

Must Article 6(2) of Directive 2003/86/EC ... therefore be interpreted as precluding a national practice according to which an application for entry and residence of a family member can be rejected on grounds of public policy on the basis of convictions during an earlier stay in the Member State concerned, so that, based on the criteria laid down in the judgments of the European Court of Human Rights (the ECtHR) of 2 August 2001, *Boutif v Switzerland*, CE:ECHR:2001:0802JUD005427300, and of 18 October 2006, *Üner v The Netherlands*, CE:ECHR:2006:1018-JUD004641099, a balance is struck between the interest of the family member concerned and the sponsor concerned to exercise the right to family reunification in the Netherlands, on the one hand, and the interests of the Netherlands State to protect public order, on the other hand?

(<sup>1</sup>) Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification (OJ 2003 L 251, p. 12).

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**Request for a preliminary ruling from the Sąd Rejonowy Lublin-Wschód w Lublinie z siedzibą w Świdniku (Poland) lodged on 11 June 2018 — Lexitor Sp. z o.o. v Spółdzielcza Kasa Oszczędnościowo-Kredytowa im. Franciszka Stefczyka, having its registered office in Gdynia, Santander Consumer Bank S.A., having its registered office in Wrocław, mBank S.A., having its registered office in Warsaw**

(Case C-383/18)

(2018/C 294/41)

*Language of the case: Polish*

**Referring court**

Sąd Rejonowy Lublin-Wschód w Lublinie z siedzibą w Świdniku

**Parties to the main proceedings**

*Applicant:* Lexitor Sp. z o.o.

*Defendants:* Spółdzielcza Kasa Oszczędnościowo — Kredytowa im. Franciszka Stefczyka, having its registered office in Gdynia, Santander Consumer Bank S.A., having its registered office in Wrocław, mBank S.A., having its registered office in Warsaw

**Question referred**

Is Article 16(1), in conjunction with Article 3(g), of Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (<sup>1</sup>) to be interpreted as meaning that a consumer, in the event of early repayment of his obligations under a credit agreement, is entitled to a reduction in the total costs of the credit, including those costs the amount of which does not depend on the duration of that credit agreement?

(<sup>1</sup>) OJ 2008 L 133, p. 660.

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**Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 11 June 2018 — Arriva Italia Srl and Others v Ministero delle Infrastrutture e dei Trasporti**

(Case C-385/18)

(2018/C 294/42)

*Language of the case: Italian*

**Referring court**

Consiglio di Stato

**Parties to the main proceedings**

*Applicants:* Arriva Italia Srl, Ferrotramviaria SpA, Consorzio Trasporti Aziende Pugliesi (CO.TRA.P)

*Defendant:* Ministero delle Infrastrutture e dei Trasporti

**Questions referred**

In the factual and legal circumstances set out above, does a measure involving the statutory allocation of EUR 70 million for the benefit of an operator in the rail transport sector, in accordance with the conditions laid down by Law No 208 of 28 December 2015 (Article 1(867)), as amended by Decree-Law No 50 of 24 April 2017, and the subsequent transfer of that operator to another economic operator, without a competitive tender procedure and for no consideration, constitute State aid within the meaning of Article 107 of the Treaty on the Functioning of the European Union?

If so, is it necessary to establish whether the aid in question is, in any event, compatible with EU law, and what are the consequences of failure to give notification of the aid for the purposes of Article 10[8](3) TFEU?

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**Request for a preliminary ruling from the College van Beroep voor het Bedrijfsleven (Netherlands)  
lodged on 11 June 2018 — Coöperatieve Producentenorganisatie en Beheersgroep Texel UA v  
Minister van Landbouw, Natuur en Voedselkwaliteit**

(Case C-386/18)

(2018/C 294/43)

*Language of the case: Dutch*

**Referring court**

College van Beroep voor het Bedrijfsleven

**Parties to the main proceedings**

*Applicant:* Coöperatieve Producentenorganisatie en Beheersgroep Texel UA

*Defendant:* Minister van Landbouw, Natuur en Voedselkwaliteit

**Questions referred**

- 1(a) Does Article 66(1) of Regulation (EU) No 508/2014<sup>(1)</sup> of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council ('Regulation 508/2014'), given that it provides that the EMFF 'shall' support the preparation and implementation of production and marketing plans referred to in Article 28 of Regulation (EU) No 1379/2013<sup>(2)</sup> of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 ('Regulation 1379/2013'), preclude a Member State from responding to a producer organisation which has submitted an application for such a grant, by arguing that the Member State concerned had not made available, either in its operational programme approved by the European Commission, or in the national rules for determining the eligibility of expenditure, the possibility of making such an application at the time of the submission of the application for a certain category of expenditure (in the present case: the costs of the preparation and implementation of production and marketing plans) or for a certain period (in the present case: the year 2014)?
- 1(b) Is it relevant to the answer to question 1(a) that the producer organisation is obliged, under Article 28(1) of Regulation No 1379/2013, to draw up a production and marketing plan and, after approval of the production and marketing plan by the Member State, to implement that production and marketing plan?
2. If the answer to question 1(a) is that Article 66(1) of Regulation 508/2014 precludes a Member State from responding to a producer organisation which has submitted an application for a grant for the preparation and implementation of production and marketing plans by arguing that the Member State concerned had not made available the possibility of making such an application at the time of the submission of the application, can the grant applicant concerned then rely directly on Article 66(1) of Regulation 508/2014 as the legal basis for a claim against his Member State on the provision of the grant in question?