

**Request for a preliminary ruling from the Bundesgerichtshof (Germany) lodged on 26 June 2017 —
Società Immobiliare Al Bosco srl**

(Case C-379/17)

(2017/C 318/09)

Language of the case: German

Referring court

Bundesgerichtshof

Parties to the main proceedings

Applicant: Società Immobiliare Al Bosco srl

Question referred

Is it compatible with Article 38(1) of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ⁽¹⁾ to apply a time limit which is laid down in the law of the State in which enforcement is sought, and on the basis of which an instrument may no longer be enforced after the expiry of a particular period, also to a functionally comparable instrument issued in another Member State and recognised and declared enforceable in the State in which enforcement is sought?

⁽¹⁾ OJ 2001 L 12, p. 1.

**Request for a preliminary ruling from the Szombathelyi Közigazgatási és Munkaügyi Bíróság
(Hungary) lodged on 27 June 2017 — Dooel Uvoz-Izvoz Skopje Link Logistic N&N v Budapest
Rendőrfőkapitánya**

(Case C-384/17)

(2017/C 318/10)

Language of the case: Hungarian

Referring court

Szombathelyi Közigazgatási és Munkaügyi Bíróság

Parties to the main proceedings

Applicant: Dooel Uvoz-Izvoz Skopje Link Logistic N&N

Defendant: Budapest Rendőrfőkapitánya

Questions referred

1. Is the requirement of proportionality laid down in Article 9a of Directive 1999/62/EC ⁽¹⁾ of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures, and interpreted by the Court of Justice of the European Union in its judgment of 22 March 2017 in Joined Cases C-497/15 and C-498/15, *Euro-Team*, a directly applicable provision of the directive?
2. If the requirement of proportionality laid down in Article 9a of Directive 1999/62/EC of the European Parliament and of the Council of 17 June 1999 on the charging of heavy goods vehicles for the use of certain infrastructures, and interpreted by the Court of Justice of the European Union in its judgment of 22 March 2017 in Joined Cases C-497/15 and C-498/15, *Euro-Team*, is not a directly applicable provision of the directive:

does the interpretation of national law in conformity with EU law permit and require the national court and administrative authority to supplement — in the absence of legislative action at national level — the relevant Hungarian legislation in the present proceedings with the substantive criteria of the requirement of proportionality, laid down in the judgment of the Court of Justice of the European Union of 22 March 2017 in Joined Cases C-497/15 and C-498/15, *Euro-Team*?

⁽¹⁾ OJ 1999 L 187, p. 42.