

**Question referred**

Is the refusal to issue a secure router for accessing the Private Virtual Network for Lawyers (RPVA) to a lawyer duly registered at the Bar of a Member State in which he wishes to practise his profession as a free provider of services contrary to Article 4 of Directive 77/249/EC, <sup>(1)</sup> on the basis that it constitutes a discriminatory measure which could impede the practice of his profession as a free provider of services?

<sup>(1)</sup> Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services (OJ 1977 L 78, p. 17).

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**Request for a preliminary ruling from the Raad van State (Belgium) lodged on 19 February 2016 —  
Vaditrans BVBA v Belgische Staat**

**(Case C-102/16)**

(2016/C 165/09)

*Language of the case: Dutch*

**Referring court**

Raad van State

**Parties to the main proceedings**

*Applicant:* Vaditrans BVBA

*Defendant:* Belgische Staat

**Questions referred**

1. Must Article 8(6) and (8) of Regulation (EC) No 561/2006 <sup>(1)</sup> 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 be interpreted as meaning that the regular weekly rest periods referred to in Article 8(6) of the same regulation may not be spent inside the vehicle?
2. If the answer to the first question is in the affirmative, does Article 8(6) and (8) of Regulation No 561/2006, read in conjunction with Article 19 of the same regulation, then breach the principle of legality in criminal proceedings as expressed in Article 49 of the Charter of Fundamental Rights of the European Union <sup>(2)</sup> in so far as the abovementioned provisions of Regulation No 561/2006 do not expressly provide for the prohibition on spending the regular weekly rest periods referred to in Article 8(6) of the same regulation inside the vehicle?
3. If the answer to the first question is in the negative, does Regulation No 561/2006 then permit Member States to lay down a prohibition in their national law on spending the regular weekly rest periods referred to in Article 8(6) of the same regulation inside a vehicle?

<sup>(1)</sup> OJ 2006 L 102, p. 1

<sup>(2)</sup> OJ 2000 C 364, p. 1

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