

Order of the Court (Tenth Chamber) of 21 September 2022 (request for a preliminary ruling from the Cour d'appel de Bruxelles — Belgium) — DA v Romanian Air Traffic Services Administration (Romatsa) and Others and FC and Others v Romanian Air Traffic Services Administration (Romatsa) and Others

(Case C-333/19) ⁽¹⁾

(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — State aid — Articles 107 and 108 TFEU — Bilateral Investment Treaty — Arbitration clause — Romania — Arbitral award granting payment of damages — European Commission decision declaring that payment to be State aid incompatible with the internal market and ordering its recovery — Enforcement of an arbitral award before a court of a Member State other than the Member State to which the decision is addressed — Infringement of EU law — Article 19 TEU — Articles 267 and 344 TFEU — Autonomy of EU law)

(2023/C 24/18)

Language of the case: French

Referring court

Cour d'appel de Bruxelles

Parties to the main proceedings

Appellants: DA and FC, European Food SA, Starmill SRL, Multipack SRL

Defendants: Romanian Air Traffic Services Administration (Romatsa), Romania, European Commission, European Organisation for the Safety of Air Navigation (Eurocontrol), FC, European Food SA, Starmill SRL, Multipack SRL and Romanian Air Traffic Services Administration (Romatsa), Romania, DA, European Commission, European Organisation for the Safety of Air Navigation (Eurocontrol)

Operative part of the order

EU law, in particular Articles 267 and 344 TFEU, must be interpreted as meaning that a court of a Member State ruling on the enforcement of the arbitral award which was the subject of Commission Decision (EU) 2015/1470 of 30 March 2015 on State Aid SA.38517 (2014/C) (ex 2014/NN) implemented by Romania — Arbitral award *Micula v Romania* of 11 December 2013, is required to set aside that award and, therefore, may not in any case proceed with its enforcement in order to enable its beneficiaries to obtain the payment of damages which it awarded them.

⁽¹⁾ OJ C 220, 1.7.2019.

Order of the Court (Eighth Chamber) of 5 October 2022 (request for a preliminary ruling from the Rayonen sad — Pazardzhik — Bulgaria) — SF v Teritorialna direksia na Natsionalna agentsia za prihodite — Plovdiv

(Case C-49/20) ⁽¹⁾

(Reference for a preliminary ruling — Articles 53 and 99 of the Rules of Procedure of the Court of Justice — Directive (EU) 2015/849 — Scope — National legislation requiring payments exceeding a certain limit to be made only by bank transfer or by deposit into a payment account)

(2023/C 24/19)

Language of the case: Bulgarian

Referring court

Rayonen sad — Pazardzhik