

Parties to the main proceedings

Applicant: Eurospeed Ltd

Defendant: Szegedi Törvényszék

Questions referred

1. Does the fact that a Member State is liable to make good damage resulting from a breach of EU law preclude the application of rules on liability when ruling on a claim for damages brought on that basis against the State body actually responsible for the breach?
2. If the answer to the first question is in the negative, does Article 10(3) of Regulation No 561/2006/EC ⁽¹⁾ preclude the adoption of a national law by the Member State which, in the event of breach of the requirements laid down by the Regulation, provides for the imposition of a penalty on the driver who actually committed the breach in addition to or instead of the transport company?
3. If the answer to the second question is in the affirmative, must it be considered that a decision of a national administrative court which, instead of being based on Article 10(3) of Regulation No 561/2006, is based on national law contrary to that provision, is manifestly in breach of Union law?

⁽¹⁾ Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85.

**Request for a preliminary ruling from the Tribunalul Timiș (Romania) lodged on 12 June 2014 —
Silvia Ciup v Administrația Județeană a Finanțelor Publice (AJFP) Timiș — Direcția Generală
Regională a Finanțelor Publice (DGRFP) Timișoara**

(Case C-288/14)

(2014/C 303/25)

Language of the case: Romanian

Referring court

Tribunalul Timiș

Parties to the main proceedings

Applicant: Silvia Ciup

Defendant: Administrația Județeană a Finanțelor Publice (AJFP) Timiș — Direcția Generală Regională a Finanțelor Publice (DGRFP) Timișoara

Question referred

Can the principles of equivalence and effectiveness of remedies for infringements of EU law, upheld by the case-law of the Court, and the right to property referred to in Article 17 of the Charter of Fundamental Rights of the European Union be interpreted as precluding provisions of national law that defer, on the basis of instalments payable over a period of five years, the reimbursement of taxes levied in breach of Community law and reimbursement of interest thereon, such reimbursements having been directed to be made by judgments that became enforceable by 31 December 2015?