

2. Must Article 7(4) of Regulation (EC) No 1370/2007 of 23 October 2007 be interpreted as meaning that, before directly awarding the contract, the competent authority must carry out a comparative assessment of all bids to operate the service which may have been received following publication of the prior information notice under that Article 7(4)?

---

<sup>(1)</sup> Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ 2007 L 315, p. 1).

---

**Request for a preliminary ruling from the Fővárosi Közigazgatási és Munkaügyi Bíróság (Hungary)  
lodged on 7 August 2018 — TB v Bevándorlási és Menekültügyi Hivatal**

**(Case C-519/18)**

(2018/C 436/23)

*Language of the case: Hungarian*

**Referring court**

Fővárosi Közigazgatási és Munkaügyi Bíróság

**Parties to the main proceedings**

*Applicant:* TB

*Defendant:* Bevándorlási és Menekültügyi Hivatal

**Questions referred**

1. Must Article 10(2) of Council Directive 2003/86/EC <sup>(1)</sup> on the right to family reunification be interpreted as meaning that, if a Member State, under that article, authorises the entry of a family member other than those referred to in Article 4, only the requirement under Article 10(2) (that the family member must be 'dependent on the refugee') can be applied to that family member?
2. If the first question is answered in the affirmative, does the status of 'dependent' person ('dependency') as referred to in Article 4(2)(a) of the Directive imply a factual situation in which the various aspects of dependency must all be present, or is it sufficient that any of those aspects is present, depending on the specific circumstances of each case, for there to be dependency? In that context, is it consistent with the requirement established in Article 10(2) (that the family member must be 'dependent on the refugee') that a national provision, excluding any individual assessment, takes account of a single factual element, an indicator of dependency ('[being] objectively unable to provide for [his or her] own needs on account of [his or her] state of health'), as a factor meaning that the requirement in question is satisfied?
3. In the event that the first question is answered in the negative and that, therefore, a Member State can apply other requirements in addition to that set out in Article 10(2) (that the family member must be 'dependent on the refugee'), does this mean that the Member State is entitled, if it sees fit, to establish any requirement, including those laid down in Article 4(2) and (3) in relation to other family members, or can the Member State only apply the requirement contained in Article 4(3) of the Directive? In that case, what factual situation is entailed by the requirement 'objectively unable to provide for their own needs on account of their state of health' in Article 4(3) of the Directive? Must it be interpreted as meaning that such family members are unable [to provide] for 'their own needs' or that 'they are unable' to look after 'themselves', or, if applicable, in some other way?

---

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