

EFTA COURT

**Request for an Advisory Opinion from the EFTA Court by
Beschwerdekommision der Finanzmarktaufsicht dated 27 March 2009 in
the case of Inconsult Anstalt v Finanzmarktaufsicht**

(Case E-4/09)

A request has been made to the EFTA Court by a letter of 27 March 2009 from Beschwerdekommision der Finanzmarktaufsicht (the Appeals Commission of the Financial Market Authority), which was received at the Court Registry on 14 April 2009, for an Advisory Opinion in the case of Inconsult Anstalt v Finanzmarktaufsicht, on the following questions:

- 1. How is Article 2(12) of Directive 2002/92/EC of the European Parliament and of the Council of 9 December 2002 on insurance mediation to be interpreted as to the criteria by which a website may be regarded as constituting a “durable medium”?**