

Request for a preliminary ruling from the Rechtbank van eerste aanleg Oost-Vlaanderen, afdeling Gent (Belgium) lodged on 3 June 2020 — Openbaar Ministerie v EA

(Case C-246/20)

(2020/C 297/37)

Language of the case: Dutch

Referring court

Rechtbank van eerste aanleg Oost-Vlaanderen, afdeling Gent

Parties to the main proceedings

Appellant: Openbaar Ministerie

Respondent: EA

Questions referred

1. Must Article 2(1) of Directive 2006/126/EC⁽¹⁾ be interpreted as meaning that a driving licence must be automatically recognised by the Member States where the issue of that document is based on the exchange of a driving licence which was registered as lost in the issuing country and had ceased to be valid in the issuing country?
2. May a Member State refuse to recognise the exchanged driving licence in accordance with the second subparagraph of Article 11(4) of Directive 2006/126/EC if the exchange took place at a time when the Member State which issued the original driving licence had withdrawn the right to drive until the completion of reintegration tests?
3. May a Member State in any event refuse to recognise the exchanged driving licence document if the Member State on the territory of which the question concerning the recognition of the driving licence document arises can establish, on the basis of concrete and proven facts, that the right to drive no longer existed at the time when the driving licence document was exchanged?
4. May a Member State in any event refuse to recognise the exchanged driving licence document if the recognition question concerns a national of the Member State in which the question of recognition arises, and that Member State establishes that, on the basis of concrete and proven facts, the person concerned, at the time of the exchange and/or at the time of the request for recognition, did not meet the minimum standards for obtaining a driving licence in that Member State?
5. Must Article 2(1) of Directive 2006/126/EC be interpreted as creating an inequality between a national of a Member State whose right to drive is only restored after the completion of the reintegration tests, and a national on whom reintegration tests were also imposed, but who in the meantime acquires a foreign driving licence, whether or not he fails to comply with the residence requirement, or by means of an exchange on the basis of a driving licence which had ceased to be valid in the Member State of issue?

⁽¹⁾ Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (OJ 2006 L 403, p. 18).

Request for a preliminary ruling from the Cour de cassation (France) lodged on 10 June 2020 — Gtflix Tv v DR

(Case C-251/20)

(2020/C 297/38)

Language of the case: French

Referring court

Cour de cassation

Parties to the main proceedings

Applicant: Gtflix Tv

Defendant: DR