

## V

(Announcements)

## COURT PROCEEDINGS

## COURT OF JUSTICE

**Request for a preliminary ruling from the Tribunale di Novara (Italy) lodged on 4 July 2016 — Bruno Dell'Acqua v Eurocom Srl, Regione Lombardia**

(Case C-370/16)

(2016/C 383/02)

*Language of the case: Italian*

**Referring court**

Tribunale di Novara

**Parties to the main proceedings**

*Applicant:* Bruno Dell'Acqua

*Defendants:* Eurocom Srl, Regione Lombardia

**Question referred**

'Is prior authorisation in accordance with the [last] sentence of Article 1 of the "Protocol on the Privileges and Immunities of the European Union" (Official Journal of the European Union C 310/261 of 16.12. 2004) necessary or not, when in attachment proceedings against a third party the sums to be attached are no longer held by the payer, the [European] Commission, but have already been transferred to the national paying agencies?'

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**Request for a preliminary ruling from the Naczelny Sąd Administracyjny (Poland) lodged on 19 July 2016 — Soufiane El Hassani v Minister Spraw Zagranicznych**

(Case C-403/16)

(2016/C 383/03)

*Language of the case: Polish*

**Referring court**

Naczelny Sąd Administracyjny

**Parties to the main proceedings**

*Appellant:* Soufiane El Hassani

*Respondent:* Minister Spraw Zagranicznych

**Question referred**

Must Article 32(3) of Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), <sup>(1)</sup> having regard to recital 29 of the Visa Code and the first paragraph of Article 47 of the Charter of Fundamental Rights of the European Union, be interpreted as requiring the Member States to guarantee an effective remedy (appeal) before a court of law?

<sup>(1)</sup> OJ 2009 L 243, p. 1.

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**Request for a preliminary ruling from the Curtea de Apel București (Romania) lodged on 21 July 2016 — Compania Națională de Autostrăzi și Drumuri Naționale din România SA v Ministerul Fondurilor Europene — Direcția Generală Managementul Fondurilor Externe**

(Case C-408/16)

(2016/C 383/04)

*Language of the case: Romanian*

**Referring court**

Curtea de Apel București

**Parties to the main proceedings**

*Applicant:* Compania Națională de Autostrăzi și Drumuri Naționale din România SA

*Defendants:* Ministerul Fondurilor Europene — Direcția Generală Managementul Fondurilor Externe

**Questions referred**

1. Is Article 15(c) of Directive 2004/18 <sup>(1)</sup> to be interpreted as permitting a Member State not to apply the directive, following its accession to the European Union, if it has the benefit of a finance agreement concluded with the European Investment Bank which was signed before the accession and under which specific requirements imposed by the lending institution, such as those at issue in the present case, which are more restrictive than those laid down by the directive, are applied to public contracts to be awarded?
2. Is Directive 2004/18 to be interpreted as precluding a legislative measure under national law, such as O.U.G. No 72/2007 (Decree Law No 72/2007), which provides for the application of the European Investment Bank Guide to Procurement, by way of derogation from the legislative measure by which the directive was transposed into national law, namely, in the present case, O.U.G. No 34/2006 (Decree Law No 34/2006), on grounds such as those set out in the explanatory memorandum, for the purpose of compliance with the finance agreement concluded prior to accession?
3. On a proper interpretation of Article 9(5) and Article 60(a) of Regulation No 1083/2006, <sup>(2)</sup> may such a public contract, concluded in compliance with the European Investment Bank Guide to Procurement and with national law, be regarded as consistent with EU law and eligible for European non-reimbursable financial support, granted retrospectively?