

2. If Question 1 is answered in the affirmative, does this then have the effect that the rules relating to the free movement of capital are not applicable to the group ban, or at least that a review of the group ban in the light of the rules relating to the free movement of capital is not required?
3. Are the objectives which also form the basis of the *Wet onafhankelijk netbeheer* (Law on independent network operation), that is to say, to achieve transparency in the energy market and to prevent distortions of competition by opposing cross-subsidisation in the broad sense (including strategic information exchange), purely economic interests, or can they also be regarded as interests of a non-economic nature, in the sense that in certain circumstances, as compelling reasons in the general interest, they may constitute a justification for a restriction of the free movement of capital?

**Reference for a preliminary ruling from the Tribunalul Vâlcea (Romania) lodged on 29 February 2012 — SC Volksbank România SA v Ionuț-Florin Zglimbea, Liana-Ramona Zglimbea**

(Case C-108/12)

(2012/C 151/29)

*Language of the case: Romanian*

**Referring court**

Tribunalul Vâlcea

**Parties to the main proceedings**

*Applicant:* SC Volksbank România SA

*Defendants:* Ionuț-Florin Zglimbea, Liana-Ramona Zglimbea

**Question referred**

Can Article 4(2) of Directive 93/13<sup>(1)</sup> be interpreted as meaning that 'the main subject matter of the contract' and 'price', as referred to in that provision, cover the elements which make up the consideration to which a credit institution is entitled by virtue of a consumer credit agreement, that is to say, the annual percentage rate of charge under a consumer credit agreement (as defined in Directive 2008/48<sup>(2)</sup> on credit agreements for consumers), formed in particular by the interest rate, whether fixed or variable, bank commissions, and the other fees included and defined in the agreement?

<sup>(1)</sup> Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ 1993 L 95, p. 29).

<sup>(2)</sup> Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ 1987 L 133, p. 66).

**Reference for a preliminary ruling from the Consiglio di Stato (Italy), lodged on 29 February 2012 — Ministero per i beni e le attività culturali and Others v Ordine degli Ingegneri di Verona e Provincia and Others**

(Case C-111/12)

(2012/C 151/30)

*Language of the case: Italian*

**Referring court**

Consiglio di Stato

**Parties to the main proceedings**

*Appellants:* Ministero per i beni e le attività culturali, Ordine degli Ingegneri delle Province di Venezia, di Padova, di Treviso, di Vicenza, di Verona e Provincia, di Rovigo e di Belluno

*Respondents:* Ordine degli Ingegneri di Verona e Provincia, Consiglio Nazionale degli Ingegneri, Consiglio Nazionale degli Architetti, Pianificatori, Paesaggisti e Conservatori, Alessandro Mosconi, Comune di S. Martino Buon Albergo, Ordine degli Architetti, Pianificatori, Paesaggisti e Conservatori della Provincia di Verona, Istituzione di Ricovero e di Educazione di Venezia (IRE), Ordine degli Architetti di Venezia

**Questions referred**

1. Do Articles 10 and 11 of Council Directive 85/384/EEC,<sup>(1)</sup> which for a transitional period allow nationals of other Member States holding qualifications specifically mentioned to practise in the architectural sector, preclude Italy from lawfully operating an administrative practice having as its legal basis Article 52, second indent, first part, of Royal Decree No 2537 of 1925, which specifically reserves certain operations relating to buildings of artistic interest exclusively to persons holding the qualification of 'architect' or to persons who demonstrate that they have completed courses in the heritage sector specific to cultural assets and ancillary assets in addition to the requirements authorising general access to the provision of architectural services within the terms of Directive 85/384/EEC?
2. In particular, may that administrative practice consist in subjecting professionals from Member States other than Italy, even where they possess qualifications which in general make them suitable for practising as architects, to a specific examination of professional suitability, that is to say, to the authorisation to practise as an architect, which applies also to Italian professionals in the examination to establish their suitability to practise as architects, for the sole purposes of obtaining access to the professional activities referred to in Article 52, second indent, first part, of Royal Decree No [2537] of 1925?

<sup>(1)</sup> OJ 1985 L 223, p. 15.