



C/2026/1067

2.3.2026

**Request for a preliminary ruling from the Consiglio di Giustizia amministrativa per la Regione siciliana (Italy) lodged on 11 December 2025 – Mediterranea Engineering Srl acting in its own name and as agent of Raggruppamento Temporaneo di Imprese (R.T.I.) to be established with Studio Cartolano Srl, with Methodos di MS and with VU v Invitalia – Agenzia Nazionale per l'Attrazione degli Investimenti e lo Sviluppo d'Impresa Spa**

**(Case C-815/25, Mediterranea Engineering)**

(C/2026/1067)

*Language of the case: Italian*

**Referring court**

Consiglio di Giustizia amministrativa per la Regione siciliana

**Parties to the main proceedings**

*Applicant:* Mediterranea Engineering Srl acting in its own name and as agent of Raggruppamento Temporaneo di Imprese (R.T.I.) to be established with Studio Cartolano Srl, with Methodos di MS and with VU

*Defendant:* Invitalia – Agenzia Nazionale per l'Attrazione degli Investimenti e lo Sviluppo d'Impresa Spa

**Questions referred**

1. Does the Court consider that the combined provisions of Articles 18, 57 and 63 of Directive 2014/24/EU, <sup>(1)</sup> in the light of the principle of proportionality, must be interpreted as precluding the introduction or interpretation of a national rule which precludes the exclusion or replacement of the principal in a grouping who has infringed tax rules that have been definitively established prior to the expiry of the time limit for submitting the tender, where the remaining members of the grouping meet all the requirements necessary to ensure the proper performance of the contract?
2. Do the same rules and principles preclude the introduction or interpretation of a national rule which precludes the exclusion or replacement of the principal in a grouping irrespective of the agent's and the other members of the grouping's actual knowledge of the reason for the exclusion of the principal?
3. Do those same rules and principles preclude the introduction or interpretation of a national rule which precludes the exclusion or replacement of the principal where the reason for the exclusion of that principal came to the knowledge of the agent only following notification of the contracting authority's checks?

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<sup>(1)</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ 2014 L 94, p. 65).