

Reference for a preliminary ruling from the Landesarbeitsgericht Berlin-Brandenburg (Germany), lodged on 29 March 2011 — Ahmed Mahamdia v People's Democratic Republic of Algeria

(Case C-154/11)

(2011/C 173/10)

Language of the case: German

Referring court

Landesarbeitsgericht Berlin-Brandenburg

Parties to the main proceedings

Applicant: Ahmed Mahamdia

Defendant: People's Democratic Republic of Algeria

Questions referred

1. Does an embassy of a State outside the scope of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ('Regulation No 44/2001')⁽¹⁾ which is situated in a Member State constitute a branch, agency or other establishment within the meaning of Article 18(2) of Regulation No 44/2001?
2. If the answer to the first question should be in the affirmative:

Can an agreement conferring jurisdiction reached prior to the existence of a dispute confer jurisdiction on a court outside the scope of Regulation No 44/2001, if, by virtue of the agreement conferring jurisdiction, the jurisdiction conferred under Articles 18 and 19 of Regulation No 44/2001 would not apply?

⁽¹⁾ OJ 2001 L 12, p. 1.

Reference for a preliminary ruling from the Tribunale di Napoli (Italy) lodged on 31 March 2011 — Giuseppe Sibilio v Comune di Afragola

(Case C-157/11)

(2011/C 173/11)

Language of the case: Italian

Referring court

Tribunale di Napoli

Parties to the main proceedings

Applicant: Giuseppe Sibilio

Defendant: Comune di Afragola

Questions referred

1. Is Directive 1999/70/EC⁽¹⁾ applicable to socially useful workers or should such workers be regarded, in accordance with Clause 3(1) thereof, as persons having an employment relationship entered into directly between an employer and a worker where the end of the employment relationship is determined by objective conditions such as reaching a specific date, being in the present case the end of a project?
2. Does Clause 4 preclude a socially useful worker or a publicly useful worker from receiving less remuneration than a permanent worker who carries out the same duties and has the same length of service solely because his employment relationship was initiated on the terms described above, or does this constitute an objective reason justifying less favourable treatment in terms of pay?

⁽¹⁾ OJ 1999 L 175, p. 43.

Reference for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 1 April 2011 — Azienda Sanitaria Locale di Lecce v Ordine degli Ingegneri della Provincia di Lecce and Others — Università del Salento

(Case C-159/11)

(2011/C 173/12)

Language of the case: Italian

Referring court

Consiglio di Stato

Parties to the main proceedings

Applicant: Azienda Sanitaria Locale di Lecce

Defendants: Ordine degli Ingegneri della Provincia di Lecce; Consiglio Nazionale degli Ingegneri; Associazione delle Organizzazioni di Ingegneri, di Architettura e di Consultazione Tecnico-Economica (Oice); Etacons Srl; Ing. Vito Prato Engineering Srl; Barletti — del Grosso & Associati Srl; Ordine degli Architetti della Provincia di Lecce; Consiglio Nazionale degli Architetti Pianificatori, Paesaggisti e Conservatori (Cnappc)

Intervener: Università del Salento