

**Request for a preliminary ruling from the Rechtbank Den Haag, zittingsplaats Utrecht (Netherlands)
lodged on 5 December 2017 — Sumanan Vethanayagam, Sobitha Sumanan, Kamalaranee
Vethanayagam v Minister van Buitenlandse Zaken**

(Case C-680/17)

(2018/C 063/12)

Language of the case: Dutch

Referring court

Rechtbank Den Haag, zittingsplaats Utrecht

Parties to the main proceedings

Applicants: Sumanan Vethanayagam, Sobitha Sumanan, Kamalaranee Vethanayagam

Defendant: Minister van Buitenlandse Zaken

Questions referred

1. Does Article 32(3) of the Visa Code ⁽¹⁾ preclude a sponsor, as an interested party in connection with the visa applications of applicants, from having a right of objection and appeal in his or her own name against the refusal of those visas?
2. Should representation, as regulated in Article 8(4) of the Visa Code, be interpreted as meaning that responsibility (also) remains with the represented State, or that responsibility is wholly transferred to the representing State, with the result that the represented State itself is no longer competent?
3. In the event that Article 8(4)(d) of the Visa Code allows both forms of representation as referred to in Question 2, which Member State must then be regarded as the Member State that has taken the final decision as referred to in Article 32(3) of the Visa Code?
4. Is an interpretation of Article 8(4) and Article 32(3) of the Visa Code according to which visa applicants can lodge an appeal against the rejection of their applications only with an administrative or judicial body of the representing Member State, and not in the represented Member State for which the visa application was made, consistent with effective legal protection as referred to in Article 47 of the Charter? Is it relevant to the answer to that question that the avenue of legal recourse offered should guarantee that an applicant has the right to be heard, that he has the right to bring proceedings in a language of one of the Member States, that the level of the charges or court fees for the procedures governing the lodging of objections and appeals are not disproportionate for the applicant and that there is a possibility of funded legal aid? Given the margin of discretion enjoyed by the State in matters relating to visas, is it relevant to the answer to this question whether a Swiss court has sufficient insight into the situation in the Netherlands to be able to provide effective legal protection?

⁽¹⁾ 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) (OJ 2009 L 243, p. 1).

**Request for a preliminary ruling from the Cour de cassation du Grand-Duché de Luxembourg
(Luxembourg) lodged on 11 December 2017 — Pillar Securitisation Sàrl v Hildur Arnadottir**

(Case C-694/17)

(2018/C 063/13)

Language of the case: French

Referring court

Cour de cassation du Grand-Duché de Luxembourg