

EFTA COURT

Request for an Advisory Opinion from the EFTA Court by Héraðsdómur Reykjavíkur dated 22 December 2011 in the case of Irish Bank Resolution Corporation Ltd. v Kaupthing hf.

(Case E-18/11)

A request has been made to the EFTA Court by a letter of 22 December 2011 from Héraðsdómur Reykjavíkur (Reykjavik District Court), which was received at the Court Registry on 22 December 2011, for an Advisory Opinion in the case of Irish Bank Resolution Corporation Ltd. v Kaupthing hf., on the following questions:

- 1. In the case of a discrepancy between the text of the EEA Agreement or rules based upon it, in different languages, so that the substance of individual provisions or rules is unclear, how should their substance be construed in order to apply them in resolving disputes?**
- 2. Having regard to the answer to question 1, does it comply with paragraph 1 of Article 14 of Directive 2001/24/EC on the reorganisation and winding-up of credit institutions that the national legislation of a state, which is a member of the European Economic Area, vests the Winding-up Board or other competent authority or agency with competence to decide whether information should be disclosed on the aspects described in the provision, with an advertisement published abroad instead of individually notifying all known creditors?**