

**Parties to the main proceedings**

*Applicant:* GY

*Defendants:* An Bord Pleanála, the Minister for Housing, Local Government and Heritage, Ireland and the Attorney General

**Operative part of the order**

By Order of 8 December 2022, the President of the Ninth Chamber ordered the removal of Case C-616/22 from the register.

<sup>(1)</sup> Date lodged: 23.9.2022.

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**Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Italy) lodged on 19 October 2022 — Airbnb Ireland UC v Autorità per le Garanzie nelle Comunicazioni**

(Case C-662/22)

(2023/C 63/18)

*Language of the case: Italian*

**Referring court**

Tribunale Amministrativo Regionale per il Lazio

**Parties to the main proceedings**

*Applicant:* Airbnb Ireland UC

*Defendant:* Autorità per le Garanzie nelle Comunicazioni

**Questions referred**

1. Does Regulation (EU) 2019/1150 <sup>(1)</sup> preclude a national provision that, in order to promote fairness and transparency for business users of online intermediation services, including by adopting guidelines, encouraging codes of conduct to be drawn up and gathering relevant information, requires providers of online intermediation services and providers of online search engines to be entered in a register, which involves the communication of relevant information about their organisation and payment of a financial contribution, a failure to comply with which results in the imposition of penalties?
2. Does Directive (EU) 2015/1535 <sup>(2)</sup> oblige Member States to notify the Commission of measures that require providers of online intermediation services and providers of online search engines to be entered in a register, which involves the communication of relevant information about their organisation and payment of a financial contribution, a failure to comply with which results in the imposition of penalties? If so, does the directive allow a private individual to object to measures not notified to the Commission being applied to him or her?
3. Does Article 3 of Directive 2000/31/EC <sup>(3)</sup> preclude the adoption by national authorities of provisions that, in order to promote fairness and transparency for business users of online intermediation services, including by adopting guidelines, encouraging codes of conduct to be drawn up and gathering relevant information, impose additional administrative and financial obligations on operators established in another European country, such as entry in a register, which involves the communication of relevant information about their organisation and payment of a financial contribution, a failure to comply with which results in the imposition of penalties?
4. Does the principle of freedom to provide services laid down in Article 56 TFEU and Article 16 of Directive 2006/123/EC <sup>(4)</sup> preclude the adoption by national authorities of provisions that, in order to promote fairness and transparency for business users of online intermediation services, including by adopting guidelines, encouraging codes of conduct to be drawn up and gathering relevant information, impose additional administrative and financial obligations on operators established in another European country, such as entry in a register, which involves the communication of relevant information about their organisation and payment of a financial contribution, a failure to comply with which results in the imposition of penalties?

5. Does Article 3(4)(b) of Directive 2000/31/EC require Member States to notify the Commission of measures requiring providers of online intermediation services and providers of online search engines to be entered in a register, which involves the communication of relevant information about their organisation and payment of a financial contribution, a failure to comply with which results in the imposition of penalties? If so, does the directive allow a private individual to object to measures not notified to the Commission being applied to him or her?

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- (<sup>1</sup>) Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services (OJ 2019 L 186, p. 57).
- (<sup>2</sup>) Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ 2015 L 241, p. 1).
- (<sup>3</sup>) 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 (OJ 2000 L 178, p. 1).
- (<sup>4</sup>) Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ 2006 L 376, p. 36).

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**Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Italy)  
lodged on 19 October 2022 — Expedia Inc. v Autorità per le Garanzie nelle Comunicazioni**

(Case C-663/22)

(2023/C 63/19)

*Language of the case: Italian*

**Referring court**

Tribunale Amministrativo Regionale per il Lazio

**Parties to the main proceedings**

*Applicant:* Expedia Inc.

*Defendant:* Autorità per le Garanzie nelle Comunicazioni

**Questions referred**

1. Does Regulation (EU) 2019/1150, (<sup>1</sup>) and in particular Article 15 thereof, as well as the principle of proportionality, preclude legislation of a Member State or a measure adopted by an independent national authority — such as those indicated in the grounds of the order for reference — requiring foreign providers of online intermediation services to submit a report containing information that is irrelevant as regards the aims of that regulation?
2. In any event, can the information requested through the submission of the ESI be considered relevant and instrumental for the adequate and effective implementation of Regulation 2019/1150?

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- (<sup>1</sup>) Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services (OJ 2019 L 186, p. 57).

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**Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Italy)  
lodged on 21 October 2022 — Google Ireland Limited v Autorità per le Garanzie nelle  
Comunicazioni**

(Case C-664/22)

(2023/C 63/20)

*Language of the case: Italian*

**Referring court**

Tribunale Amministrativo Regionale per il Lazio