

## V

(Announcements)

## COURT PROCEEDINGS

## COURT OF JUSTICE

**Order of the Court (Sixth Chamber) of 12 July 2018 — (request for a preliminary ruling from the Rayonen sad Svilengrad — Bulgaria) — Criminal proceedings against Daniela Pinzaru, Robert-Andrei Cirstinoiu**

(Case C-707/17) <sup>(1)</sup>

*(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court — Control of cash entering or leaving the European Union — Regulation (EC) No 1889/2005 — Failure to comply with the obligation to declare — Penalties laid down by national law — Confiscation by the State of the undeclared sum — Custodial sentence — Fine in the amount of twice the undeclared sum — Proportionality)*

(2018/C 341/02)

Language of the case: Bulgarian

**Referring court**

Rayonen sad Svilengrad

**Parties to the criminal proceedings in the main proceedings**

Daniela Pinzaru, Robert-Andrei Cirstinoiu

**Operative part of the order**

Article 9(1) of Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community must be interpreted as precluding national legislation, such as that at issue in the main proceedings, which, as a penalty for failure to comply with the obligation to declare laid down in Article 3 of that regulation, imposes, first, confiscation by the State of the undeclared sum and, second, a custodial sentence of up to six years or a fine in the amount of twice the undeclared sum.

<sup>(1)</sup> OJ C 94, 12.3.2018.