Request for a preliminary ruling from the Rechtbank Amsterdam (Netherlands) lodged on 29 September 2022 — Koninklijke Nederlandse Lawn Tennisbond v Autoriteit Persoonsgegevens

(Case C-621/22)

(2023/C 7/18)

Language of the case: Dutch

Referring court

Rechtbank Amsterdam

Parties to the main proceedings

Appellant: Koninklijke Nederlandse Lawn Tennisbond

Respondent: Autoriteit Persoonsgegevens

Questions referred

1. How should the District Court interpret the term 'legitimate interest'?

2. Should the term be interpreted as the respondent interprets it? Are these interests which exclusively pertain to the law, constitute law, are enshrined in a law? Or;

3. Can any interest be a legitimate interest, provided that interest is not in breach of the law? More specifically: should a purely commercial interest, such as the interest at issue here, the provision of personal data in return for payment without the consent of the data subject concerned, be regarded as a legitimate interest under certain circumstances? If so, what circumstances determine whether a purely commercial interest is a legitimate interest?

Request for a preliminary ruling from the Tallinna Ringkonnakohus (Estonia) lodged on 14 October 2022 — Globex International OÜ v Duclos Legnostrutture S.r.l. and RD

(Case C-647/22)

(2023/C 7/19)

Language of the case: Estonian

Referring court

Tallinna Ringkonnakohus

Parties to the main proceedings

Applicant: Globex International OÜ

Defendants: Duclos Legnostrutture S.r.l. and RD

Questions referred

1. Is Article 1(2) of Regulation No 1896/2006 ([1]) to be interpreted as meaning that a rule of national law such as Paragraph 371(1)(4) of the Estonian Code of Civil Procedure (under which a court may not admit an action inter alia where an order terminating proceedings which was made by an Estonian court in a dispute between the same parties concerning the same subject matter and on the same basis and which precludes further recourse to the courts in the same matter has become final) is an obstacle to the hearing of an action regarding a claim in respect of which a European order for payment has been issued and declared enforceable by a court of a Member State?

2. If the first question is, in principle, to be answered to the effect that an obstacle exists, does the answer change where it appears that, after the European order for payment has been declared enforceable, service of the order for payment was not consistent with the minimum standards laid down in Articles 13 to 15 of Regulation No 1896/2006?

3. If the second question is to be answered to the effect that an obstacle exists: May the court which issued and declared enforceable the European order for payment decide, of its own motion or upon application by the claimant, that the declaration of enforceability of the order for payment is invalid where it appears that, after the European order for payment has been declared enforceable, service of the order for payment was not consistent with the minimum standards laid down in Articles 13 to 15 of Regulation No 1896/2006?

4. If the third question is to be answered in the affirmative: May the court which issued and declared enforceable the European order for payment, irrespective of the conduct, termination or outcome of the proceedings on enforcement before the court in the Member State of enforcement, decide on the invalidity of the declaration of enforceability of the order for payment?

(1) Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (OJ 2006 L 399, p. 1).

Request for a preliminary ruling from the Bundesfinanzhof (Germany) lodged on 19 October 2022 — I (*) GmbH & Co. KG v Hauptzollamt HZA (*)

(Case C-655/22)

(2023/C 7/20)

Language of the case: German

Referring court

Bundesfinanzhof

Parties to the main proceedings

Applicant: I (*) GmbH & Co. KG

Defendant: Hauptzollamt HZA (*)

Questions referred

1. Is Article 2 of Regulation No 1360/2013 (1) to be interpreted as meaning that a sugar manufacturer should have submitted its claim for repayment of levies unduly paid before 30 September 2014?

2. If the first question is answered in the negative: In a case such as this (definitively fixed levies applied in breach of EU law, the reimbursement of which was requested only one year after Regulation No 1360/2013 retroactively established a lower coefficient), is the competent authority entitled to refuse to reimburse production levies unduly paid on the basis of national provisions on the force of res judicata, of the time limit for levy assessments under national law and of the principle of legal certainty under EU law?

(1) Council Regulation (EU) No 1360/2013 of 2 December 2013 fixing the production levies in the sugar sector for the 2001/2002, 2002/2003, 2003/2004, 2004/2005 and 2005/2006 marketing years, the coefficient required for calculating the additional levy for the 2001/2002 and 2004/2005 marketing years and the amount to be paid by sugar manufacturers to beet sellers in respect of the difference between the maximum levy and the levy to be charged for the 2002/2003, 2003/2004 and 2005/2006 marketing years (OJ 2013, L 343, p. 2).

(*) Information erased or replaced within the framework of protection of personal data and/or confidentiality.