

EFTA COURT

Request for an Advisory Opinion from the EFTA Court by the Fürstliches Obergericht dated 11 July 2024 in the case of Söderberg & Partners AS v Gable Insurance AG in Konkurs

(Case E-17/24)

A request has been made to the EFTA Court, dated 11 July 2024, from the Fürstliches Obergericht (Princely Court of Appeal), which was received at the Court Registry on 12 July 2024, for an Advisory Opinion in the case of Söderberg & Partners AS v Gable Insurance AG in Konkurs on the following question:

Is an insurance claim within the meaning of Article 268(1)(g) of Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II), OJ 2009 L 335, p. 1, incorporated in the EEA Agreement by Decision of the EEA Joint Committee No 78/2011 of 1 July 2011, LGBI 2012/384, to be given precedence in accordance with Article 275(1) of that directive even where the claim was assigned to a third party by way of a legal transaction and, under national law, assignment of the claim entails no change in the content of the claim?