

## Court of Justice of the EU – BEIS Cases

- There have been **95** infringement cases brought against the Government since the court's inception in 1979
- Machinery of Government and departmental portfolio changes mean that we cannot give a definitive view of how many cases have been handled by BEIS (or its predecessor departments) but ten cases relate to policy areas that are currently held by BEIS
- There has been one aerospace sector case and three automotive sector cases but these were all in relation to DfT lead policy areas.
- Of the **ten** BEIS cases, the Government has won **three** (2x Euratom, 1x product safety), there was a split decision in **one** case (labour markets – partial loss) and **six** were lost (1x MRPQ, 2x Euratom, 1x state aid, 1x IP, 1x labour markets).
- The ten BEIS and four relevant DfT cases are composed of:
  - 4 Euratom/civil nuclear (2x won, 2x lost)
  - 1 MRPQ (lost)
  - 3 Automotive (DfT) (3x lost)
  - 1 State aid (lost)
  - 1 Product safety (won)
  - 1 Intellectual Property (lost)
  - 2 Labour markets (1x draw, 1x lost)
  - 1 Aerospace (DfT) (lost)
- The Government has paid Court fees in each loss but has never received a fine in the **38 years** of the Court
- It is worth noting that the Government has brought **33 cases** to the Court and UK businesses and citizens have sought hundreds of preliminary references from the Court, enabling UK parties to have recourse to effective remedy at the European level
- This information has been obtained from a publically available source (<http://eur-lex.europa.eu/advanced-search-form.html?qid=1513686710403&action=update>).