

## SUMMARY

# ECJ 30 April 2025, case C-536/23 (Mutua Madrileña Automovilista), Competency

## *Bundesrepublik Deutschland – v – Mutua Madrileña Automovilista, German case*

### Summary

For the purpose of Regulation No 1215/2012, the place where a Member State as an employer is domiciled must be determined as the place where the seat of the administrative body which employs the official concerned, and which, in practice, has suffered the damage linked to the absence of that official during his or her incapacity for work, is situated.

### Question

Must Article 13(2) of Regulation No 1215/2012, read in conjunction with Article 11(1)(b) of that regulation, be interpreted as meaning that a Member State acting as an employer subrogated to the rights of an official injured in a road traffic accident, which continued to pay the remuneration of that official during the official's incapacity to work, may, in its capacity as an 'injured party' within the meaning of that Article 13(2), sue the company providing insurance against civil liability resulting from the use of the vehicle involved in that accident in the courts for the place where the official is domiciled, where direct actions are permitted?

### Ruling

Article 13(2) of Regulation No 1215/2012, read in conjunction with Article 11(1)(b) of that regulation must be interpreted as meaning that a Member State acting as an employer subrogated to the rights of an official injured in a road traffic accident, which continued to pay the remuneration of that official during the official's incapacity to work, may, in its capacity as an 'injured party' within the meaning of that Article 13(2), sue the company providing insurance against civil liability resulting from the use of the vehicle involved in that accident not in the courts for the place where the official is domiciled, but in the courts for the place

where the administrative body employing that official has its seat, where direct actions are permitted.

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**Creator:** European Court of Justice (ECJ)

**Verdict at:** 2025-04-30

**Case number:** C-536/23