

3. Should Article 15(1) and (4) of Council Directive 2003/86/EC ... be interpreted as precluding national legislation, such as that at issue in the main proceedings, on the basis of which an autonomous residence permit cannot be granted earlier than the date on which it is applied for?

Request for a preliminary ruling from the Oberlandesgericht Düsseldorf (Germany) lodged on 17 May 2017 — Rhenus Veniro GmbH & Co. KG v Kreis Heinsberg

(Case C-267/17)

(2017/C 269/04)

Language of the case: German

Referring court

Oberlandesgericht Düsseldorf

Parties to the main proceedings

Appellant: Rhenus Veniro GmbH & Co. KG

Respondent: Kreis Heinsberg

Questions referred

1. Is Article 5(2) of Regulation (EC) No 1370/2007 ⁽¹⁾ applicable to directly awarded public service contracts within the meaning of Article 2(i) of the regulation which do not, for the purposes of the second sentence of Article 5(1) of the regulation, take the form of service concessions contracts under Directives 2004/17/EC or 2004/18/EC?

If Question 1 is answered in the affirmative:

2. Do Article 2(b) and Article 5(2) of Regulation (EC) No 1370/2007 presume, as is conveyed by the word 'or', an exclusive competence either of an individual authority or of a group of authorities, or do those provisions also permit an individual authority to be a member of a group of authorities and to assign specific tasks to the group but at the same time to retain the power to intervene under Article 2(b) and to be the competent local authority within the meaning of Article 5(2) of the regulation?
3. Does point (e) of the second sentence of Article 5(2) of Regulation (EC) No 1370/2007, which lays down the requirement to perform the major part of the public passenger transport service itself, prevent the internal operator from having that major part of the services performed by a wholly-owned subsidiary?
4. At what point in time must the conditions governing direct awards laid down in Article 5(2) of Regulation (EC) No 1370/2007 be met: at the time of publication of an intended direct award pursuant to Article 7 of Regulation (EC) No 1370/2007 or not until the time of the direct award itself?

⁽¹⁾ Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ 2007 L 315, p. 1).

Request for a preliminary ruling from the Okresní soud v Českých Budějovicích (Czech Republic) lodged on 19 May 2017 — Česká pojišťovna a.s. v WCZ, spol. s r.o.

(Case C-287/17)

(2017/C 269/05)

Language of the case: Czech

Referring court

Okresní soud v Českých Budějovicích