

4. In the light of Articles 109(a), 110 and 256(3) of Regulation (EEC) No 2454/1993,<sup>(1)</sup> are special administrative procedures necessary, such as submitting an application or presenting a EUR.1 certificate to a specific authority, in order to trigger the specific effect, namely, the concession by the customs authority of the preferential tariff scheme under Article 98 of the same regulation?

<sup>(1)</sup> Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ 1993 L 253, p. 1).

3. In the event of a negative answer to the first question (to the effect that application of the bilateral convention on social security is not excluded), is it possible to regard as more favourable, within the meaning of Article 8(1) of Regulation (EC) No 883/2004, legal rules on the basis of which a State signatory to the convention on social security recognises a shorter contributory period than that actually completed, and that State pays a pension of a greater amount than that to which entitlement would arise if the entire contributory period in the joint-signatory State were to be recognised?

<sup>(1)</sup> Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ 2004 L 166, p. 1).

**Request for a preliminary ruling from the Curtea de Apel Galați (Romania) lodged on 5 December 2013 — Casa Județeană de Pensii Brăila v E.S.**

(Case C-646/13)

(2014/C 39/22)

*Language of the case: Romanian*

**Referring court**

Curtea de Apel Galați

**Parties to the main proceedings**

*Appellant:* Casa Județeană de Pensii Brăila

*Respondent:* E.S.

**Questions referred**

1. Must Article 8(1) of Regulation (EC) No 883/2004<sup>(1)</sup> be interpreted as excluding the application of a bilateral convention on social security which was entered into prior to application of that regulation and does not appear in Annex II to that regulation, under circumstances in which the rules applicable under that bilateral convention prove to be more favourable for the insured person than would be the case under the rules based on that regulation?
2. When an assessment is made as to whether the bilateral convention is more favourable, does Article 8(1) of Regulation (EC) No 883/2004 require the view to be taken that it is necessary to remain within the legal interpretation of the bilateral convention or is it also necessary to include the specific detailed arrangements for application (regarding the quantum of the pension which can be granted by each State, the payment of which is determined by reference to the application/exclusion of application of the convention by the regulation)?

**Request for a preliminary ruling from the Tribunal de commerce de Versailles (France) lodged on 6 December 2013 — Works Council of Nortel Networks SA and Others v Me Rogeau, Liquidator of Nortel Networks SA, Alan Robert Bloom and Others**

(Case C-649/13)

(2014/C 39/23)

*Language of the case: French*

**Referring court**

Tribunal de commerce de Versailles

**Parties to the main proceedings**

*Applicants:* Works Council of Nortel Networks SA and Others

*Defendants:* Me Rogeau, Liquidator of Nortel Networks SA, Alan Robert Bloom and Others

**Question referred**

Do the courts of the State in which secondary proceedings have been opened have exclusive jurisdiction over or concurrent jurisdiction with the courts of the State in which the main proceedings have been opened, to rule on the determination of the debtor's assets falling within the scope of the effects of the secondary proceedings in accordance with Articles 2(g), 3(2) and 27 of Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings<sup>(1)</sup> and, in the event that there is exclusive or concurrent jurisdiction, is the applicable law that of the main proceedings or of the secondary proceedings?

<sup>(1)</sup> OJ 2000 L 160, p. 1.