

Request for a preliminary ruling from the Korkein hallinto-oikeus (Finland) lodged on 4 November 2021 — Booky.fi Oy

(Case C-662/21)

(2022/C 24/28)

Language of the case: Finnish

Referring court

Korkein hallinto-oikeus

Parties to the main proceedings

Appellant: Booky.fi Oy

Other party: Kansallinen audiovisuaalinen instituutti (KAVI)

Questions referred

1. In the light of Article 36 TFEU, does Article 34 TFEU preclude an interpretation of Paragraph 5(1) of the Law on audiovisual programmes which requires that audiovisual programme media be classified in accordance with the Law on audiovisual programmes, and age rating labels based on that classification be added to the product information, already at the time when the audiovisual programme media are made available for sale in an online store, even though the audiovisual programme media have been classified and labelled in another Member State but have not yet been delivered to Finland?

Is it relevant to the assessment of the question that the Law on audiovisual programmes contains no provision on exceptions to classification and labelling on the ground that it has been ascertained that a purchaser of the audiovisual programme media is of full age and that, in the case of audiovisual programme media offered in an online store, the abovementioned requirement of reclassification and relabelling applies only where the programme is offered by entities or traders registered or established in Finland or by a person who is a Finnish national or is habitually resident in Finland, or if the decision to offer the programme was taken in Finland?

2. If the proportionality of the above requirement of reclassification and relabelling requires that an exception may be made to that requirement on the ground that it has been ascertained that a purchaser of the audiovisual programme media is of full age, is it necessary to require, in the case of a sale to persons of full age, that there be absolute certainty as to the fact that the purchaser is of full age at the time when the audiovisual programme media is ordered and sold, or is it sufficient that the seller of the audiovisual programme media endeavours to ascertain that the purchaser is of full age?

Request for a preliminary ruling from the Hovrätten för Nedre Norrland (Sweden) lodged on 5 November 2021 — AI and Åklagarmyndigheten

(Case C-666/21)

(2022/C 24/29)

Language of the case: Swedish

Referring court

Hovrätten för Nedre Norrland

Parties to the main proceedings

Appellants and respondents: AI and Åklagarmyndigheten