

Request for a preliminary ruling from the Curtea de Apel București (Romania) lodged on 20 April 2022 — CRRC Qingdao Sifang CO LTD and Astra Vagoane Călători SA v Autoritatea pentru Reformă Feroviară and Alstom Ferroviaria SpA

(Case C-266/22)

(2022/C 303/16)

Language of the case: Romanian

Referring court

Curtea de Apel București

Parties to the main proceedings

Applicants: CRRC Qingdao Sifang CO LTD and Astra Vagoane Călători SA

Defendants: Autoritatea pentru Reformă Feroviară and Alstom Ferroviaria SpA

Questions referred

1. Do the principles of certainty in legal relations and the protection of legitimate expectations preclude a piece of national legislation which transposed Article 25 of Directive 2014/24/EU on public procurement ⁽¹⁾ as from 5 April 2021, and which provided that economic operators who do not fall within the scope of those provisions of EU law may continue to participate in public procurement procedures only if they have submitted tenders before the date on which that legislative amendment entered into force?
2. Do the principles of equal treatment, transparency and proportionality laid down in Article 18(1) of Directive 2014/24/EU on public procurement, in conjunction with Article 2(1)(13) and Article 49 thereof, preclude the exclusion of a tenderer on the basis of a legislative act having the force of law adopted by the government of a Member State which lays down a new rule amending the definition of ‘economic operator’ after publication of the contract notice relating to a contract award procedure in which that person is participating?

⁽¹⁾ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ 2014 L 94, p. 65).

Request for a preliminary ruling from the Spetsializiran nakazatelen sad (Bulgaria) lodged on 21 April 2022 — Criminal proceedings against IP, DD, ZI, SS and HYa

(Case C-269/22)

(2022/C 303/17)

Language of the case: Bulgarian

Referring court

Spetsializiran nakazatelen sad

Accused persons

IP, DD, ZI, SS and HYa

Question referred

Do the second paragraph of Article 47 of the Charter, which establishes the requirement of a fair trial, and Article 48(1) of the Charter, which establishes the presumption of innocence, preclude a request for a preliminary ruling under Article 267 TFEU in which certain acts of the accused persons are presumed to be established, where, before submitting the request for a preliminary ruling, the referring court respected all the procedural safeguards required for a decision on the merits?
