

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⁽¹⁾ — 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))?

⁽¹⁾ OJ 2006 L 403, p. 18.

**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⁽¹⁾ 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?

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

**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

Question referred

Must the provisions of the second subparagraph of Article 15(3) TFEU and Articles 4(1) and (2) of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43) be interpreted as precluding national legislation providing that access to information regarding the use of public funds must always be permitted, without exceptions, even when access to that information is restricted on account of its constituting a trade (banking) secret?

Reference for a preliminary ruling from the Supreme Court of the United Kingdom (United Kingdom) made on 19 February 2018 — SM v Entry Clearance Officer, UK Visa Section**(Case C-129/18)**

(2018/C 134/23)

*Language of the case: English***Referring court**

Supreme Court of the United Kingdom

Parties to the main proceedings*Applicant:* SM*Defendant:* Entry Clearance Officer, UK Visa Section*Interveners:* Coram Children's Legal Centre (CCLC) and Centre for Advice on Individual Rights in Europe (AIRE)**Questions referred**

1. Is a child who is in the permanent legal guardianship of a Union citizen or citizens, under 'kefalah' or some equivalent arrangement provided for in the law of his or her country of origin, a 'direct descendant' within the meaning of Article 2.2(c) of Directive 2004/38 ⁽¹⁾?
2. Can other provisions in the Directive, in particular Articles 27 and 35, be interpreted so as to deny entry to such children if they are the victims of exploitation, abuse or trafficking or are at risk of such?
3. Is a Member State entitled to enquire, before recognising a child who is not the consanguineous descendant of the EEA national as a direct descendant under Article 2.2(c), into whether the procedures for placing the child in the guardianship or custody of that EEA national was such as to give sufficient consideration to the best interests of that child?

⁽¹⁾ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ 2004, L 158, p. 77).
