

- 2 (a) Must the term 'relevant information' in Article 15(2) of Regulation (EC) No 1225/2009 be interpreted as including the response of an independent importer of the goods forming the subject of the investigation referred to in that provision, established in the European Union, to the findings of the Commission, if that importer was notified of that investigation by the Commission, provided requested information to the Commission and, having been given the opportunity to do so, responded in a timely fashion to the Commission's findings?
- (b) If question 2(a) is answered in the affirmative, can that importer then plead infringement of Article 15(2) of Regulation (EC) No 1225/2009 if the response submitted by him was not made available at least ten working days prior to the meeting of the Advisory Committee provided for in that provision?
- (c) If question 2(b) is answered in the affirmative, does that infringement of Article 15(2) of Regulation (EC) No 1225/2009 mean that that decision is unlawful and that it should not be implemented?

⁽¹⁾ Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community (OJ 2009, L 343, p. 51).

Request for a preliminary ruling from the Tribunale di Brindisi (Italy) lodged on 17 November 2017 — Criminal proceedings against Gianluca Moro

(Case C-646/17)

(2018/C 052/26)

Language of the case: Italian

Referring court

Tribunale di Brindisi

Defendant in the main proceedings

Gianluca Moro

Question referred

Must Article 2(1), Article 3(1)(c) and Article 6(1), (2) and (3) of Directive 2012/12/EU, ⁽¹⁾ and Article 48 of the Charter of Fundamental Rights of the European Union as well, be interpreted as precluding procedural rules under the criminal law of a Member State on the basis of which the safeguards for the rights of the defence following a change to the charge are guaranteed in terms that differ, both in quality and in quantity, depending on whether that change relates to the factual elements of the charge or to its legal classification, in particular allowing the accused person only in the first case to request the alternative and beneficial procedure of the imposition of a negotiated penalty (the 'patteggiamento' procedure)?

⁽¹⁾ Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings (OJ 2012 L 142, p. 1).

Request for a preliminary ruling from the Högsta förvaltningsdomstolen (Sweden) lodged on 20 November 2017 — Skatteverket v Srf konsulterna AB

(Case C-647/17)

(2018/C 052/27)

Language of the case: Swedish

Referring court

Högsta förvaltningsdomstolen