

Questions referred

Does Article 12 of Directive 2014/24/EU⁽¹⁾ of 26 February 2014 preclude national legislation which imposes a concentration of companies providing local public services of economic interest, as a result of which the economic operator succeeding the initial concession holder following transparent corporate transactions, including mergers and acquisitions, continues to operate the services until the agreed date, if:

- (a) the initial concession holder is a company awarded the contract in-house on the basis of similar control where several other public authorities are shareholders in that company;
- (b) the new economic operator has been selected by means of a public call for tenders;
- (c) as a result of the concentration, the requirements for similar control where several other public authorities are shareholders in that company no longer apply in relation to some of the local authorities which originally awarded the service in question.

⁽¹⁾ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ 2014 L 94, p. 65).

**Request for a preliminary ruling from the Cour de cassation (France) lodged on 28 December 2020 —
Paget Approbois SAS v Depeyre entreprises SARL, Alpha Insurance A/S and Alpha Insurance A/S v
Paget Approbois SAS, Depeyre entreprises SARL**

(Case C-724/20)

(2021/C 79/31)

Language of the case: French

Referring court

Cour de cassation

Parties to the main proceedings

Applicants: Paget Approbois SAS, Alpha Insurance A/S

Defendants: Depeyre entreprises SARL, Alpha Insurance A/S, Paget Approbois SAS

Questions referred

1. Must Article 292 of Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II)⁽¹⁾ be interpreted as meaning that the pending lawsuit brought before the court of a Member State by the creditor of an insurance compensation claim to obtain the settlement of that claim by an insurance undertaking subject to winding-up proceedings pending in another Member State, concerns, within the meaning of that directive, an asset or a right of which the insurance undertaking has been divested?
2. If the first question is answered in the affirmative, is the law of the Member State in which the proceedings are pending intended to govern all the effects of the winding-up proceedings on the pending lawsuit?

In particular, should it be applied in so far as it:

— provides that the opening of such proceedings results in the suspension of the pending lawsuit;

- subjects the resumption of the proceedings to the claim for insurance compensation being lodged against the estate of the insurance undertaking by the creditor and to the bodies responsible for the winding-up proceedings being summoned;
- and precludes an order to pay the insurance compensation, since such an order can no longer be the subject of a judgment except relating to the determination and fixing the amount of the compensation?

(¹) OJ 2009 L 335, p. 1.

**Request for a preliminary ruling from the Conseil d'État (Belgium) lodged on 29 December 2020 —
CT, Ferme de la Sarte SPRL v Région wallonne**

(Case C-726/20)

(2021/C 79/32)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Applicants: CT, Ferme de la Sarte SPRL

Defendant: Région wallonne

Question referred

Is Article 17 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (¹) to be interpreted as excluding from its scope the production of turf or of green roofs?

(¹) OJ 2013 L 347, p. 487.

**Request for a preliminary ruling from the Conseil d'État (France) lodged on 4 January 2021 —
Fédération des entreprises de la beauté v Agence nationale de sécurité du médicament et des produits
de santé**

(Case C-4/21)

(2021/C 79/33)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Applicant: Fédération des entreprises de la beauté

Defendant: Agence nationale de sécurité du médicament et des produits de santé