

Question referred

Are the European Union Guidelines for State Aid in the agricultural and forestry sectors and in rural areas 2014-2020 (2014/C 204/01) ^(?) and, in particular, paragraphs 135, 136 and 137 and point 144(a) thereof, to be interpreted as meaning that there is investment aid that serves to finance the costs of the construction, procurement or improvement of immovable property only if the grant beneficiary itself also is or is to become the owner of the immovable property to which the costs relate?

⁽¹⁾ The name of the present case is a fictitious name. It does not correspond to the real name of any party to the proceedings.

^(?) OJ 2014 C 204, p. 1.

Request for a preliminary ruling from the Varhoven administrativen sad (Bulgaria) lodged on 9 June 2023 — ‘Vivacom Bulgaria’ EAD v Varhoven administrativen sad, Natsionalna agentsia za prihodite

(Case C-369/23, Vivacom Bulgaria)

(2023/C 314/08)

Language of the case: Bulgarian

Referring court

Varhoven administrativen sad

Parties to the main proceedings

Applicant and appellant in cassation: ‘Vivacom Bulgaria’ EAD

Defendants and respondents in cassation: Varhoven administrativen sad, Natsionalna agentsia za prihodite

Question referred

Do the second subparagraph of Article 19(1) TEU and Article 47 of the Charter of Fundamental Rights of the European Union preclude national legislation such as Article 2c(1)(1) of the Zakon za otgovornostta na darzhavata i obshtinite za vredi (Bulgarian Law on Liability of the State and of Municipalities for Damage), read in conjunction with Article 203(3) and Article 128(1)(6) of the Administrativnoprotsesualen kodeks (Bulgarian Code of Administrative Procedure), under which an action for compensation for damage caused by an infringement of EU law by the Varhoven administrativen sad (Supreme Administrative Court, Bulgaria), in which the Supreme Administrative Court is the defendant, must be examined by that court at last instance?

Request for a preliminary ruling from the Korkein oikeus (Finland) lodged on 22 June 2023 — Passenger A v Finnair Oyj

(Case C-385/23, Finnair)

(2023/C 314/09)

Language of the case: Finnish

Referring court

Korkein oikeus

Parties to the main proceedings

Applicant: Passenger A

Defendant: Finnair Oyj

Questions referred

1. Can an air carrier rely on extraordinary circumstances within the meaning of Article 5(3) of Regulation No 261/2004 ⁽¹⁾ on the sole ground that the aircraft manufacturer discovered the existence of a hidden design defect detrimental to flight safety and affecting the entire aircraft type, even though that discovery was not made until after the flight was delayed and cancelled?