

**Questions referred**

1. Does the principle of equal treatment under Article 4 of Regulation (EC) No 883/2004 <sup>(1)</sup> — with the exception of the clause in Article 70(4) of Regulation (EC) No 883/2004 excluding the provision of benefits outside the Member State of residence — also apply to the special non-contributory cash benefits referred to in Article 70(1) and (2) of Regulation (EC) No 883/2004?
2. If the first question is answered in the affirmative: may the principle of equal treatment laid down in Article 4 of Regulation (EC) No 883/2004 be limited by provisions of national legislation implementing Article 24(2) of Directive 2004/38/EC <sup>(2)</sup> which do not under any circumstances allow access to those benefits in the case where the right of residence of the European Union citizen from another Member State arises solely out of the search for employment, and, if so, to what extent may that principle be so limited?
3. Does Article 45(2) TFEU, in conjunction with Article 18 TFEU, preclude a national provision which does not under any circumstances allow the grant of a social benefit which is intended to ensure subsistence and to facilitate access to the labour market to European Union citizens who can invoke the exercise of their right of free movement as job-seekers in the case where those citizens enjoy a right of residence arising solely out of the search for employment, irrespective of their link with the host Member State?

<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).

<sup>(2)</sup> Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ 2004 L 158, p. 77).

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**Request for a preliminary ruling from the Tribunalul Sibiu (Romania) lodged on 10 February 2014 —  
Dragoş Constantin Târşia v Romanian State, through the Ministerul Finanţelor şi Economiei,  
Serviciul Public Comunitar Regim Permise de Conducere şi Inmatriculare a Autovehiculelor**

**(Case C-69/14)**

(2014/C 142/20)

*Language of the case: Romanian*

**Referring court**

Tribunalul Sibiu

**Parties to the main proceedings**

*Applicant:* Dragoş Constantin Târşia

*Defendants:* Romanian State, through the Ministerul Finanţelor şi Economiei, Serviciul Public Comunitar Regim Permise de Conducere şi Inmatriculare a Autovehiculelor

**Question referred**

Can Articles 17, 20, 21 and 47 of the Charter of Fundamental Rights of the European Union, Article 6 of the Treaty on the European Union, Article 110 of the Treaty on the Functioning of the European Union, the principle of legal certainty laid down in European Union law and in the case-law of the Court of Justice be interpreted as precluding a rule such as that found in Article 21(2) of Law No 554/2004 which allows for revision of national judicial decisions when there is an infringement of the principle of the primacy of [European Union] law exclusively in administrative proceedings and which does not allow for revision of national judicial decisions delivered in proceedings other than administrative proceedings (civil or criminal proceedings) when there is an infringement of the same principle of primacy of [European Union] law at issue in those decisions?