

Question referred

Must Article 7(1)(b) of Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ⁽¹⁾ be interpreted as meaning that the place of performance, within the meaning of that provision, in respect of a flight consisting of a confirmed single booking for the entire journey and divided into two or more legs, can also be the place of arrival of the first leg of the journey where transport on those legs of the journey is performed by two separate air carriers and the claim for compensation brought on the basis of Regulation (EC) No 261/2004 ⁽²⁾ arises from the delay of the first leg of the journey and is brought against the operating air carrier of that first leg?

⁽¹⁾ OJ 2012 L 351, p. 1.

⁽²⁾ Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1).

Request for a preliminary ruling from the Corte suprema di cassazione (Italy) lodged on 19 January 2021 — Eurocostruzioni Srl v Regione Calabria

(Case C-31/21)

(2021/C 98/13)

Language of the case: Italian

Referring court

Corte suprema di cassazione

Parties to the main proceedings

Appellant in cassation: Eurocostruzioni Srl

Respondent in Cassation: Regione Calabria

Questions referred

1. Does Commission Regulation (EC) No 1685/2000 of 28 July 2000 laying down detailed rules for the implementation of Council Regulation (EC) No 1260/1999 ⁽¹⁾ as regards eligibility of expenditure of operations co-financed by the Structural Funds, and in particular the provisions of point 2.1 of Rule No 1 of the Annex thereto ('proof of expenditure'), require that proof of payment by final beneficiaries must necessarily be furnished by means of receipted invoices, even if the funding was granted to the beneficiary to construct a building using its own materials, tools and labour, or may there be a derogation, other than the one specifically provided for where this is not possible, which requires the presentation of 'accounting documents of equivalent probative value'?
2. What is the correct interpretation of the phrase 'accounting documents of equivalent probative value'?
3. Specifically, do the abovementioned provisions of [Regulation (EC) No 1685/2000] preclude national and regional law and consequent implementing measures which, in the event that funding has been granted to the beneficiary in order to construct a building using its own materials, tools and labour, provide for a system of auditing the publicly funded expenditure consisting of:
 - (a) prior quantification of the works on the basis of a regional price list for public works and, for items not provided for therein, the current market prices estimated by the architect;

- (b) a subsequent report, with presentation of the accounts for the works, consisting of the measurement booklet and the accounting ledger, duly signed on each page by the director of works and the beneficiary undertaking, and the audit and confirmation of the works carried out, on the basis of the unit prices referred to in point (a), by an inspection committee appointed by the competent regional administrative authority?

(¹) Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds (OJ 1999 L 161, p. 1).

Request for a preliminary ruling from the Verwaltungsgericht Wiesbaden (Germany) lodged on 20 January 2021 — Hauptpersonalrat der Lehrerinnen und Lehrer beim Hessischen Kultusministerium

(Case C-34/21)

(2021/C 98/14)

Language of the case: German

Referring court

Verwaltungsgericht Wiesbaden

Parties to the main proceedings

Applicant: Hauptpersonalrat der Lehrerinnen und Lehrer beim Hessischen Kultusministerium

Defendant: Minister des Hessischen Kultusministeriums

Questions referred

1. Is Article 88(1) of Regulation (EU) 2016/679 (¹) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation — GDPR) to be interpreted as meaning that, in order to be a more specific rule for ensuring the protection of the rights and freedoms in respect of the processing of employees' personal data in the employment context within the meaning of Article 88(1) of Regulation (EU) 2016/679, a provision must meet the requirements imposed on such rules by Article 88(2) of Regulation (EU) 2016/679?
2. If a national rule clearly does not meet the requirements under Article 88(2) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, can it nevertheless remain applicable?

(¹) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ 2016 L 119, p. 1).

Request for a preliminary ruling from the Varhoven kasatsionen sad (Bulgaria) lodged on 19 January 2021 — 'Konservinvest' OOD v 'Bulkons Parvomay' OOD

(Case C-35/21)

(2021/C 98/15)

Language of the case: Bulgarian

Referring court

Varhoven kasatsionen sad

Parties to the main proceedings

Appellant in cassation: 'Konservinvest' OOD

Respondent in cassation: 'Bulkons Parvomay' OOD