

Reference for a preliminary ruling by the Corte di Appello di Genova by order of that court of 15 November 2001 in the case of Ministero delle Finanze and Eurico Italia SpA

(Case C-467/01)

(2002/C 44/12)

Reference has been made to the Court of Justice of the European Communities by an order of the Corte di Appello di Genova (Genoa Court of Appeal) by order of 15 November 2001, which was received at the Court Registry on 6 December 2001, on the following questions:

1. On the basis of the combined provisions of Articles 47(4) and 48 of Regulation (EEC) No 3665/87⁽¹⁾, must it be concluded that (a) the further time which may be granted to an exporter may not in any circumstances exceed the maximum duration of 18 months; or (b) that, conversely, the reduction of 15 % applies only where the ordinary time-limit and any extension thereof granted to the exporter is exceeded by more than six months?
2. If the interpretation given in question 1(b) above is correct, are there, on the basis of the two abovementioned articles, maximum time-limits — in the light of the various forms, including those indicated in the grounds of this order, which they may take from the Community law point of view — within which the extensions of time may be granted?
3. If the interpretation given in question 1(b) is correct, what are those maximum time-limits and what extensions of time are available under the two abovementioned articles?
4. If the interpretation given in question 1(b) is correct, may a private individual, on the basis of the two abovementioned articles, claim a legally protected right to the setting of a particular duration (regarded as commensurate with the difficulties of obtaining the prescribed documentation) for the extension of time?
5. If the interpretation given in question 1(b) is correct, may the national court, on the basis of the two abovementioned articles — if the administrative authority fails to grant further time — recognise the exporter's right (if he has acted diligently to obtain the documents and forward them within the period of 12 months laid down in

Article 47(2) of that regulation) to be granted further time and may it fix that duration on the basis of the time actually taken to obtain and forward the prescribed documentation?

⁽¹⁾ OJ L 351, 14.12.1987, p. 1.

Reference for a preliminary ruling by the Tribunale Civile e Penale di Trento (Civil and Criminal Court, Trento) by order of 6 December 2001 in the case of Francesca Caprini v Conservatore C.C.I.A.A.

(Case C-485/01)

(2002/C 44/13)

Reference has been made to the Court of Justice of the European Communities by order of 6 December 2001 by the Tribunale Civile e Penale di Trento, which was received at the Court Registry on 14 December 2001, for a preliminary ruling in the case of Francesca Caprini v Conservatore C.C.I.A.A. on the following questions:

Does Council Directive 86/653/EEC⁽¹⁾ of 18 December 1986 on the coordination of the laws of the Member States relating to self-employed commercial agents preclude a rule of national law which makes the enrolment of a commercial agent in the register of undertakings conditional on that agent's name having been entered in an appropriate register?

⁽¹⁾ OJ L 382, 31.12.1986, p. 17.

Reference for a preliminary ruling by the Hoge Raad der Nederlanden by decision of 14 December 2001 in the case of Gemeente Leusden and Staatssecretaris van Financiën

(Case C-487/01)

(2002/C 44/14)

Reference has been made to the Court of Justice of the European Communities by decision of 14 December 2001 by the Hoge Raad der Nederlanden (Supreme Court of the Netherlands), which was received at the Court Registry on 17 December 2001, for a preliminary ruling in the case of Gemeente Leusden and Staatssecretaris van Financiën on the following questions: