

2. If the answer to the first question is in the affirmative, does that same article preclude the payment service user's guarantor from invoking the ordinary rules of civil liability in respect of the same facts against the payment service provider, beneficiary of the guarantee, in order to challenge the amount of the secured debt?

(¹) OJ 2007 L 319, p. 1.

Request for a preliminary ruling from the Cour de cassation (France) lodged on 24 July 2020 — Bank Sepah v Overseas Financial Limited, Oaktree Finance Limited

(Case C-340/20)

(2020/C 339/05)

Language of the case: French

Referring court

Cour de cassation

Parties to the main proceedings

Applicant: Bank Sepah

Defendants: Overseas Financial Limited, Oaktree Finance Limited

Other party: Procureur général près la Cour de cassation

Questions referred

1. Are Article 1(h) and (j) and Article 7(1) of Regulation (EC) No 423/2007, (¹) Article 1(i) and (h) and Article 16(1) of Regulation (EU) No 961/2010 (²) and Article 1(k) and (j) and Article 23(1) of Regulation (EU) No 267/2012 (³) to be interpreted as precluding a measure with no earmarking effect, such as a judicial lien or preventive attachment, provided for in the French Code of Civil Enforcement Proceedings, from being implemented, without prior authorisation from the competent national authority, in respect of frozen assets?
2. Is it relevant to the answer to the first question that the grounds for the claim to be recovered from the person or entity whose assets are frozen are unrelated to Iran's nuclear and ballistic programme and pre-date United Nations Security Council Resolution 1737 (2006) of 23 December 2006?

(¹) Council Regulation (EC) No 423/2007 of 19 April 2007 concerning restrictive measures against Iran (OJ 2007 L 103, p. 1).

(²) Council Regulation (EU) No 961/2010 of 25 October 2010 on restrictive measures against Iran and repealing Regulation (EC) No 423/2007 (OJ 2010 L 281, p. 1).

(³) Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 (OJ 2012 L 88, p. 1).

Action brought on 24 July 2020 — European Commission v Italian Republic

(Case C-341/20)

(2020/C 339/06)

Language of the case: Italian

Parties

Applicant: European Commission (represented by: F. Moro, A. Armenia, Agents)

Defendant: Italian Republic