

Brussels, 11 February 2025
(OR. en)

6183/25

LIMITE

JUR 97
DRS 6
COMPET 68
EJUSTICE 4
CODEC 125

INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 1)
Subject: Case before the Court of Justice

- Case C-798/24 (Jautiva), request for a preliminary ruling
- Validity of Directive (EU) 2017/1132 of the European Parliament and of the Council relating to certain aspects of company law

REDACTED DOCUMENT ACCESSIBLE TO THE PUBLIC (07.03.2025).
ONLY MARGINAL PERSONAL DATA HAVE BEEN REDACTED.

1. On 13 January 2025, the Council was notified by the Registrar of the Court of a request for a preliminary ruling lodged on 19 November 2024 in the abovementioned case by the Constitutional Court of the Republic of Latvia (*Latvijas Republikas Satversmes tiesa*).
2. As part of this request, which consists of four questions, the referring court asks whether Article 14, point (d)(ii), of Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (“Directive 2017/1132”)¹ is valid.
3. In particular, by its first question, the referring court asks whether that provision’s concept of persons who “*take part in the administration, supervision or control of the company*” includes all shareholders of a public limited liability company, such that information on all such shareholders must be made publicly available. If this first question is answered in the

¹ Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (codification) (OJ L 169, 30.6.2017, p. 46, ELI: <http://data.europa.eu/eli/dir/2017/1132/oj>).

affirmative, then the referring court asks, by its second question, whether that provision is valid in the light of Articles 7 and 8 of the Charter of Fundamental Rights.

4. The Council is, according to Article 23 of the Statute of the Court, entitled to submit observations within two months of receipt of the notification, in a case governed by Article 267 of the Treaty if the act, the validity or interpretation of which is in dispute, originates from the Council. Since the validity of Article 14, point (d)(ii), of Directive 2017/1132 is at issue in this case, it is appropriate that the Council submits observations in order to defend the validity of that act.
 5. The Director-General of the Council Legal Service has appointed **DELETED** and **DELETED**, Legal Advisers in that Service, to represent the Council of the European Union in this case.
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