

**Request for a preliminary ruling from the Centrale Raad van Beroep (Netherlands) lodged on 13 April 2018 — H. Solak v Raad van bestuur van het Uitvoeringsinstituut werknemersverzekeringen**

(Case C-258/18)

(2018/C 276/20)

*Language of the case: Dutch*

**Referring court**

Centrale Raad van Beroep

**Parties to the main proceedings**

*Applicant:* H. Solak

*Defendant:* Raad van bestuur van het Uitvoeringsinstituut werknemersverzekeringen

**Questions referred**

1. Can a Turkish national who is duly registered as belonging to the labour force of a Member State, has obtained the nationality of that Member State without renouncing his Turkish nationality and subsequently voluntarily renounced the nationality of that Member State and thus Union citizenship rely on Article 6 of Decision 3/80<sup>(1)</sup> to avoid a residence requirement in national social security legislation which can, however, be imposed on Union citizens?
2. Is Article 6(1) of Decision 3/80, with due regard to Article 59 of the Additional Protocol, to be construed as meaning that it precludes a statutory regulation of a Member State such as Article 4a of the TW,<sup>(2)</sup> on the basis of which an awarded supplementary benefit is withdrawn if the recipient moves to Turkey, even if that recipient has left the territory of the Member State on his own initiative after voluntarily renouncing the nationality of a Member State and whilst it has not been found that he is no longer duly registered as belonging to the labour force of that Member State?

<sup>(1)</sup> Decision No 3/80 of the Association Council of 19 September 1980 on the application of the social security schemes of the Member States of the European Communities to Turkish workers and members of their families (OJ 1983 C 110, p. 60).

<sup>(2)</sup> Wet van 6 november 1986, houdende verlening van toeslagen tot het relevante sociaal minimum aan uitkeringsgerechtigden op grond van de Werkloosheidswet, de Ziektewet, de Algemene Arbeidsongeschiktheidswet, de Wet op de arbeidsongeschiktheidsverzekering en de Wet arbeidsongeschiktheidsvoorziening militairen (toeslagenwet) (Law of 6 November 1986 on the award of supplements to the relevant social minimum to persons entitled to benefits under the Law on unemployment, the Law on sickness, the general Law on incapacity for work, the Law on insurance against incapacity for work, and the Law on incapacity for work of members of the armed forces).

---

**Request for a preliminary ruling from the Rechtbank Den Haag (Netherlands) lodged on 16 April 2018 — Nederlands Uitgeversverbond, Groep Algemene Uitgevers v Tom Kabinet Internet BV, Tom Kabinet Holding BV, Tom Kabinet Uitgeverij BV**

(Case C-263/18)

(2018/C 276/21)

*Language of the case: Dutch*

**Referring court**

Rechtbank Den Haag

**Parties to the main proceedings**

*Applicants:* Nederlands Uitgeversverbond, Groep Algemene Uitgevers

*Defendants:* Tom Kabinet Internet BV, Tom Kabinet Holding BV, Tom Kabinet Uitgeverij BV

**Questions referred**

1. Is Article 4(1) of the Copyright Directive <sup>(1)</sup> to be construed as meaning that ‘any form of distribution to the public by sale or otherwise of the original of their works or copies thereof’ as referred to therein includes making available remotely by downloading, for use for an unlimited period, e-books (being digital copies of books protected by copyright) at a price by means of which the copyright holder receives remuneration equivalent to the economic value of the work belonging to him?
2. If question 1 is to be answered in the affirmative, is the distribution right with regard to the original or copies of a work as referred to in Article 4(2) of the Copyright Directive exhausted in the Union, when the first sale or other transfer of that material, which includes making available remotely by downloading, for use for an unlimited period, e-books (being digital copies of books protected by copyright) at a price by means of which the copyright holder receives remuneration equivalent to the economic value of the work belonging to him, takes place in the Union through the rightholder or with his consent?
3. Is Article 2 of the Copyright Directive to be construed as meaning that a transfer between successive acquirers of a lawfully acquired copy in respect of which the distribution right has been exhausted, constitutes consent to the acts of reproduction referred to therein, in so far as those acts of reproduction are necessary for the lawful use of that copy and, if so, which conditions apply?
4. Is Article 5 of the Copyright Directive to be construed as meaning that the copyright holder may no longer oppose the acts of reproduction necessary for a transfer between successive acquirers of the lawfully acquired copy in respect of which the distribution right has been exhausted and, if so, which conditions apply?

---

<sup>(1)</sup> Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ 2001 L 167, p. 10).

---

**Request for a preliminary ruling from the Grondwettelijk Hof (Belgium) lodged on 13 April 2018 —  
P. M., N. G.d.M., P. V.d.S. v Ministerraad**

**(Case C-264/18)**

(2018/C 276/22)

*Language of the case: Dutch*

**Referring court**

Grondwettelijk Hof

**Parties to the main proceedings**

*Applicants:* P. M., N. G.d.M., P. V.d.S.

*Defendant:* Ministerraad