

EFTA COURT

Action brought on 23 February 2016 by Dr. Gerhard Spitzer against the EFTA Surveillance Authority

(Case E-2/16)

An action against the EFTA Surveillance Authority was brought before the EFTA Court on 23 February 2016 by Dr. Gerhard Spitzer, represented by Antonius Falkner, Attorney-at-law, Lettstrasse 18, FL-9490 Vaduz.

The applicant claims that the EFTA Court should:

- 1. Annul EFTA Surveillance Authority Decision 425/15/COL of 25 November 2015, and**
- 2. Order the EFTA Surveillance Authority to bear the costs of the proceedings.**

Legal and factual background and pleas in law adduced in support:

- The applicant, Dr. Gerhard Spitzer, is an Austrian citizen, domiciled in South Africa, which has been a customer of LLB AG, a company under majority ownership of the Principality of Liechtenstein, since the early 1990s.
- The case concerns an application for annulment of a decision by the EFTA Surveillance Authority to close a case regarding a complaint against Liechtenstein concerning a failure to observe and correctly apply Directive 2002/47/EC.
- The applicant claims that the EFTA Surveillance Authority was under the duty to initiate a formal investigation procedure concerning a failure by Liechtenstein to observe and correctly apply Directive 2002/47/EC, and by failing to do so, the EFTA Surveillance Authority has infringed the rights of the applicant.