

Request for a preliminary ruling from the Landesverwaltungsgericht Steiermark (Austria) lodged on 2 May 2018 — Humbert Jörg Köfler and Others

(Case C-297/18)

(2018/C 301/18)

Language of the case: German

Referring court

Landesverwaltungsgericht Steiermark

Parties to the main proceedings

Appellants: Humbert Jörg Köfler, Wolfgang Leitner, Joachim Schönbeck, Wolfgang Semper

Respondent authority: Bezirkshauptmannschaft Murtal

Interested party: Finanzpolizei

Question referred

Must Article 49(3) of the Charter of Fundamental Rights of the European Union be interpreted as precluding a national provision which provides for fines with no upper limit, especially high minimum penalties or several years' imprisonment for non-collectible fines for offences committed as a result of negligence?

Request for a preliminary ruling from the Bundesverwaltungsgericht (Germany) lodged on 8 June 2018 — Landwirtschaftskammer Niedersachsen v Reinhard Westphal

(Case C-378/18)

(2018/C 301/19)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: Landwirtschaftskammer Niedersachsen

Defendant: Reinhard Westphal

Questions referred

1. Does the prescription period within the meaning of Article 49(6) of Regulation (EC) No 2419/2001 ⁽¹⁾ begin with the payment of the aid or is the beginning of that period governed by the first sentence of the second subparagraph of Article 3(1) of Regulation (EC, Euratom) No 2988/95? ⁽²⁾
2. Are the prescription rules under Article 49(6) of Regulation (EC) No 2419/2001 or Article 3(1) of Regulation (EC, Euratom) No 2988/95 provisions which impose administrative penalties within the meaning of the second sentence of Article 2(2) of Regulation (EC, Euratom) No 2988/95?
3. Can Article 52a of Regulation (EC) No 2419/2001 with its provision regarding the retroactive application of the prescription rule of Article 49(5) of Regulation (EC) No 2419/2001 also be applied analogously to Article 49(6) of Regulation (EC) No 2419/2001?

If the first sentence of the second subparagraph of Article 3(1) of Regulation (EC, Euratom) No 2988/95 is applicable (first question), the other questions do not need to be answered; if it is not applicable, the third question becomes devoid of object if the second question is answered in the affirmative.

- ⁽¹⁾ Commission Regulation (EC) No 2419/2001 of 11 December 2001 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes established by Council Regulation (EEC) No 3508/92 (OJ 2001 L 327, p. 11).
- ⁽²⁾ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ 1995 L 312, p. 1).

Request for a preliminary ruling from the Juge d'instruction du tribunal de grande instance de Paris (France) lodged on 13 June 2018 — Criminal proceedings against YA and AIRBNB Ireland UC — other parties: Hotelière Turenne SAS, Pour un hébergement et tourisme professionnel (AHTOP), Valhotel

(Case C-390/18)

(2018/C 301/20)

Language of the case: French

Referring court

Juge d'instruction du tribunal de grande instance de Paris

Parties to the main proceedings

YA and AIRBNB Ireland UC

Other parties: Hotelière Turenne SAS, Pour un hébergement et tourisme professionnel (AHTOP), Valhotel

Questions referred

1. Do the services provided in France by the company *Airbnb Ireland UC* via an electronic platform managed from Ireland benefit from the freedom to provide services contemplated in Article 3 of Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000? ⁽¹⁾
2. Are the restrictive rules relating to the exercise of the profession of real estate agent in France, laid down by Law No 70-9 of 2 January 1970 on intermediaries in real-estate transactions ('the Hoguet Law'), enforceable against the company *Airbnb Ireland UC*?

⁽¹⁾ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ 2000 L 178, p. 1).

Request for a preliminary ruling from the Corte di appello di Napoli (Italy) lodged on 14 June 2018 — I.G.I. Srl v Maria Grazia Cicenia and Others

(Case C-394/18)

(2018/C 301/21)

Language of the case: Italian

Referring court

Corte di appello di Napoli