

**Parties to the main proceedings**

*Appellant:* ECO-WIND Construction S.A., established in Warsaw

*Public administrative authority:* Samorządowe Kolegium Odwoławcze w Kielcach

**Questions referred**

1. Should Article 1(1)(f) of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services <sup>(1)</sup> ... be interpreted as meaning that a statutory provision which introduces a restriction on the location of wind farms by establishing a minimum distance between a wind farm and a residential building or mixed-use building used for residential purposes, stating that this distance is to be equal to or greater than ten times the height of the wind farm measured from ground level ... to the highest point of the structure, including technical elements, in particular the rotor and rotor blades, is a 'technical regulation', a draft of which should be communicated to the Commission pursuant to Article 5(1) of that directive?
2. Should Article 15(2)(a) of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market <sup>(2)</sup> ... be interpreted as meaning that a statutory provision which introduces a restriction on the location of wind farms by establishing a minimum distance between a wind farm and a residential building or mixed-use building used for residential purposes, stating that this distance is to be equal to or greater than ten times the height of the wind farm measured from ground level to the highest point of the structure, including technical elements, in particular the rotor and rotor blades, is a provision that makes access to a service activity or the exercise of it subject to territorial restrictions, in particular in the form of limits fixed according to a minimum geographical distance between providers, of which a Member State is to notify the Commission pursuant to Article 15(7) of that directive?
3. Should the first subparagraph of Article 3(1) and the first subparagraph of Article 13(1) of Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC <sup>(3)</sup> ... be interpreted as precluding national legislation which introduces a restriction on the location of wind farms by establishing a minimum distance between a wind farm and a residential building or mixed-use building used for residential purposes, stating that this distance is to be equal to or greater than ten times the height of the wind farm measured from ground level to the highest point of the structure, including technical elements, in particular the rotor and rotor blades?

<sup>(1)</sup> OJ 2015 L 241, p. 1.

<sup>(2)</sup> OJ 2006 L 376, p. 36.

<sup>(3)</sup> OJ 2009 L 140, p. 16.

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**Request for a preliminary ruling from the Oberlandesgericht Karlsruhe (Germany) lodged on  
4 January 2018 — Criminal proceedings against Detlef Meyn**

**(Case C-9/18)**

(2018/C 134/20)

*Language of the case: German*

**Referring court**

Oberlandesgericht Karlsruhe

**Parties to the main proceedings**

*Accused party:* Detlef Meyn

**Question referred**

Does the obligation of recognition under Article 2(1) of Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences<sup>(1)</sup> — the third driving licences directive ('the Driving Licences Directive') — also apply following the exchange of a driving licence by a Member State of the European Union without a test of fitness to drive, in the case where the previous driving licence is not subject to the obligation of recognition (in this case: the previous licence issued by another Member State of the European Union was for its part based on the exchange of a driving licence from a third country (third sentence of Article 11(6) of the Driving Licences Directive))?

<sup>(1)</sup> OJ 2006 L 403, p. 18.

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**Request for a preliminary ruling from the Vestre Landsret (Denmark) lodged on 2 February 2018 —  
Skatteministeriet (Danish Ministry of Taxation) v KPC Herning**

**(Case C-71/18)**

(2018/C 134/21)

*Language of the case: Danish*

**Referring court**

Vestre Landsret

**Parties to the main proceedings**

*Applicant:* Skatteministeriet (Danish Ministry of Taxation)

*Defendant:* KPC Herning

**Question referred**

Is it compatible with Article 135(1)(j), cf. Article 12(1)(a) and (2), read in conjunction with Article 135(1)(k), cf. Article 12(1)(b) and (3), of the VAT Directive<sup>(1)</sup> for a Member State, in circumstances such as those in the main proceedings, to consider a supply of land on which at the time of supply there is a building as a sale of building land subject to value added tax (VAT), when it is the parties' intention that the building is to be demolished completely or partially in order to make room for a new building?

<sup>(1)</sup> Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ 2006 L 347, p. 1).

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**Request for a preliminary ruling from the Visoki upravni sud (Croatia) lodged on 8 February 2018 —  
Hrvatska banka za obnovu i razvitak (HBOR) v Povjerenik za informiranje Republike Hrvatske**

**(Case C-90/18)**

(2018/C 134/22)

*Language of the case: Croatian*

**Referring court**

Visoki upravni sud

**Parties to the main proceedings**

*Applicant:* Hrvatska banka za obnovu i razvitak (HBOR)

*Defendant:* Povjerenik za informiranje Republike Hrvatske