

- In their second plea in law on appeal, the appellants contend that the General Court erred in its interpretation of the reasoning of the General Court in its judgment in Case T-143/06 MTZ Polyfilms v Council of the European Union.

⁽¹⁾ Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community OJ L 343, p. 51.

Request a preliminary ruling from the Tribunale di Santa Maria Capua Vetere (Italy) of 10 July 2015 — Criminal proceedings against Luciano Baldetti

(Case C-350/15)

(2015/C 311/39)

Language of the case: Italian

Referring court

Tribunale di Santa Maria Capua Vetere

Party to the main proceedings

Luciano Baldetti

Question referred for a preliminary ruling

On a proper construction of Article 4 of [Protocol No 7 to the European Convention on the Protection of Human Rights and Fundamental Freedoms] and Article 50 [of the Charter of Fundamental Rights of the European Union], is the provision made under Article 10b of Legislative Decree No 74/00 consistent with Community law, in so far as it permits the criminal liability of a person to whom a final assessment by the tax authorities of the State has already been issued imposing an administrative penalty in the sum of 30 % of the unpaid amount to be assessed in respect of the same act or omission (non-payment of VAT)?

Request for a preliminary ruling from the Korkein hallinto-oikeus (Finland) lodged on 14 July 2015 — Ilves Jakelu Oy

(Case C-368/15)

(2015/C 311/40)

Language of the case: Finnish

Referring court

Korkein hallinto-oikeus

Parties to the main proceedings

Appellant: Ilves Jakelu Oy

Other party: Ministry of Transport and Communications

Questions referred

1. In interpreting Article 9 of Postal Directive 97/67/EC ⁽¹⁾, as amended by Directives 2002/39/EC ⁽²⁾ and 2008/6/EC ⁽³⁾, is the distribution of postal items of contract customers to be considered a service outside the scope of the universal service under Article 9(1) or a service within the scope of the universal service under Article 9(2), where the postal undertaking agrees with its customers on the conditions governing delivery and charges them an individually agreed fee?
2. If the aforementioned distribution of postal items of contract customers involves a service outside the scope of the universal service, are Article 9(1) and Article 2(14) to be interpreted in such a way that the provision of such postal services, under circumstances such as those in the main proceedings, can be made subject to an individual licence, as provided for in the Postal Act?
3. If the aforementioned distribution of postal items of contract customers involves a service outside the scope of the universal service, is Article 9(1) to be interpreted in such a way that an authorisation concerning such services can be made subject only to terms intended to guarantee compliance with the essential requirements under Article 2(19) of the Postal Directive and that authorisations concerning such services cannot be made subject to any terms with respect to the quality, availability, or performance of the relevant services under Article 9(2) of the Directive?
4. If authorisations concerning the aforementioned distribution of postal items of contract customers can be made subject only to terms intended to guarantee compliance with the essential requirements, can terms such as those at issue in the main proceedings — which relate to the postal service's conditions governing delivery, the frequency of distribution of items, change-of-address and delivery-suspension service, the labelling of items, and clearance locations — be considered consistent with the essential requirements under Article 2(19) and necessary in order to guarantee compliance with the essential requirements under Article 9(1)?

⁽¹⁾ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ 1998 L 15, p. 14).

⁽²⁾ Directive 2002/39/EC of the European Parliament and of the Council of 10 June 2002 amending Directive 97/67/EC with regard to the further opening to competition of Community postal services (OJ 2002 L 176, p. 21).

⁽³⁾ Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 amending Directive 97/67/EC with regard to the full accomplishment of the internal market of Community postal services (OJ 2008 L 52, p. 3).

**Request for a preliminary ruling from the Tribunal Supremo (Spain) lodged on 13 July 2015 —
Siderurgia Sevillana, S.A. v Administración del Estado**

(Case C-369/15)

(2015/C 311/41)

Language of the case: Spanish

Referring court

Tribunal Supremo

Parties to the main proceedings

Applicant: Siderurgia Sevillana, S.A.

Defendant: Administración del Estado