

EFTA COURT

Request for an Advisory Opinion from the EFTA Court by Norges Høyesterett dated 26 May 2021 in the case of Norep AS v Haugen Gruppen AS

(Case E-2/21)

A request has been made to the EFTA Court dated 26 May 2021 from Norges Høyesterett (Supreme Court of Norway), which was received at the Court Registry on 11 June 2021, for an Advisory Opinion in the case of Norep AS v Haugen Gruppen AS on the following questions:

- 1. Shall the term “negotiate” in Article 1(2) of Directive 86/653 be interpreted as presupposing involvement with orders from customers to the principal, with the result that the orders may not go directly from customers to the principal, as the facts in the present case is described in Chapter 3 above?**
- 2. If question 1 is answered in the negative, which factors are relevant in the assessment of whether sales-related activity is to be deemed to be “negotiation” for the purposes of Article 1(2) of Directive 86/653?**