

2. If the answer to Question 1 is in the affirmative, can a passenger nevertheless hold the air carrier liable for reimbursement of the cost of his ticket if it is to be assumed that his tour organiser, if it were to be held liable, would be financially incapable of actually reimbursing the cost of the ticket and that tour organiser has also not taken any safeguard measures to guarantee reimbursement?

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<sup>(1)</sup> Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1).

<sup>(2)</sup> Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours (OJ 1990 L 158, p. 59).

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**Request for a preliminary ruling from the Arbeidsrechtbank Gent (Belgium) lodged on 7 March 2018 — Ronny Rohart v Federale Pensioendienst**

**(Case C-179/18)**

(2018/C 182/13)

*Language of the case: Dutch*

**Referring court**

Arbeidsrechtbank Gent

**Parties to the main proceedings**

*Applicant:* Ronny Rohart

*Defendant:* Federale Pensioendienst

**Question referred**

Must the principle of sincere cooperation as laid down in Article 4(3) TEU, in conjunction with the Staff Regulations of Officials of the European Union, as laid down in Regulation (EEC, Euratom, ECSC) No 259/68 <sup>(1)</sup> of the Council of 29 February 1968, be interpreted as precluding the legislation of a Member State not permitting the military service which a worker has carried out in a Member State to be taken into account in the calculation of that worker's retirement pension on the basis of his performance in that Member State, because at the time of his military service and subsequently as well, the person concerned was uninterruptedly an official of the European Union, and consequently, does not satisfy the conditions for equivalence as laid down in the legislation of that Member State?

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<sup>(1)</sup> Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ 1968, L 56, p. 1).

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**Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 9 March 2018 — Agrenergy Srl v Ministero dello Sviluppo Economico**

**(Case C-180/18)**

(2018/C 182/14)

*Language of the case: Italian*

**Referring court**

Consiglio di Stato