

Secondly, the General Court erred in law when it considered that a claim for market economy treatment under Article 2(7)(c) of the basic Regulation could be rejected on the basis of a finding that an upstream industry was subsidised. This amounts to the countervailing of these subsidies otherwise than following an investigation initiated under Council Regulation no 2026/97 (the then applicable basic anti-subsidy Regulation). This is an illegal interpretation of Article 2(7)(c) of the basic Regulation, and a breach of Council Regulation No 2026/97.

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- (¹) Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community
OJ L 56, p. 1
- (²) Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community
OJ L 288, p. 1
- (³) Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community
OJ L 343, p. 51

**Request for a preliminary ruling from the
Verwaltungsgericht Hannover (Germany) lodged on 21
December 2012 — Pia Braun v Region Hannover**

(Case C-603/12)

(2013/C 101/13)

Language of the case: German

Referring court

Verwaltungsgericht Hannover

Parties to the main proceedings

Applicant: Pia Braun

Defendant: Region Hannover

Question referred

Does the right to freedom of movement and freedom of residence conferred on a Union citizen by Articles 20 and 21 TFEU preclude — in a case such as the present one, in which a student who still lives with her parents in a Member State neighbouring Germany and whose parents commute to Germany for work has applied for an education grant for studies in a third Member State — a regulatory system in national law under which German nationals with a permanent residence outside the Federal Republic of Germany may be awarded an education grant to attend an education establishment situated in a Member State of the European Union only if special circumstances of the individual case justify the grant and, pursuant to which, the approval of the grant is left, as to the remainder, to the discretion of the competent national authorities?

Request for a preliminary ruling from the Commissione tributaria provinciale di Genova (Italy) lodged on 24 December 2012 — Dresser Rand SA v Agenzia delle Entrate — Direzione Provinciale Ufficio Controlli

(Case C-606/12)

(2013/C 101/14)

Language of the case: Italian

Requesting court

Commissione tributaria provinciale di Genova

Parties to the main proceedings

Applicant: Dresser Rand SA

Defendant: Agenzia delle Entrate — Direzione Provinciale Ufficio Controlli

Questions referred

1. Does the transfer of goods to Italy from another Member State for the purpose of verifying whether those goods may be adapted to other goods acquired within Italy, without anything being done to the goods brought into Italy, come within the notion of 'work on the goods' referred to in Article 17(2)(f) of Directive 2006/112/EC (¹) and, in this connection, is it appropriate to assess the nature of the transactions which took place between F.B. ITMI and DR-IT?
2. Is Article 17(2)(f) of Directive 2006/112/EC to be interpreted as precluding the Member States from providing in their legislation or practices that the dispatch or transport of goods is not to be treated as a transfer to another Member State except on condition that the goods are returned to the Member State from which they were initially dispatched or transported?

(¹) OJ 2006 L 347, p. 1.

Request for a preliminary ruling from the Commissione tributaria provinciale di Genova (Italy) lodged on 24 December 2012 — Dresser Rand SA v Agenzia delle Entrate — Direzione Provinciale Ufficio Controlli

(Case C-607/12)

(2013/C 101/15)

Language of the case: Italian

Referring court

Commissione tributaria provinciale di Genova