnotes (of course not pointing to a specific paragraph).



N.B. If you are using judgments of several different courts, for the sake of clarity, you can also indicate the court giving that decision at the beginning.

First footnote: ECJ judgment of 15 June 2010, *Commission v Spain*, C-211/08, EU:C:2010:340, para. 52.

For the usual name of the case, you can use the one indicated on the CJEU's webpage.

Subsequent footnotes: ECJ judgment of 15 June 2010, *Commission v Spain*, C-211/08, EU:C:2010:340, para. 58.

Thus, the same as in first footnote.

Table of cases: ECJ judgment of 15 June 2010, *Commission v Spain*, C-211/08, EU:C:2010:340

Thus, the same as in footnotes (of course not pointing to a specific paragraph).



Text

Document information

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European Commission v Kingdom of Spain.

Failure of a Member State to fulfil obligations - Article 49 EC - Social security - Hospital care needed during a temporary stay in another Member State - Lack of right to assistance from the competent institution to supplement that of the institution of the Member State of stay.

Case C-211/08.

European Court Reports 2010 I-05267

ECLI identifier: ECLI:EU:C:2010:340

Judgment of 15 June 2010, *Commission v Spain*, C-211/08, EU:C:2010:340, para. 52.

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- Thus: “EU:C:2010:340” and not “ECLI:EU:C:2010:340”.



List of results by case | List of documents

Search result: 1 case(s)

1/1 C-191/15 - Verein für Konsumenteninformation [Case closed]

Main proceedings

Judgment of the Court (Third Chamber) of 28 July 2016  
Verein für Konsumenteninformation v Amazon EU Sàrl  
Request for a preliminary ruling from the Oberster Gerichtshof  
Reference for a preliminary ruling — Judicial cooperation in civil matters — Regulations (EC) No 864/2007 and (EC) No 593/2008 — Consumer protection — Directive 93/13/EEC — Data protection — Directive 95/46/EC — Online sales contracts concluded with consumers resident in other Member States — Unfair terms — General terms and conditions containing a choice-of-law term applying the law of the Member State in which the company is established — Determination of the applicable law for assessing the unfairness of terms in those general terms and conditions in an action for an injunction — Determination of the law governing the processing of personal data of consumers

Case C-191/15

Reports of Cases  
published in the electronic Reports of Cases (Court Reports - general)

Links to the texts

	Curia	EUR-Lex
Judgment ECLI:EU:C:2016:612		
Opinion ECLI:EU:C:2016:388		

**First** footnote: Judgment of 28 July 2016, *Verein für Konsumenteninformation*, C-191/15, EU:C:2016:612, para. 2.

For the **usual name** of the case, you can use the one indicated on (top of) the CJEU's **webpage**.

For example, in case of legal persons, you can always **leave aside the company form** (GmbH, Ltd. etc.).

**Subsequent** footnotes: Judgment of 28 July 2016, *Verein für Konsumenteninformation*, C-191/15, EU:C:2016:612, para. 3.

Thus, the **same** as in first footnote.

**Table** of cases: Judgment of 28 July 2016, *Verein für Konsumenteninformation*, C-191/15, EU:C:2016:612

Thus, the **same** as in footnotes (of course not pointing to a specific paragraph).





List of results by case | List of documents

Search result: 1 case(s)

1/1 C-191/15 - Verein für Konsumenteninformation [Case closed]

Main proceedings

Judgment of the Court (Third Chamber) of 28 July 2016  
 Verein für Konsumenteninformation v Amazon EU Sàrl  
 Request for a preliminary ruling from the Oberster Gerichtshof  
 Reference for a preliminary ruling — Judicial cooperation in civil matters — Regulations (EC) No 864/2007 and (EC) No 593/2008 — Consumer protection — Directive 93/13/EEC — Data protection — Directive 95/46/EC — Online sales contracts concluded with consumers resident in other Member States — Unfair terms — General terms and conditions containing a choice-of-law term applying the law of the Member State in which the company is established — Determination of the applicable law for assessing the unfairness of terms in those general terms and conditions in an action for an injunction — Determination of the law governing the processing of personal data of consumers  
 Case C-191/15

Reports of Cases  
 published in the electronic Reports of Cases (Court Reports - general)

Links to the texts

	Curia	EUR-Lex
Judgment ECLI:EU:C:2016:612		
<b>Opinion</b> <b>ECLI:EU:C:2016:388</b>		

- An opinion of the Advocate General (AG) is usually **more comprehensive** than a ECJ judgment.
- Advocates General point out different possible **solutions**, and the ECJ then just opts for one.
- ECJ follows the AG in about 80-90% of all cases.

First footnote: **Opinion** of AG Saugmandsgaard Øe of 2 June 2016, *Verein für Konsumenteninformation*, C-191/15, EU:C:2016:388, para. 20.

Of course you don't have to use the abbreviation and can also write "Advocate General" in full.

The Advocates general themselves refer to "**point** 20" instead of "para. 20", either way is possible.

Subsequent footnotes: Opinion of AG Saugmandsgaard Øe of 2 June 2016, *Verein für Konsumenteninformation*, C-191/15, EU:C:2016:388, para. 23.

Thus, the **same** as in first footnote.

Table of cases: Opinion of AG Saugmandsgaard Øe of 2 June 2016, *Verein für Konsumenteninformation*, C-191/15, EU:C:2016:388

## Official Journal of the European Union



English edition

Information and Notices

Volume 59  
7 June 2016

Contents

2016/C 202/01	Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union .....	1
	Consolidated version of the Treaty on European Union .....	13
	Consolidated version of the Treaty on the Functioning of the European Union .....	47
	Protocols .....	201
	Annexes to the Treaty on the Functioning of the European Union .....	329
	Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, signed on 13 December 2007 .....	335
	Tables of equivalences .....	361
2016/C 202/02	Charter of Fundamental Rights of the European Union .....	389

Note to the reader (see page 2 of the cover)

### CJEU

#### Article 19

1. The Court of Justice of the European Union shall include the Court of Justice, the General Court and specialised courts. It shall ensure that in the interpretation and application of the Treaties the law is observed.

Member States shall provide remedies sufficient to ensure effective legal protection in the fields covered by Union law.

2. The Court of Justice shall consist of one judge from each Member State. It shall be assisted by Advocates-General.

The General Court shall include at least one judge per Member State.

Try to be **precise**, when referring to the relevant judicial institution of the EU.

- “**P**” stands for “*pourvoi*” (French term), thus indicating an **appeal to the Court of Justice**.
- “**C**” stands for “*Cour*” (French term), thus indicating a **judgment of the Court of Justice**.
- “**T**” stands for “*Tribunal*” (French term), thus indicating a **judgment of the General Court**.

## Article 19

1. The Court of Justice of the European Union shall include the Court of Justice, the General Court and specialised courts. It shall ensure that in the interpretation and application of the Treaties the law is observed.

Member States shall provide remedies sufficient to ensure effective legal protection in the fields covered by Union law.

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The General Court shall include at least one judge per Member State.

### Court of Justice

- Judgment of 17 October 2013, *Council v Access Info Europe*, C-280/11 P, EU:C:2013:671

### Advocate General

- Opinion of AG Cruz Villalón of 16 May 2013 in *Council v Access Info Europe*, C-280/11 P, EU:C:2013:325

### General Court

- Judgment of 22 March 2011, *Access Info Europe v Council*, T-233/09, EU:T:2011:105





List of results by case | List of documents

Search result: 1 case(s)

1/1 **C-280/11 P - Council v Access Info Europe** [Case closed]

**Main proceedings**

Judgment of the Court (First Chamber) of 17 October 2013.  
 Council of the European Union v Access Info Europe.

Appeal - Right of access to documents of the institutions - Regulation (EC) No 1049/2001 - Article 4(3), first subparagraph - Protection of the institutions' decision-making process - Note from the Council General Secretariat on the proposals submitted in the course of the legislative process for the revision of Regulation No 1049/2001 - Partial access - Refusal of access to information relating to the identity of Member States which put forward proposals.  
 Case C-280/11 P.

Reports of Cases  
 not yet published (Court Reports - general)

**(Appeal Case before the General Court T-233/09)**

Links to the texts

	Curia	EUR-Lex
<b>Judgment</b> ECLI:EU:C:2013:671		
<b>Opinion</b> ECLI:EU:C:2013:325		

1 / 1 Pages

List of results by case | List of documents

Search result: 1 case(s)

1/1 **T-233/09 - Access Info Europe v Council** [Case closed]

**Main proceedings**

Judgment of the General Court (Third Chamber) of 22 March 2011.  
 Access Info Europe v Council of the European Union.  
 Access to documents - Regulation (EC) No 1049/2001 - Document concerning an ongoing legislative procedure - Partial refusal of access - Action for annulment - Period allowed for bringing proceedings - Admissibility - Disclosure by a third party - Interest in bringing proceedings not lost - Identification of the Member State delegations which made proposals - Exception relating to the protection of the decision-making process.  
 Case **T-233/09**.

Reports of Cases  
 2011 II-01073

**(Appeal Case before the Court of Justice C-280/11 P)**

Links to the texts

	Curia	EUR-Lex
<b>Judgment</b> ECLI:EU:T:2011:105		

1 / 1 Pages

## Court of Justice

- Judgment of 17 October 2013, *Council v Access Info Europe*, **C-280/11 P**, EU:C:2013:671

## Advocate General

- Opinion of AG Cruz Villalón of 16 May 2013 in *Council v Access Info Europe*, C-280/11 P, EU:C:2013:325

## General Court

- Judgment of 22 March 2011, *Access Info Europe v Council*, **T-233/09**, EU:T:2011:105

- Always make sure that the reader knows **which court** (respectively Advocate General) you are talking about.
- In case of several infringement proceedings against the same Member State it could be useful the **differentiate**:
  - Judgment of 7 July 2005, *Commission v Austria*, C-147/03, EU:C:2005:427
  - Judgment of 15 November 2005, *Commission v Austria*, C-320/03, EU:C:2005:684



- Judgment of 7 July 2005, *Commission v Austria* (**University access**), C-147/03, EU:C:2005:427
- Judgment of 15 November 2005, *Commission v Austria* (**Sectoral transit ban**), C-320/03, EU:C:2005:684



## Verfassungsgerichtshof (VfGH)

Hier finden Sie die Entscheidungen des Verfassungsgerichtshofes (VfGH) ab dem Jahr 1980.

## Verwaltungsgerichtshof (VwGH)


Hier finden Sie die Entscheidungen des Verwaltungsgerichtshofes (VwGH) ab dem Jahr 1980 und ausgewählte Entscheidungen aus früheren Jahrgängen.

## Normenliste des Verwaltungsgerichtshofes

Hier finden Sie die Normenliste des Verwaltungsgerichtshofes, eine Auflistung von Normbezeichnungen in Form von Abkürzungen (Buchstabenabkürzungen oder Kurztitel), die bei der Judikaturdokumentation des Verwaltungsgerichtshofes (VwGH) Verwendung finden.

## Justiz (OGH, OLG, LG, BG, OPMS, AUSL)

Hier finden Sie ausgewählte Entscheidungen des Obersten Gerichtshofes (OGH), der Oberlandesgerichte (OLG), der Landesgerichte (LG), der Bezirksgerichte (BG), Entscheidungen des Obersten Patent- und Markensenats (OPMS) und ausländische Entscheidungen (AUSL).

Suchbegriff  

### Webseiten

Bundeskanzleramt

HELP.gv.at

Parlament

### Informationen

Zum RIS

Open Government Data

RIS:App

Links auf Dokumente im  
RIS setzen

- **OGH** judgment of 14 December 2017, *Amazon*, [2 Ob 155/16g](#)
- **VfGH** judgment of 12 October 2017, *Fern- und Auswärtsgeschäfte-Gesetz*, [G 52/2016](#)
- **VwGH** judgment of 11 September 2013, *Transparenzgebot KSchG*, [2012/04/0162](#)
- *The ECLI is not yet implemented for all Austrian courts and in addition very long, that is why it is recommended not to indicate it.*
- *The name of the case could also be indicated in English.*
- *The hyperlinks indicated here on this slide do not have to be indicated in your academic paper.*

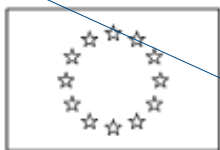




## Legislature (parliament)



**Commission Green paper** Damages actions for breach of the EC antitrust rules,  
COM(2005) 672 final of 19 December 2005.



COMMISSION OF THE EUROPEAN COMMUNITIES

*If you prefer, you can also indicate dates in the APA style (December 19, 2005).*

Brussels, 19.12.2005  
COM(2005) 672 final

- “Green Papers are documents published by the European Commission to **stimulate discussion** on given topics at European level.

- They invite the relevant parties (bodies or individuals) to participate in a **consultation process** and debate on the basis of the proposals they put forward.

## GREEN PAPER

**Damages actions for breach of the EC antitrust rules**

- Green Papers may give rise to legislative developments that are **then** outlined in **White Papers.** ([Link](#))

(presented by the Commission)

{SEC(2005) 1732}

**Commission White paper** on Artificial Intelligence. A European approach to excellence and trust, COM(2020) 65 final of 19 February 2020.



Brussels, 19.2.2020  
COM(2020) 65 final

*If you prefer, you can also indicate dates in the APA style (December 19, 2005).*

- “Green Papers may give rise to legislative developments that are **then** outlined in **White Papers.**” ([Link](#))

## WHITE PAPER

**On Artificial Intelligence - A European approach to excellence and trust**



EUROPEAN COMMISSION  
MEMO  
Brussels, 25 September 2014

September infringements package: main decisions

	EMPLOYMENT & SOCIAL AFFAIRS	ENERGY	ENVIRONMENT	HEALTH & CONSUMER POLICY	HOME AFFAIRS	INDUSTRY & ENTERPRENSHIP	INTERNAL MARKET & SERVICES	TRANSITION & CUSTOMERS UNION	TRANSPORT
AT									1
BE	1	1							1
BG			2				2		
CZ				1					
DE			1			1		1	1
EE								1	1
EL			1		1			2	2
ES			1						1
FI			1						
FR	1								
HU								2	1
IT									1
LU		1							1
LV		1	1						
NL		1						1	1
PL									
PT				1					
RO				2					
SI		1	1	1					
UK									

In its monthly package of infringement decisions, the European Commission is pursuing legal action against Member States for failing to comply properly with their obligations under EU law. These decisions covering many sectors aim to ensure proper application of EU law for the benefit of citizens and businesses.

MEMO/14/537

## Press release:

European Commission, Austria and Belgium given more time to justify quotas, IP/12/1388 of 18 December 2012.



COMMISSION EUROPEENNE  
COMMUNIQUE DE PRESSE  
Brussels, 18 December 2012

### Austria and Belgium given more time to justify quotas

The European Commission has decided today to extend its suspension of legal action against Austria and Belgium over their quota restrictions on the number of non-nationals permitted to enrol on degree courses for doctors, dentists, physiotherapists and vets. Today's decision means that the Commission is prolonging its current freeze on infringement proceedings, in place since 2007, for a further four years until December 2016. The suspension is conditional on both countries gathering definitive evidence on why these courses should be an exception to EU Treaty rules on free movement of citizens, which normally guarantee EU nationals with relevant entry qualifications full access to higher education in any Member State.

Andriella Vassiliou, the European Commissioner for Education, Culture, Multilingualism and Youth, welcomed the decision: "The Commission has listened carefully to the arguments put forward by Austria and Belgium and taken a balanced approach which safeguards both the freedom of movement of EU citizens and their right to a high level of healthcare. At the end of 2016 we will be able to make a more informed decision about these two specific cases and will have established a solid legal framework in line with rulings by the Court of Justice of the European Union that will allow us to address similar problems in other Member States, should they arise."

Legal proceedings for non-compliance with the Treaty rules were initiated against Austria and Belgium in 2007 after both countries introduced national quotas (details in background) following a surge in applications by foreign students for places on medical studies courses. The foreigners mainly came from neighbouring countries using the same language - German nationals in the case of Austria, and French coming to Belgium.

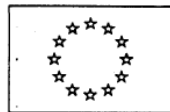
While the legislation establishing the quotas constituted a clear breach of the principle of free movement of EU citizens, the European Commission recognised that such substantial inflows could potentially result in later shortages of qualified professionals in the public health sector. The Commission therefore suspended its infringement proceedings in order to allow the two Member States to gather evidence on whether the sustainability of their healthcare systems was under threat.

IP/12/1388

## Memo:

European Commission, September infringements package: main decisions, MEMO/14/537 of 25 September 2014.

## Commission Proposal for a for a Council Regulation (EC) on coordination of social security systems, COM(1998) 779 final of 21 December 1998.



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21.12.1998  
COM(1998) 779 final

98/0360 (CNS)

Proposal for a  
COUNCIL REGULATION (EC)  
on coordination of social security systems

**Commission Proposal** for a Directive of the European Parliament and of the Council on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union, COM(2013) 404 final of 11 June 2013.



Strasbourg 11.6.2013  
COM(2013) 404 final

2013/0185 (COD)

Proposal for a

## **DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union**

(Text with EEA relevance)

{SWD(2013) 203 final}  
{SWD(2013) 204 final}

- “EEA Relevance”: see below.
- SWD = related / additional documents (Commission Staff Working Document);
- See [Link](#)





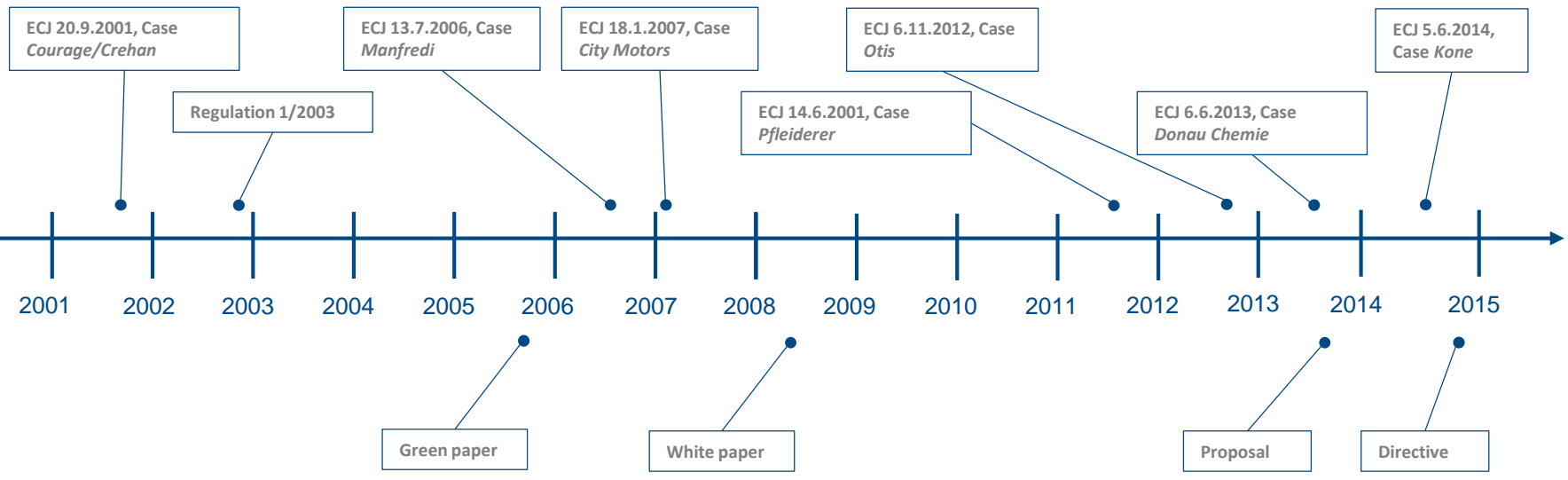
## Case Courage/Crehan

26 The full effectiveness of [Art. 101 TFEU] and, in particular, the practical effect of the prohibition laid down in [para. 1 leg. cit.] would be put at risk if it were not open to **any** [!] individual to **claim damages** for loss caused to him by a contract or by conduct liable to **restrict or distort competition**.



CJEU case-law

EU legislation



Language version (24 official languages)

Number / page of publication

Official gazette

L 376/36

EN

Official Journal of the European Union

27.12.2006

Number

“Authors”

Date of publication

DIRECTIVE 2006/123/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

Type of legal act

of 12 December 2006

Date of adoption of legal act

on services in the internal market

Title of legal act

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Recitals of preamble

(2)

A competitive market in services is essential in order to promote economic growth and create jobs in the European Union. At present numerous barriers within the internal market prevent providers, particularly small and medium-sized enterprises (SMEs), from extending their operations beyond their national borders and from taking full advantage of the internal market. This weakens the worldwide competitiveness of European Union providers. A free market which compels the Member States to eliminate restrictions on cross-border provision of services while at the same time increasing transparency and information for consumers would give consumers wider choice and better services at lower prices.

Having regard to the Treaty establishing the European Community, and in particular the first and third sentence of Article 47(2) and Article 55 thereof,

Legal basis in Primary law

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Economic and Social Committee <sup>(1)</sup>,

- This information is **not constitutive**; so it could be the case that this Regulation has not been **incorporated** in the **EEA Agreement**, or, that it has been incorporated, but no information was indicated in the OJ (at the time of publication).
- Example (SE Regulation): [Link](#)

7.6.2004

EN

Official Journal of the European Union

L 200/1

**CORRIGENDA**

To be checked in the same way as amendments  
(see below)!

Corrigendum to Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004  
on the coordination of social security systems

(Official Journal of the European Union L 166 of 30 April 2004)

Regulation (EC) No 883/2004 should read as follows:

**REGULATION (EC) No 883/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**  
**of 29 April 2004**  
**on the coordination of social security systems**

**(Text with relevance for the EEA and for Switzerland)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 308 thereof,

- (3) Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community<sup>(4)</sup> has been amended and updated on numerous occasions in order to take into account not only developments at Community level, including judgments of the Court of Justice, but also changes in legislation at national level. Such factors have



L 376/36

EN

Official Journal of the European Union

27.12.2006

DIRECTIVE 2006/123/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 12 December 2006

on services in the internal market

## Text:

According to both Art. 2 para. 2 lit. f and 22<sup>nd</sup> recital, health is excluded from the scope of the [Services Directive](#)<sup>1</sup>, ...

or  
According to both Art. 2 para. 2 lit. f and 22<sup>nd</sup> recital, health is excluded from the scope of [Directive 2006/123/EC](#)<sup>1</sup>, ...

**Only (!) first footnote:** (i.e. you don't have to mention it in subsequent footnotes)

<sup>1</sup> Directive 2006/123/EC on services in the internal market, OJ 2006 L 376, p. 36.

*Indicate the same information (or even more) in the reference list.*

## Reference list:

Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, OJ 2006 L 376, p. 36.

## Being up-to-date:

Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products, OJ 1985 L 210, p. 29, **as amended by OJ 1999 L 141, p. 20.**


Text


**Document information**


Procedure


National transposition

Summary of legislation

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### Amended by:

Relation	Act	Comment	Subdivision concerned	From	To
All	All				
Incorporated by	21994A0103(53)				
Corrected by	31985L0374R(01)				
Corrected by	31985L0374R(02)	(SL)			
Amended by	31999L0034	Replacement	Article 2	04/06/1999	
<u>Amended by</u>	<u>31999L0034</u>	Amendment	Article 15.1	04/06/1999	

### All consolidated versions:

- 04/06/1999
- 30/07/1985

### Subsequent related instruments:

- Amendment proposed by 51997PC0478



## New way of referring to the OJ, applicable for new documents, published since 1<sup>st</sup> October 2023: (EN)

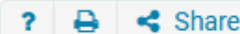
OJ L, 2023/XXX, 1.10.2023, ELI: [link]

OJ C, C/2023/XXX, 1.10.2023, ELI: [link]

Regulation (EU) 2023/2131 of the European Parliament and of the Council of 4 October 2023 amending Regulation (EU) 2018/1727 of the European Parliament and of the Council and Council Decision 2005/671/JHA, as regards digital information exchange in terrorism cases, OJ L, 2023/2131, 11.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2131/oj>

Decision of the European Ombudsman adopting implementing provisions, OJ C, C/2023/161, 10.10.2023, ELI: <http://data.europa.eu/eli/C/2023/161/oj>

Document 32023R2131



**Regulation (EU) 2023/2131 of the European Parliament and of the Council of 4 October 2023 amending Regulation (EU) 2018/1727 of the European Parliament and of the Council and Council Decision 2005/671/JHA, as regards digital information exchange in terrorism cases**

PE/74/2022/REV/1

OJ L, 2023/2131, 11.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2131/oj> (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV)

ELI: <http://data.europa.eu/eli/reg/2023/2131/oj>

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## New way of referring to the OJ, applicable for new documents, published since 1<sup>st</sup> October 2023: (DE)

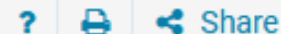
ABl. L, 2023/XXX, 1.10.2023, ELI: [Link]

ABl. C, C/2023/XXX, 1.10.2023, ELI: [Link]

Verordnung (EU) 2023/2131 des Europäischen Parlaments und des Rates vom 4. Oktober 2023 zur Änderung der Verordnung (EU) 2018/1727 des Europäischen Parlaments und des Rates sowie des Beschlusses 2005/671/JI des Rates im Hinblick auf digitalen Informationsaustausch in Terrorismusfällen, ABl. L, 2023/2131, 11.10.2023, ELI: <http://data.europa.eu/eli/reg/2023/2131/oj>

Beschluss des Europäischen Bürgerbeauftragten zur Annahme von Durchführungsbestimmungen, ABl. C, C/2023/161, 10.10.2023, ELI: <http://data.europa.eu/eli/C/2023/161/oj>

Document 32023D00161



### Beschluss des Europäischen Bürgerbeauftragten zur Annahme von Durchführungsbestimmungen

OJ C, C/2023/161, 10.10.2023, ELI: <http://data.europa.eu/eli/C/2023/161/oj> (BG, ES, CS, DA, DE, ET, EL, EN, FR, GA, HR, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV)

● In force

ELI: <http://data.europa.eu/eli/C/2023/161/oj>

## Further information:

The 1<sup>st</sup>, 4<sup>th</sup>, 13<sup>th</sup>, and 18<sup>th</sup> **recitals** in the preamble to Directive 85/374 state ...

**Article 1** of Directive 85/374 provides that “[t]he producer shall be liable for damage caused by a defect in his product”.

... without prejudice to the second **subparagraph** of Article 21(2)

... in accordance with Article 1(1)(**b**) = gemäß Artikel 1 Absatz 1 **Buchstabe b**)

Pursuant to the second **sentence** of Article 61(1) of the Statute of the Court of Justice of the European Union

## Official Journal of the European Union

### C 202



English edition

Information and Notices

Volume 59  
7 June 2016

Contents

2016/C 202/01	Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union .....	1
	Consolidated version of the Treaty on European Union .....	13
	Consolidated version of the Treaty on the Functioning of the European Union .....	47
	Protocols .....	201
	Annexes to the Treaty on the Functioning of the European Union .....	329
	Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, signed on 13 December 2007 .....	335
	Tables of equivalences .....	361
2016/C 202/02	Charter of Fundamental Rights of the European Union .....	389

Note to the reader (see page 2 of the cover)

### Text:

According to Art. 56 TFEU “restrictions on freedom to provide services within the Union shall be prohibited”.

**Only (!) first footnote** (i.e. you don't have to mention it in subsequent footnotes) / **reference list:**

Consolidated version of the Treaty on the Functioning of the European Union, OJ 2016 C 202, p. 47, as corrected by OJ 2017 C 59, p. 1 and OJ 2017 C 400, p. 1.

Consolidated version of the Treaty on European Union, OJ 2016 C 202, p. 13, as corrected by OJ 2017 C 59, p. 1 and OJ 2017 C 400, p. 1.



EUR-Lex  
Access to European Union law



## Further information:

Article 130t of the EC Treaty (**subsequently, after amendment**, Article 176 EC)

... the second sentence of Article 30 EC (**now** the second sentence of Article 36 TFEU)

... according to Article 36 TFEU (**ex-Article** 30 EC) the free movement of goods ...

Regulation No 1408/71 was adopted pursuant to Article 51 of the EEC Treaty (**later** Article 51 of the EC Treaty, **subsequently, after amendment**, Article 42 EC, **now** Article 48 TFEU).

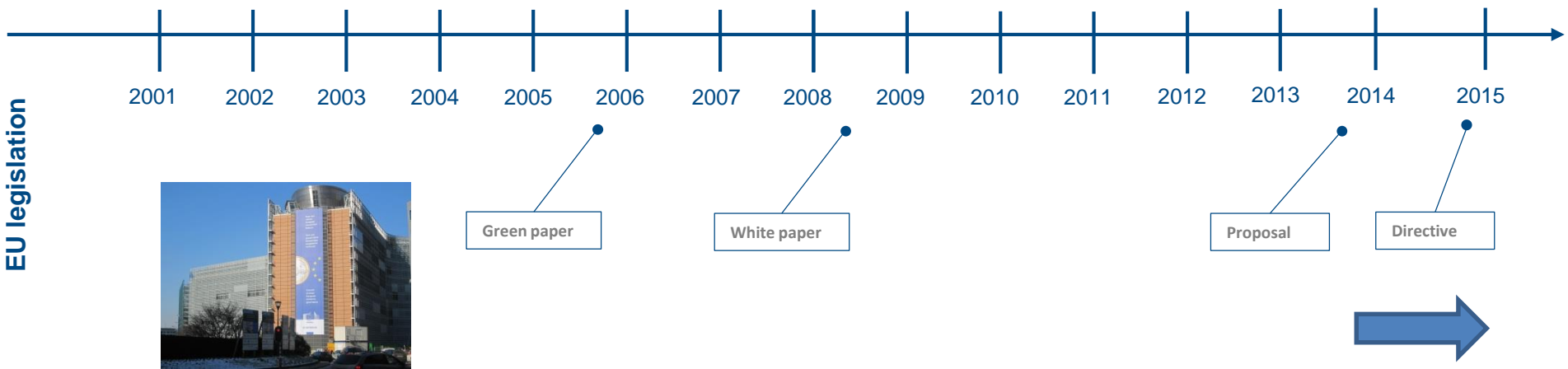
- *For example, in case of an older judgment referring to an outdated Treaty article (which has been amended and renumbered in the meantime), you should refer to the **new** numbering.*
- *However, it could also be the case that you inform the reader about the earlier version. Of course, this might only be necessary under exceptional circumstances (historical comparison etc.).*



The screenshot shows the EUR-Lex search interface. On the left, there is a 'Refine query' section with filters for 'All documents', 'By subdomain' (All EU law (2), Preparatory documents (2)), and 'By type of act' (Proposal for a directive (2), Corrigendum (1)). The main search results area shows one result: 'Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union'. The result includes the CELEX number 52013PC0404, the author (European Commission), and the date of the document (11/06/2013).

### Information available in

- EUR-Lex
- (Former Prelex integrated into the EUR-Lex)
- [OEIL](#) (run by the EP)





Document 52013PC0404

Text

Document information

Procedure

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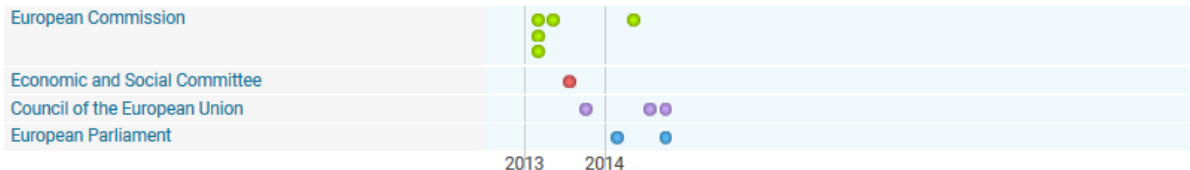
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## Procedure 2013/0185/COD

COM (2013) 404: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union

Adopted acts: 32014L0104



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Legal basis:	Commission: TFUE/art 103, 114;
Procedure:	Ordinary legislative procedure (COD)
Type of file:	Proposal for a Directive Directive
EuroVoc thesaurus:	indemnification; dominant position; control of restrictive practices <a href="#">+</a> More
Directory code:	08.20.00.00 Competition policy / Restrictive practices <a href="#">+</a> More

▼ 11/06/2013: Supplement [i](#)

Documents:	SWD/2013/203/FINAL CSST/2013/11381/ADD 1
CELEX number of the main document:	52013SC0203

▼ 11/06/2013: Supplement [=](#)

Montag, 24.



[Bundesrecht](#)
[Landesrecht](#)
[Gemeinderecht](#)
[EU-Recht](#)
[Judikatur](#)
[Erlässe](#)
[Gesamtabfrage](#)
[Übersicht](#)

## Bundesrecht konsolidiert

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[← Zurück zur Trefferliste](#)
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[→ Zum ersten Suchbegriff](#)
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*N.B. Simplified illustration.*



**Montesquieu**

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**Legislature**  
(parliament)

Against arbitrariness (absolutism)  
Limitation of power  
Guaranteeing freedom

**Judiciary**  
(courts)



Picture credit: [http://www.rechtfreund.at/begriff\\_rechtfreund.htm](http://www.rechtfreund.at/begriff_rechtfreund.htm)

**Executive**  
(administration)



Picture credit: <http://www.wienbilder.at/category/balhausplatz/>

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[→ Gesamte Rechtsvorschrift zu einem Stichtag anzeigen](#)

English title	German title
<b>Federal Constitutional Laws</b>	<b>Bundesverfassungsgesetze</b>
<a href="#">Basic Law on the General Rights of Nationals</a> date of the version: 1 February 2010	Staatsgrundgesetz, <b>BGBl. Nr. 142/1867</b>
<a href="#">Comprehensive protection of the environment</a> date of the version: 1 February 2010	Umfassender Umweltschutz, <b>BGBl. Nr. 491/1984</b>
<a href="#">Federal Constitutional Act for a Nonnuclear Austria</a> date of the version: 1 February 2010	Atomfreies Österreich, <b>BGBl. I Nr. 149/1999</b>
<a href="#">Federal Constitutional Act on the Accession of Austria to the European Union</a> date of the version: 1 February 2010	Beitritt Österreichs zur Europäischen Union, <b>BGBl. Nr. 744/1994</b>
<a href="#">Federal Constitutional Law - B-VG</a> date of the version: 1 April 2010	Bundes-Verfassungsgesetz - B-VG, <b>BGBl. Nr. 1/1930</b>
<a href="#">Federal Constitutional Act on Elimination of Racial Discrimination</a> date of the version: 1 November 2013	BVG über die Beseitigung rassistischer Diskriminierung, <b>BGBl. Nr. 390/1973</b>

The Austrian Federal Constitutional Law (Art. 10 ff.) indicates, if the Federal or the Regional level is **competent** for a certain issue.

**Bundesrecht** Landesrecht Gemeinderecht EU-Recht Judikatur Erlässe Gesamtabfrage Übersicht

## Bundesrecht konsolidiert

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[> Gesamte Rechtsvorschrift zum heutigen Tag anzeigen](#)

[> Gesamte Rechtsvorschrift zu einem Stichtag anzeigen](#)

### Kurztitel

Konsumentenschutzgesetz

### Hauptdokument



### Kundmachungsorgan

[BGBl. Nr. 140/1979](#)

Official gazette, number and year of publication

### Typ

BG

### §/Artikel/Anlage

§ 0

Date of entry into force

### Inkrafttretensdatum

01.10.1979

### Außerkrafttretensdatum

### Abkürzung

[KSchG >](#)

### Index

20/06 Konsumentenschutz

Title of legal act

Type of legal act

Date of adoption

### Langtitel

Bundesgesetz vom 8. März 1979, mit dem Bestimmungen zum Schutz der Verbraucher getroffen werden (Konsumentenschutzgesetz -

[KSchG](#))

StF: [BGBl. Nr. 140/1979](#) (NR: GP XIV [RV 744 AB 1223 S. 122](#), BR: [AB 2003 S. 385.](#))

### Änderung

[BGBl. Nr. 135/1983](#) (NR: GP XV [RV 669 AB 1337 S. 144](#), BR: [2654 AB 2660 S. 432.](#))

[BGBl. Nr. 456/1984](#) (NR: GP XVI [IA 87/A AB 415 S. 65](#), BR: [2884 AB 2893 S. 453.](#))

IA: „Initiative motion“ -> „Initiativantrag“ ([Link](#))



[BGBl. I Nr. 185/1999](#) (NR: GP XX [RV 1998](#) [AB 2062](#) [S. 180](#). BR: [AB 6063](#) [S. 657.](#))  
[CELEX-Nr.: [397L0007](#), [397L0055](#), [398L0027](#), [399L0034](#)]  
[BGBl. I Nr. 48/2001](#) (NR: GP XXI [RV 422](#) [AB 522](#) [S. 62](#). BR: [AB 6348](#) [S. 676.](#))  
[CELEX-Nr.: [399L0044](#)]  
[BGBl. I Nr. 98/2001](#) (NR: GP XXI [RV 621](#) [AB 704](#) [S. 75](#). BR: [6398](#) [AB 6424](#) [S. 679.](#))  
[BGBl. I Nr. 111/2002](#) (NR: GP XXI [RV 1117](#) [AB 1149](#) [S. 107](#). BR: [6668](#) [AB 6681](#) [S. 689.](#))  
[CELEX-Nr.: [391L0308](#), [32001L0019](#), [32001L0097](#)]  
[BGBl. I Nr. 91/2003](#) (NR: GP XXII [RV 173](#) [AB 212](#) [S. 32](#). BR: [AB 6865](#) [S. 701.](#))  
[BGBl. I Nr. 12/2004](#) (NR: GP XXII [RV 202](#) [AB 377](#) [S. 46](#). BR: [6965](#) [S. 705.](#))  
[BGBl. I Nr. 62/2004](#) (NR: GP XXII [RV 467](#) [AB 490](#) [S. 62](#). BR: [AB 7047](#) [S. 710.](#))  
[CELEX-Nr.: [32002L0065](#)]  
[BGBl. I Nr. 92/2006](#) (NR: GP XXII [RV 1420](#) [AB 1511](#) [S. 153](#). BR: [AB 7566](#) [S. 735.](#))  
[BGBl. I Nr. 60/2007](#) (NR: GP XXIII [RV 143](#) [AB 182](#) [S. 30](#). BR: [7726](#) [AB 7750](#) [S. 747.](#))  
[CELEX-Nr.: [32004L0039](#), [32006L0031](#), [32006L0049](#), [32006L0073](#)]  
[BGBl. I Nr. 21/2008](#) (NR: GP XXIII [AB 321](#) [S. 40](#). BR: [AB 7814](#) [S. 751.](#))  
[BGBl. I Nr. 66/2009](#) (NR: GP XXIV [RV 207](#) [AB 213](#) [S. 27](#). BR: [AB 8117](#) [S. 772.](#))  
[CELEX-Nr.: [32007L0064](#), [32009L0014](#)]  
[BGBl. I Nr. 28/2010](#) (NR: GP XXIV [RV 650](#) [AB 652](#) [S. 60](#). BR: [8303](#) [AB 8305](#) [S. 784.](#))  
[CELEX-Nr. [32008L0048](#)]  
[BGBl. I Nr. 107/2010](#) (NR: GP XXIV [RV 982](#) [AB 1002](#) [S. 86](#). BR: [AB 8430](#) [S. 791.](#))  
[CELEX-Nr.: [32009L0110](#)]  
[BGBl. I Nr. 22/2011](#) (NR: GP XXIV [RV 1007](#) [AB 1108](#) [S. 99](#). BR: [8465](#) [AB 8468](#) [S. 795.](#))  
[BGBl. I Nr. 77/2011](#) (NR: GP XXIV [RV 1254](#) [AB 1326](#) [S. 114](#). BR: [AB 8561](#) [S. 799.](#))  
[CELEX-Nr.: [32009L0065](#), [32010L0043](#), [32010L0044](#), [32010L0078](#)]  
[BGBl. I Nr. 100/2011](#) (NR: GP XXIV [RV 317](#) [AB 523](#) [S. 124](#). BR: [8582](#) [AB 8594](#) [S. 801.](#))  
[CELEX-Nr.: [32006L0123](#)]  
[BGBl. I Nr. 50/2013](#) (NR: GP XXIV [RV 2111](#) [AB 2178](#) [S. 191](#). BR: [AB 8910](#) [S. 818.](#))  
[CELEX-Nr.: [32011L0007](#), [32011L0090](#)]

Last amendment (to be indicated)

BGBl. I 109/2022

## Text:

According to § 3 of the Austrian Federal Act Governing Provisions to Protect Consumers (Konsumentenschutzgesetz, “the KSchG”)<sup>1</sup> ...

According to § 3 Konsumentenschutzgesetz of 1979<sup>1</sup> ...

*Three possibilities of mentioning a national law in the text. Use the one that makes most sense in this context.*

According to § 3 Konsumentenschutzgesetz (1979)<sup>1</sup> ...

## Only (!) first footnote:

<sup>1</sup> Austrian Federal Act Governing Provisions to Protect Consumers, BGBl. 140/1979, **as amended by** BGBl. I 109/2022.

*As RIS provides for a translation, you can use the English title. In the reference list you can also mention the original German title.*

## Reference list:

Austrian Federal Act Governing Provisions to Protect Consumers (Konsumentenschutzgesetz, “the KSchG”), BGBl. 140/1979, as amended by BGBl. I 109/2022.

## **Text:**

According to the Law on air pollution (Immissionsschutzgesetz-Luft, “the IG-L”)<sup>1</sup>

## **Only (!) first footnote:**

<sup>1</sup> Law on air pollution, BGBl. I 115/1997.

## **Reference list:**

Tyrolean law on air pollution (Immissionsschutzgesetz-Luft, “the IG-L”), BGBl. I 115/1997.



*N.B. By far **not all** Austrian laws have been translated into English. **Always check** if this translation corresponds to the most up-to-date German language version, as this often might not be the case!*

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## BUNDESGESETZBLATT FÜR DIE REPUBLIK ÖSTERREICH

Official gazette

Year of publication

Date of publication

Number of publication

Part of official gazette  
(see [Link](#))

Type of legal act

<b>Jahrgang 2013</b>	<b>Ausgegeben am 2. Juli 2013</b>	<b>Teil I</b>
<b>109. Bundesgesetz:</b>	<b>Gesellschaftsrechts-Änderungsgesetz 2013 – GesRÄG 2013</b> (NR: GP XXIV RV 2356 AB 2368 S. 206, BR: AB 9014 S. 822.)	

109. Bundesgesetz, mit dem das GmbH-Gesetz, die Insolvenzordnung, das Notariatstarifgesetz, das Rechtsanwalstarifgesetz und das Körperschaftsteuergesetz 1988 geändert werden (Gesellschaftsrechts-Änderungsgesetz 2013 – GesRÄG 2013)

Title of legal act

“Author”

Der Nationalrat hat beschlossen:

### Inhaltsverzeichnis

Artikel 1	Änderung des GmbH-Gesetzes
Artikel 2	Änderung der Insolvenzordnung
Artikel 3	Änderung des Notariatstarifgesetzes
Artikel 4	Änderung des Rechtsanwalstarifgesetzes
Artikel 5	Änderung des Körperschaftsteuergesetzes 1988
Artikel 6	Schluss- und Übergangsbestimmung

### Artikel 1

#### Änderung des GmbH-Gesetzes

Das GmbH-Gesetz, RGBl. Nr. 58/1906, zuletzt geändert durch das Bundesgesetz BGBl. I Nr. 53/2011, wird wie folgt geändert:

1. In § 4 Abs. 3 erster Satz wird die Wendung „Beurkundung durch einen Notariatsakt“ durch die Wendung „Form eines Notariatsakts“ ersetzt.

2. In § 6 Abs. 1 wird der Betrag „35 000“ durch den Betrag „10 000“ ersetzt.

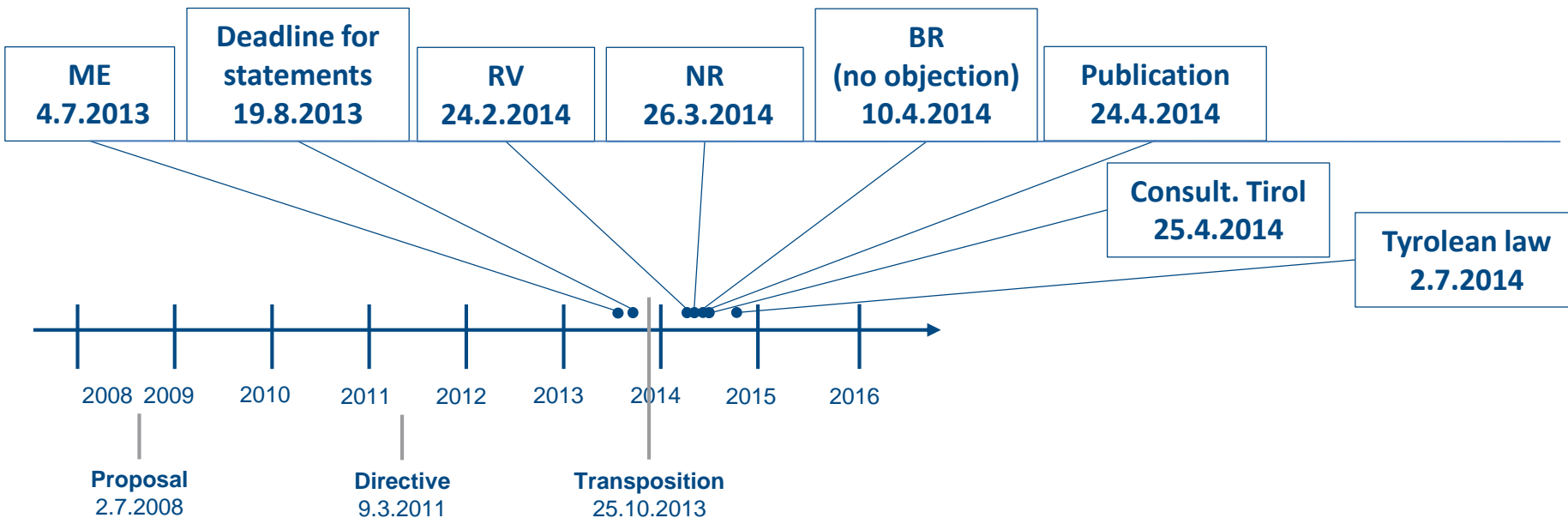
## Further information:

Bundesgesetzblatt (Austrian Federal Law Gazette, referred to from here on as BGBl.)

N.B.: Landesgesetzblatt für Tirol = State Law Gazette of Tyrol



Government bill (Regierungsvorlage): ErläutRV 33 BlgNR. 25. GP  
 Draft bill (Begutachtungsentwurf): ME EU-PMG, BMG-90000/0109-II/A/2013 25. GP  
 Draft bill (Begutachtungsentwurf): ME EU-PMG, 540/ME 25. GP ([Link](#))



Committee reports (Ausschussberichte):

AB 823 BlgNR. 22. GP 6

Government bills (Regierungsvorlagen):

Erläut. **RV 2356** BlgNR. **24. GP**, p. 11

Draft bills (Begutachtungsentwürfe):

ME FamRÄG 2008, 198/ME 23. GP

# BUNDESGESETZBLATT

## FÜR DIE REPUBLIK ÖSTERREICH

Jahrgang 2013

Ausgegeben am 2. Juli 2013

Teil I

109. Bundesgesetz:

Gesellschaftsrechts-Änderungsgesetz 2013 – GesRÄG 2013

(NR: **GP XXIV** **RV 2356** AB 2368 S. 206. BR: AB 9014 S. 822.)

- The **Government bill** will express the “Legislative’s opinion” in the most frequent case that not the Parliament itself, but the Government (executing those laws) makes a proposal for amendment to a certain law. (N.B. Of course Parliament has to vote on this law.) This document has to be adopted by the whole (!) **Government** (see also [Link](#)).
- A **draft bill** is drafted by the competent **Ministry** (see also [Link](#)).

**Only (!) first footnote / reference list:**  
Government bills (Regierungsvorlagen):

ErläutRV 2356 BlgNR 24. GP, p. 11

2356 der Beilagen XXIV. GP - Regierungsvorlage - Vorblatt, WFA und Erläuterungen

1 von 17

1 von 17

## Vorblatt

### Ziel(e)

- Steigerung der Anzahl der GmbH-Gründungen

### Inhalt

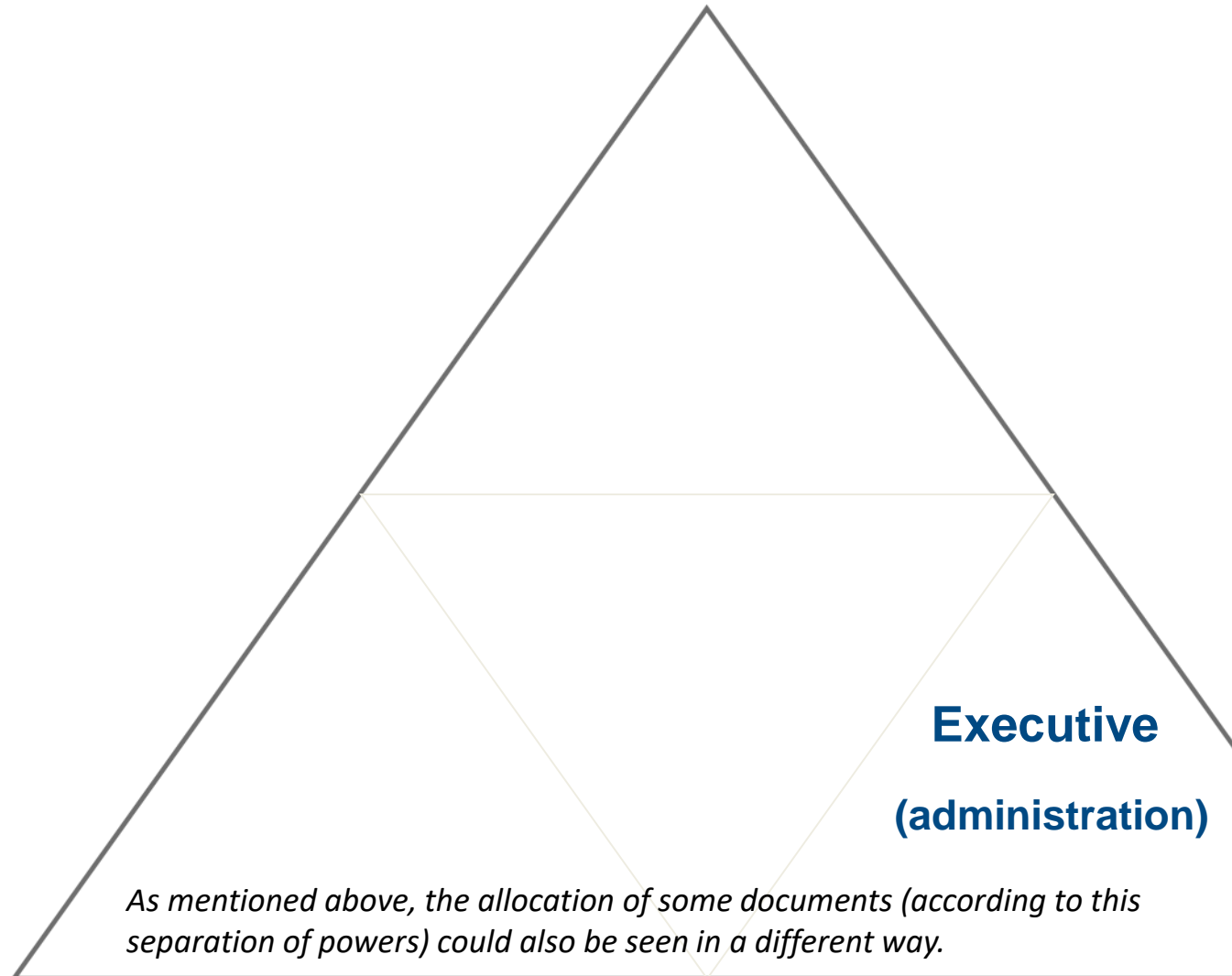
Das Vorhaben umfasst hauptsächlich folgende Maßnahme(n):

- Absenkung des Mindeststammkapitals
- Reduktion der Gründungskosten

[BGBI. I Nr. 58/2010](#) (NR: GP XXIV [RV 771](#) [AB 840](#) [S. 74](#), BR: [8354](#) [AB 8380](#) [S. 787](#).)  
[BGBI. I Nr. 111/2010](#) (NR: GP XXIV [RV 981](#) [AB 1026](#) [S. 90](#), BR: [8437](#) [AB 8439](#) [S. 792](#).)  
[CELEX-Nr.: [32010L0012](#)]  
[BGBI. I Nr. 53/2011](#) (NR: GP XXIV [RV 1252](#) [AB 1278](#) [S. 113](#), BR: [AB 8548](#) [S. 799](#).)  
[CELEX-Nr.: [32009L0109](#)]  
[BGBI. I Nr. 109/2013](#) (NR: GP XXIV [RV 2356](#) [AB 2368](#) [S. 206](#), BR: [AB 9014](#) [S. 822](#).)

**Finanzielle Auswirkungen auf den Bundeshaushalt und andere öffentliche Haushalte:**







Text

Document information

Procedure

National transposition

Summary of legislation

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Implementation  
by Member  
States

## Relationship between documents

Treaty: Treaty on the Functioning of the European Union

Legal basis:

- 12010E114
- 12010E168
- 12010E294

Proposal:

- 52008PC0414

Select all documents based on this document

Implementation by Commission

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Amended by:

Being up-to-date

Relation	Act	Comment	Subdivision concerned	From	To
All	All				
Corrected by	32011L0024R(01)	(SV)			
Corrected by	32011L0024R(02)	(SV)			
Amended by	32013L0064	Addition	Article 21 .3	01/01/2014	

All consolidated versions:

- 01/01/2014

Subsequent related instruments:

Amendment proposed by 52018PC0051

The screenshot shows a document interface with a left sidebar and a main content area. The sidebar contains the following items: 'Text', 'Document information' (highlighted), 'Procedure', 'National transposition', 'Summary of legislation', 'Save to My items', 'Permanent link', 'Download notice', and 'Follow this document'. The main content area has a dropdown menu 'Relationship between documents' which is expanded to show several options: 'Treaty: Treaty on the Functioning of the European Union', 'Legal basis:' with sub-items '- 12010E114', '- 12010E168', and '- 12010E294', 'Proposal:' with sub-item '- 52009PC0414', and four selection options: 'Select all documents based on this document' (circled in blue), 'Select all implementing acts based on this document', 'Select all delegated acts based on this document', and 'Select all legislative procedures based on this document'. The text 'Implementation by Commission' is visible to the right of the circled option.

Directive 2011/24/EU of the **European Parliament and of the Council** of 9 March, 2011 on the application of patients' rights in cross-border healthcare, OJ 2011 L 88, p. 45, as amended by OJ 2021 L 458, p. 1.



**Commission Implementing Directive** 2012/52/EU of 20 December 2012 laying down measures to facilitate the recognition of medical prescriptions issued in another Member State, OJ 2012 L 356, p. 68.



## Hierarchy of norms:

### Primary EU law

Treaty on the Functioning of the European Union, OJ 2016 C 202, p. 47 (consolidated version).

Treaty on European Union, OJ 2016 C 202, p. 13 (consolidated version).

N.B. Corrigenda as indicated *supra*.



### Secondary EU law

Directive 2011/24/EU of the **European Parliament and of the Council** of 9 March, 2011 on the application of patients' rights in cross-border healthcare, OJ 2011 L 88, p. 45, as amended by OJ 2021 L 458, p. 1.



### "Tertiary" EU law

**Commission** Implementing Directive 2012/52/EU of 20 December 2012 laying down measures to facilitate the recognition of medical prescriptions issued in another Member State, OJ 2012 L 356, p. 68.

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“Tertiary” EU law

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- Press release (13 Dec 2017): <http://bit.ly/2C4HE8C>
- Register: <https://webgate.ec.europa.eu/regdel/#/home>
- Tweet: <https://twitter.com/MaFrischhut/status/941254265904906240>

## Text:

The Landeshauptmann (First Minister) of the Province of Tyrol on May, 18 2016, on the basis of the IG L, adopted a regulation prohibiting the carrying of certain goods on the A 12 motorway in the Inn valley (sectoral traffic prohibition).<sup>1</sup>

## Only (!) first footnote:

<sup>1</sup> Verordnung des Landeshauptmannes vom 18. Mai 2016, mit der auf einem Abschnitt der A 12 Inntal Autobahn der Transport bestimmter Güter im Fernverkehr verboten wird (Sektorales Fahrverbot-Verordnung), LGBl. 44/2016, as amended by LGBl. 81/2019.

## Reference list:

Verordnung des Landeshauptmannes vom 18. Mai 2016, mit der auf einem Abschnitt der A 12 Inntal Autobahn der Transport bestimmter Güter im Fernverkehr verboten wird (Sektorales Fahrverbot-Verordnung); Regulation prohibiting the carrying of certain goods on the A 12 motorway in the Inn valley, LGBl. 44/2016, as amended by LGBl. 81/2019.

*In this case, RIS does **not** provide for a **translation**. Therefore, you can use the German title. In the reference list you can also mention the translated English title.*



## Use **footnotes**

Try to be **as precise as possible** (indicate pages for both direct and indirect citations).

## Reference list

- Literature (*Books, journal articles etc.*)
- Legal acts etc.
- Court cases etc.

## Principle of uniformity

Legal provisions (EU Primary and Secondary law, national law) are only referenced once, i.e. in the first footnote that refers to the relevant statutory provision

“Ensure that your legal references are **accurate** and contain all of the information necessary to **enable the reader to locate** the material being referenced.”

(American Psychological Association, **2010**, p. 216)



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The following documents are **only** (!) mentioned **in** the **first footnote**, not (!) in the following ones.

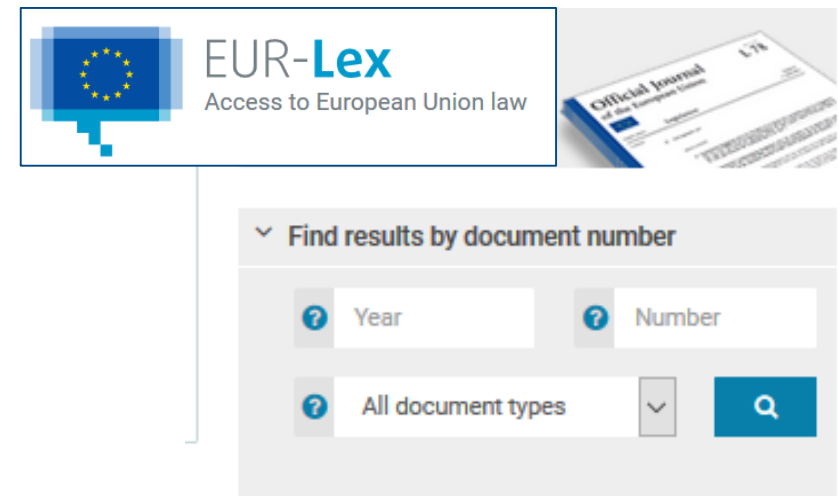
- EU Primary law: TEU, TFEU, CFR
- EU Secondary law: e.g. Services Directive
- National (federal and regional) statutory law: e.g. KSchG
- National administrative and executive materials

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