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

Parties to the main proceedings

Applicant: Pillar Securitisation Sàrl

Defendant: Hildur Arnadottir

Question referred

In the context of a credit agreement which, by reason of the total amount of the loan, does not come within the scope of Directive 2008/48/EC of the European Parliament and the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC, ([1]) can a person be regarded as a 'consumer' within the meaning of Article 15 of the Lugano Convention of 30 October 2007 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, in the absence of any national legislation applying the provisions of that directive to areas which do not come within its scope, on the ground that the contract was concluded for a purpose that can be regarded as a purpose other than that person's professional activity?

([1]) OJ 2008 L 133, p. 66.

Appeal brought on 3 January 2018 by the Hellenic Republic against the judgment of the General Court (Seventh Chamber) delivered on 25 October 2017 in Case T-26/16, Hellenic Republic v European Commission

(Case C-6/18 P)

(2018/C 063/14)

Language of the case: Greek

Parties

Appellant: Hellenic Republic (represented by: G. Kanellopoulos, I. Pachi and A. Vasilopoulou)

Other party to the proceedings: European Commission

Form of order sought

The appellant claims that this appeal should be upheld, that the judgment under appeal of the General Court of the European Union of 25 October 2017 in Case T-26/16 should be set aside in so far as the General Court thereby dismissed its action, that the action brought by the Hellenic Republic on 22 January 2016 should be upheld, that the decision of the European Commission 2015/2098 of 13 November 2015 ([1]) should be annulled to the extent to which that decision imposed on the Hellenic Republic, following the IR/2009/004/GR and IR/2009/0017/GR investigations, one-off and flat-rate financial corrections with respect to delays in recovery procedures, non reporting and weaknesses in debt management procedures, to a total amount of EUR 11 534 827,97, and that the Commission should be ordered to pay the costs.

Pleas in law and main arguments

In support of its appeal, the appellant relies on two grounds of appeal.

The first ground of appeal, with reference to the part of the Decision whereby the Commission imposed a flat-rate financial correction on the Hellenic Republic, is based on a claim that the General Court misinterpreted and misapplied Articles 31 and 32-33 of Regulation No 1290/2005, ([2]) erred in law, with respect to the application of the guidelines in Commission Document 5330/1997 for the application of flat-rate corrections in the case of Article 32(4) of Regulation 1290/2005, infringed the principle of legal certainty, and failed to state sufficient reasons in the judgment under appeal.