



C/2023/1294

11.12.2023

**Request for a preliminary ruling from the Administrativen sad Sofia-Oblast (Bulgaria) lodged on  
6 October 2023 — ‘Ronos’ OOD, MA, TI v Komisia za zashtita na konkurentsia**

**(Case C-619/23, Ronos)**

(C/2023/1294)

*Language of the case: Bulgarian*

**Referring court**

Administrativen sad Sofia-Oblast

**Parties to the main proceedings**

*Applicants:* ‘Ronos’ OOD, MA, TI

*Defendant:* Komisia za zashtita na konkurentsia

**Questions referred**

1. Is Article 6 of Directive (EU) 2019/1 <sup>(1)</sup> of the European Parliament and of the Council of 11 December 2018, read in conjunction with Article 3 thereof, and in the light of Article 4(2) of the Treaty on European Union, to be interpreted as limiting the powers of a national competition authority, when conducting an inspection, to access private correspondence, the inviolability of which is guaranteed by the Member State's constitution, when the grounds for restricting the right to freedom and confidentiality of correspondence, enshrined in the constitution itself, are not in place?
2. Is Article 6 of Directive (EU) 2019/1 of the European Parliament and of the Council of 11 December 2018, read in conjunction with Article 3 thereof, and in the light of Article 4(2) of the Treaty on European Union, to be interpreted as meaning that, when an inspection is conducted by the national competition authority, a person who is asked to provide access to a data carrier is entitled to refuse access to content which forms part of his or her private correspondence, given that the inviolability of private correspondence is guaranteed by the Member State's constitution and that the grounds for restricting the right to freedom and confidentiality of correspondence and other communications, enshrined in the constitution itself, are not in place?

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<sup>(1)</sup> Directive (EU) 2019/1 of the European Parliament and of the Council of 11 December 2018 to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market (OJ 2019 L 11, p. 3).