

organisers from which collective management organisations, on the basis of an authorisation — a non-exclusive licence — receive remuneration, in their own name but on behalf of those right holders, for the public performance of musical works?

2. If the first question is answered in the affirmative, do collective management organisations, when receiving remuneration from performance organisers for the right to perform musical works for a public audience, act as a taxable person within the meaning of Article 28 of the VAT Directive, and are they required to issue invoices including VAT to the respective performance organisers, and, when remuneration is paid to authors and other holders of copyright in musical works, are the latter, in turn, required to issue invoices including VAT to the collective management organisation?

(¹) OJ 2006 L 347, p. 1.

Request for a preliminary ruling from the Tribunal Superior de Justicia de Castilla-La Mancha (Spain) lodged on 11 July 2019 — PO v Subdelegación del Gobierno en Ciudad Real

(Case C-531/19)

(2019/C 372/10)

Language of the case: Spanish

Referring court

Tribunal Superior de Justicia de Castilla-La Mancha

Parties to the main proceedings

Applicant: PO

Defendant: Subdelegación del Gobierno en Ciudad Real

Question referred

Is an interpretation such as that set out in judgments of the Spanish Supreme Court No 191/2019 of 19 February 2019, appeal in cassation 5607/2017 (ECLI:ES:TS:2019:580), and No 257/2019 of 27 February 2019, appeal in cassation 5809/2017 (ECLI:ES:TS:2019:663), according to which, through an interpretation of Directive 2001/40/EC, (¹) it is possible to come to the conclusion that any third-country national holding a long-term residence permit who has committed an offence punishable by a sentence of at least one year in duration can and should be 'automatically' removed, that is to say, [without] needing to give any consideration to his personal, family, social or employment circumstances, compatible with Article 12 of Council [Directive] 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, (²) and with — inter alia — the judgments of the Court of Justice of the European Union of 7 December 2017 (Case C-636/16 (³)) and of 8 December 2011 (Case C-371/08 (⁴))?

(¹) Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals (OJ 2001 L 149, p. 34).

(²) OJ 2004 L 16, p. 44.

(³) Judgment of 7 December 2017, *López Pastuzano* (C-636/16, EU:C:2017:949).

(⁴) Judgment of 8 December 2011, *Ziebell* (C-371/08, EU:C:2011:809).