

- order the Republic of Bulgaria to pay the Commission a daily periodic penalty payment in the amount of EUR 5 677,20 for each zone in respect of air quality, from the date of delivery of the judgment of the Court in the present case until the year of full compliance with the judgment of 5 April 2017, *Commission v Bulgaria* (C-488/15, EU:C:2017:267), and
- order the Republic of Bulgaria to pay the costs.

Pleas in law and main arguments

Bulgaria has failed to do what is necessary to comply with the judgment of the Court in Case C-488/15 and continues to be in breach of (i) its obligations under Article 13 of Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, read in conjunction with Annex XI to that directive, and (ii) its obligations under Article 23 of that directive.

Request for a preliminary ruling from the Administrativen sad Blagoevgrad (Bulgaria) lodged on 23 March 2021 — VS v Inspektor v Inspektorata kam Visshia sadeben savet

(Case C-180/21)

(2021/C 206/24)

Language of the case: Bulgarian

Referring court

Administrativen sad Blagoevgrad

Parties to the main proceedings

Applicant: VS

Defendant: Inspektor v Inspektorata kam Visshia sadeben savet

Questions referred

1. Is Article 1(1) of [Directive 2016/680] ⁽¹⁾ to be interpreted as meaning that, when stating the objectives of that directive, the terms 'prevention, investigation, detection or prosecution of criminal offences' are listed as aspects of a general objective?
2. Are the provisions of [Regulation 2016/679] ⁽²⁾ applicable to the Public Prosecutor's Office of the Republic of Bulgaria in view of the fact that information concerning a person, which was collected by the Public Prosecutor's Office, in its capacity as 'controller' pursuant to point 8 of Article 3 of [Directive 2016/680], in an investigation file opened in relation to that person with a view to verifying indications of a criminal offence, was used in the context of the judicial defence of the Public Prosecutor's Office as a party to civil proceedings — by virtue of the fact that the circumstance of that file having been opened was revealed or that the contents of the file were presented?

2.1 If that question is answered in the affirmative:

Is the expression 'legitimate interests' in Article 6(1)(f) of [Regulation 2016/679] to be interpreted as including the disclosure, in whole or in part, of information concerning a person which has been collected in a public prosecution investigation file opened in relation to that person for the purposes of the prevention, investigation, detection or prosecution of criminal offences, in the case where that disclosure is carried out for the purposes of the defence of the controller as a party to civil proceedings, and does that expression exclude the consent of the data subject?

⁽¹⁾ OJ 2016 L 119, p. 89.

⁽²⁾ OJ 2016 L 119, p. 1.
