

Request for a preliminary ruling from the Augstākā tiesa (Latvia) lodged on 12 June 2017 — Sergejs Buivids

(Case C-345/17)

(2017/C 277/39)

Language of the case: Latvian

Referring court

Augstākā tiesa

Parties to the main proceedings

Appellant: Sergejs Buivids

Other party to the proceedings: Datu valsts inspekcija

Questions referred

1. Do activities such as those at issue in the present case, that is to say, the recording, in a police station, of police officers carrying out procedural measures and publication of the video on the Internet site *www.youtube.com*, fall within the scope of Directive 95/46? ⁽¹⁾
2. Must Directive 95/46 be interpreted as meaning that those activities may be regarded as the processing of personal data for journalistic purposes, within the meaning of Article 9 of that directive?

⁽¹⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ 1995 L 281, p. 31).

Action brought on 26 June 2017 — European Commission v Portuguese Republic

(Case C-382/17)

(2017/C 277/40)

Language of the case: Portuguese

Parties

Applicant: European Commission (represented by: P. Costa de Oliveira and L. Nicolae, Agents)

Defendant: Portuguese Republic

Form of order sought

The applicant claims that the Court should:

- declare that by failing to develop, implement and maintain a quality management system for the operational parts of the flag-State-related activities of its administration, certified in accordance with the applicable international quality standards, by 17 June 2012, the Portuguese Republic has failed to fulfil its obligations under Article 8(1) of Directive 2009/21/EC ⁽¹⁾ of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements;
- order the Portuguese Republic to pay the costs.

Pleas in law and main arguments

Article 8(1) of the Directive clearly lays down that by 17 June 2012 the Member States must develop, implement and maintain the quality management system referred to.

It is now June 2017 and the Portuguese Republic has still not complied with Article 8(1).

By acting in that manner, the Portuguese administration is undermining the objectives pursued by the Directive, jeopardising maritime safety and the protection of the environment. In addition, the conduct of the Portuguese administration carries the risk of creating an unfair competitive advantage for the Portuguese fleet in relation to other Member States' fleets.

⁽¹⁾ OJ 2009 L 131, p. 132.

Action brought on 26 June 2017 — European Commission v Portuguese Republic

(Case C-383/17)

(2017/C 277/41)

Language of the case: Portuguese

Parties

Applicant: European Commission (represented by: P. Costa de Oliveira and L. Nicolae, Agents)

Defendant: Portuguese Republic

Form of order sought

The applicant claims that the Court should:

- declare that by failing to provide the Commission with any report of the results of the monitoring of every recognised organisation acting on its behalf, the Portuguese Republic fails to fulfil its obligations under Article 9(2) of Directive 2009/15/EC ⁽¹⁾ of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations;
- order the Portuguese Republic to pay the costs.

Pleas in law and main arguments

Article 9(2) of the Directive clearly lays down that each Member State must, at least on a biennial basis, monitor every recognised organisation acting on its behalf and provide the other Member States and the Commission with a report on the results of such monitoring activities at the latest by 31 March of the year following the year in which the monitoring was carried out.

Since the time limit for transposing the Directive into national law expired on 17 June 2011 in accordance with Article 13 (1) of that directive, the Portuguese Republic ought to have provided the first report by 31 March 2013 at the latest, as it could have opted to carry out the first monitoring during 2011 or 2012.

It is now June 2017 and the Portuguese Republic has still not provided a report.

⁽¹⁾ OJ 2009 L 131, p. 47.

Action brought on 10 July 2017 — European Commission v Republic of Croatia

(Case C-415/17)

(2017/C 277/42)

Language of the case: Croatian

Parties

Applicant: European Commission (represented by: H. Støvlbæk, M. Mataija and G. von Rintelen, Agents)