

Request for a preliminary ruling from the Landesverwaltungsgericht Steiermark (Austria) lodged on 13 April 2021 — Porr Bau GmbH v Bezirkshauptmannschaft Graz-Umgebung

(Case C-238/21)

(2021/C 242/18)

Language of the case: German

Referring court

Landesverwaltungsgericht Steiermark

Parties to the main proceedings

Complainant: Porr Bau GmbH

Respondent authority: Bezirkshauptmannschaft Graz-Umgebung

Questions referred

1. Does Article 6(1) of Directive 2008/98/EC ⁽¹⁾ of the European Parliament and of the Council of 19 November 2008 preclude national legislation under which end-of-waste status is achieved only once waste or existing substances or the substances obtained from them are used directly as a substitute for raw materials or for products made from primary raw materials or they have been prepared for reuse?

If Question 1 is answered in the negative:

2. Does Article 6(1) of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 preclude national legislation under which end-of-waste status in respect of extracted materials can be achieved at the earliest when they serve as a substitute for raw materials or for products made from primary raw materials?

If Question 1 and/or Question 2 is/are answered in the negative:

3. Does Article 6(1) of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 preclude national legislation under which end-of-waste status in respect of extracted materials cannot be achieved if formal criteria (in particular record-keeping and documentation obligations) which have no environmentally relevant influence on the measure carried out are not complied with or are not complied with in full, even though the extracted materials demonstrably fall below the limit values (premium) to be complied with for the specific intended use?

⁽¹⁾ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ 2008 L 312, p. 3).

Request for a preliminary ruling from the Riigikohus (Estonia) lodged on 14 April 2021 — I.L. v Politsei- ja Piirivalveamet

(Case C-241/21)

(2021/C 242/19)

Language of the case: Estonian

Referring court

Riigikohus

Parties to the main proceedings

Appellant: I.L.

Respondent: Politsei- ja Piirivalveamet

Question referred

Is the first sentence of Article 15(1) of Directive 2008/115/EC ⁽¹⁾ to be interpreted as meaning that Member States may keep in detention a third-country national in respect of whom there is a real risk that, while at liberty and prior to removal, he or she will commit a criminal offence, the investigation and punishment of which may substantially impede the execution of the removal process?

⁽¹⁾ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ 2008 L 348, p. 98, corrigendum OJ 2019 L 240, p. 17).
