

European Court of Justice rules in case C-48/13 Nordea Bank (Freedom of establishment)

(July 17, 2014)

The request for a preliminary ruling concerns the interpretation of Articles 49 and 54 TFEU and of Articles 31 and 34 of the Agreement on the European Economic Area of 2 May 1992, provisions which relate to freedom of establishment.

In the underlying case the ECJ ruled as follows: "Articles 49 TFEU and 54 TFEU and Articles 31 and 34 of the Agreement on the European Economic Area of 2 May 1992 preclude legislation of a Member State under which, in the event of transfer by a resident company to a non-resident company in the same group of a permanent establishment situated in another Member State or in another State that is party to the Agreement on the European Economic Area, the losses previously deducted in respect of the establishment transferred are reincorporated into the transferring company's taxable profit, in so far as the first Member State taxes both the profits made by that establishment before its transfer and those resulting from the gain made upon the transfer.

[Click here](#) to be forwarded to the text of the ruling, which will open in a new window.

<http://nebula.wsimg.com/0b57b7aaab3fe7a0a15cd79787577dd9?AccessKeyId=25DE70D7A54D66CCAE0B&disposition=0&alloworigin=1>

Interested in more jurisprudence? Then [click here](#)