

10. In interpreting the provisions of Directive 2004/18/EC, is it permitted to use as a guide to interpretation the content of the provisions of 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, and of the preamble thereto, even though the period for implementing it has not expired, in so far as it explains certain assumptions and intentions of the EU legislature and is not contrary to Directive 2004/18/EC?

⁽¹⁾ OJ 2004 L 134, p. 114.

**Request for a preliminary ruling from the Oberster Gerichtshof (Austria) lodged on 7 July 2014 —
Verein für Konsumenteninformation v A1 Telekom Austria AG**

(Case C-326/14)

(2014/C 339/04)

Language of the case: German

Referring court

Oberster Gerichtshof

Parties to the main proceedings

Applicant: Verein für Konsumenteninformation

Defendant: A1 Telekom Austria AG

Question referred

Is the right, provided for in Article 20(2) of the Universal Service Directive ⁽¹⁾, for subscribers to withdraw from their contracts without penalty 'upon notice of ... modifications in the contractual conditions' also to be provided for in the case where an adjustment to charges derives from contractual conditions which, from the time when the contract is first concluded, provide that future charges are to be adjusted (upwards or downwards) in accordance with changes in an objective consumer price index reflecting movements in the value of money?

⁽¹⁾ Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (Text with EEA relevance) (OJ 2009 L 337, p. 11).

**Reference for a preliminary ruling from Court of Session, Scotland (United Kingdom) made on 8 July
2014 — The Scotch Whisky Association and others against The Lord Advocate, The Advocate
General for Scotland**

(Case C-333/14)

(2014/C 339/05)

Language of the case: English

Referring court

Court of Session, Scotland

Parties to the main proceedings

Applicants: The Scotch Whisky Association and others

Defendants: The Lord Advocate, The Advocate General for Scotland