ECJ 30 May 2024, case C-664/22 and C-666/22 (Google Ireland), other forms of free movement

Google Ireland Ltd and Eg Vacation Rentals Ireland Ltd – v – Autorità per le Garanzie nelle Comunicazioni, Italian case

Summary

A Member State may not impose additional obligations on an online service provider established in another Member State. The ECJ's summary can be found here.

Question

Must Article 56 TFEU, Article 16 of Directive 2006/123 or Article 3 of Directive 2000/31 be interpreted as precluding measures adopted by a Member State, with the stated aim of ensuring the adequate and effective enforcement of Regulation 2019/1150, under which, on pain of penalties, providers of online intermediation services and online search engines established in another Member State are subject, with a view to providing their services in the first Member State, to the obligation to be entered in a register maintained by an authority of that Member State, to communicate to that authority certain detailed information about their organisation and to pay a financial contribution to that authority?

Ruling

Article 3 of Directive 2000/31 must be interpreted as precluding measures adopted by a Member State, with the stated aim of ensuring the adequate and effective enforcement of Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services, under which, on pain of penalties, providers of online intermediation services and online search engines established in another Member State are subject, with a view to providing their

services in the first Member State, to the obligation to be entered in a register maintained by an authority of that Member State, to communicate to that authority certain detailed information about their organisation and to pay a financial contribution to that authority.

Creator: European Court of Justice (ECJ)
Verdict at: 2024-05-30
Case number: C-664/22 and C-666/22