Questions referred

1. Must Article 2, Article 6(1) and (3) and the second subparagraph of Article 19(1) TEU, in conjunction with Article 47 of the Charter of Fundamental Rights of the European Union, be interpreted as meaning that a court before which a criminal case has been brought and which is at the same time a defendant in proceedings concerning an action for compensation brought by a defendant in that criminal case and based on an alleged infringement in the activity of that court or of a court whose successor in law it is, in the same or a different criminal case, or which would be liable to pay compensation if the action were upheld, is not an independent and impartial tribunal within the meaning of EU law?

2. If so, must the abovementioned provisions of EU law be interpreted as meaning that such a court may not continue the criminal proceedings, including ruling on the merits of the case, and what would be the consequences for the procedural and substantive acts of that court were it not to disqualify itself?

3. Must Article 2, Article 6(1) and (3) and the second subparagraph of Article 19(1) TEU, in conjunction with Article 47 of the Charter of Fundamental Rights of the European Union, be interpreted as meaning that, in the case where a court has been abolished by the adopted amendment to the Zakon za sadebnata vlast (Law on the Judiciary) (DV No 32/26 April 2022, the implementation of which has been postponed until 27 July 2022) but the judges must continue to hear the cases assigned to them up to that date and must also continue, after that date, to hear cases of that institution in which they have held preliminary hearings, the independence of that court is impaired, given that the abolition of the court is justified on the ground that the constitutional principle of the independence of the judiciary and the protection of the constitutional rights of citizens is thereby safeguarded and the facts leading to the conclusion that those principles have been infringed are not duly set out?

4. Must the abovementioned provisions of EU law be interpreted as precluding national provisions such as those of the Law on the Judiciary (DV No 32/26 April 2022, the implementation of which has been postponed until [27] July 2022), which lead to the complete abolition of (the Specialised Criminal Court as) an autonomous body of the judiciary in Bulgaria on the ground referred to above and to the transfer of judges (including the judge of the panel who is hearing the criminal case at hand) from that court to various courts throughout the country, including courts situated far from the place where they currently perform their duties, without the place in question having been specified in advance, without the consent of the judges, and in the presence of restrictions which are laid down by law in respect of those members of the national legal service alone as to the maximum number which can be reappointed to a judicial body?

5. If so, and in the light of the primacy of EU law, what procedural acts should be undertaken by the members of the national legal service attached to the courts to be abolished? What consequences would that have for the procedural decisions of the court to be abolished in the cases which must be taken to their conclusion and for the decisions terminating the proceedings in those cases?

Request for a preliminary ruling from the Verwaltungsgerichtshof (Austria) lodged on 10 June 2022 — Google Ireland Limited, Tik Tok Technology Limited and Meta Platforms Ireland Limited v Kommunikationsbehörde Austria (Komm Austria)

(Case C-376/22)

(2022/C 359/33)

Language of the case: German

Referring court

Verwaltungsgerichtshof

Parties to the main proceedings

Appellants on a point of law: Google Ireland Limited, Tik Tok Technology Limited and Meta Platforms Ireland Limited

Defendant: Kommunikationsbehörde Austria (Komm Austria)

Questions referred

1. Must Article 3(4)(a)(ii) of Directive 2000/31/EC, ([1]) be interpreted as meaning that a measure taken against a 'given information society service' can also be understood as a legislative measure relating to a general category of certain information society services (such as communications platforms), or does the existence of a measure within the meaning of that provision require that a decision be taken in relation to a specific individual case (for example, concerning a communications platform identified by name)?

2. Must Article 3(5) of Directive 2000/31 be interpreted as meaning that failure to notify the measure taken to the Commission and the Member State in which the platform is established, which, under that provision, must be notified 'in the shortest possible time' (*ex post facto*) in the case of urgency, means that — following the expiry of a sufficient period for the (*ex post facto*) notification — that measure must not be applied to a given service?

3. Does Article 28a(1) of Directive 2010/13/EU, ([2]) as amended by Directive (EU) 2018/1808, ([3]) preclude the application of a measure as provided for in Article 3(4) of Directive 2000/31 where it does not relate to broadcasts and user-generated videos made available on a video-sharing platform?

([1]) Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ 2000 L 178, p. 1).

([2]) Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ 2010 L 95, p. 1).

([3]) Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities (OJ 2018 L 303, p. 69).

Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Italy) lodged on 10 June 2022 — LR v Ministero dell'Istruzione, Ufficio scolastico regionale Lombardia, Ufficio scolastico regionale Friuli Venezia Giulia

(Case C-377/22)

(2022/C 359/34)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per il Lazio

Parties to the main proceedings

Applicant: LR

Defendants: Ministero dell'Istruzione, Ufficio scolastico regionale Lombardia, Ufficio scolastico regionale Friuli Venezia Giulia

Question referred

Without prejudice to the possibility of considering the years of service completed by the applicant in the United Kingdom under EU law, notwithstanding the United Kingdom's withdrawal from the European Union, must Article 45(1) and (2) TFEU and Article 3(1)(b) of Regulation (EU) No 492/2011 ([1]) be interpreted as precluding a rule such as that laid down in Article 1(6) of decreto legge n. 126/2019 (Decree-Law No 126/2019), converted, with amendments, by legge n. 159/2019 (Law No 159/2019), according to which, in order to take part in the extraordinary competition for the recruitment of permanent teaching staff at Italian secondary schools, only the years of service completed by candidates on fixed-term contracts at Italian State secondary schools are considered valid, and not the years of service at peer institutions in other