

**Request for a preliminary ruling from the Augstākā tiesa (Latvia) lodged on 31 August 2015 —
Verners Pudāns**

(Case C-462/15)

(2015/C 381/21)

Language of the case: Latvian

Referring court

Augstākā tiesa

Parties to the main proceedings

Applicant: Verners Pudāns

Defendant: Valsts ieņēmumu dienests

Question referred

Must Article 29(1) of Council Regulation (EC) No 73/2009 of 19 January 2009 ⁽¹⁾ establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003, be interpreted as allowing, in principle, a Member State to apply income tax to payments under the support schemes listed in Annex I to that regulation?

⁽¹⁾ OJ 2009 L 30, p. 16.

**Request for a preliminary ruling from the Conseil d'État (France) lodged on 3 September 2015 —
Jean-Michel Adrien, Frédéric Baron, Catherine Blanchin, Marc Bouillaguet, Anne-Sophie Chalhoub,
Denis d'Ersu, Laurent Gravière, Vincent Cador, Roland Moustache, Jean Richard de la Tour, Anne
Schneider, Bernard Stamm and Eléonore von Bardeleben v Premier ministre, Ministre des finances et
des comptes publics, Ministre de la décentralisation et de la fonction publique**

(Case C-466/15)

(2015/C 381/22)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Applicants: Jean-Michel Adrien, Frédéric Baron, Catherine Blanchin, Marc Bouillaguet, Anne-Sophie Chalhoub, Denis d'Ersu, Laurent Gravière, Vincent Cador, Roland Moustache, Jean Richard de la Tour, Anne Schneider, Bernard Stamm and Eléonore von Bardeleben

Defendants: Premier ministre, Ministre des finances et des comptes publics, Ministre de la décentralisation et de la fonction publique

Question referred

Is national legislation which permits an official on secondment to an institution of the European Union to choose, for the duration of his secondment, either to suspend his payment of contributions to the pension scheme in his State of origin, in which case his pension under that scheme is fully aggregated with the retirement benefits connected with the secondment, or to continue with the payments, in which case his pension under that scheme is limited to the amount required in order to bring the total amount of the pensions, including the pension acquired under the scheme applicable to the position to which he is seconded, to the amount of the pension he would have acquired if he had not been seconded contrary to the obligations under Article 45 of the Treaty on the Functioning of the European Union, read in the light of Article 48 TFEU, and to the principle of sincere cooperation referred to in Article 4 of the Treaty on the European Union?

Appeal brought on 4 September 2015 by Servizi assicurativi del commercio estero SpA (SACE) and Sace BT SpA against the judgment delivered by the General Court (Seventh Chamber) on 25 June 2015 in Case T-305/13 SACE and Sace BT v Commission

(Case C-472/15 P)

(2015/C 381/23)

Language of the case: Italian

Parties

Appellants: Servizi assicurativi del commercio estero SpA (SACE), Sace BT SpA (represented by: M. Siragusa and G. Rizza, avvocati)

Other parties to the proceedings: European Commission, Italian Republic

Form of order sought

SACE claims that, in granting the present appeal, the Court of Justice should set aside the decision of the General Court as set out in the operative part of the judgment under appeal and, without there being any need to refer the case back to the General Court, grant the forms of order sought by the applicants at first instance and, accordingly:

- Annul in its entirety Decision C (2013) 1501 final of the European Commission of 20 March 2013 on measure SA.23425 implemented by Italy in 2004 and 2009 in favour of SACE BT SpA;
- in the alternative, annul that decision in part, only in so far as concerns the plea/s in law upheld; and
- order the Commission to pay the costs of the proceedings, including the costs of the application for interim measures in Case T-305/13 R.

Pleas in law and main arguments

First ground of appeal, concerning whether the measures at issue may be imputed to the Italian State: breach of Article 107(1) TFEU, as interpreted by the Court in its judgment in ‘Stardust Marine’ (Case C-482/99); clear misinterpretation of paragraph 177(b)(i) of the grounds of the contested decision; substantive inaccuracy of the findings of fact, as is apparent from the documents submitted to the General Court, and distortion of the content of the contested decision; illogical reasoning; improper substitution of the grounds of the contested decision; misapplication of the principle that the question whether a decision on State aid is lawful must be assessed in the light of the information available to the Commission at the time it adopted the decision, with regard to the two letters from MEF to SACE SpA produced by the Italian Government as an annex to its statement in intervention.