Request for a preliminary ruling from the Trybunał Konstytucyjny (Poland) lodged on 20 July 2015 — Rzecznik Praw Obywatelskich (RPO)

(Case C-390/15)

(2015/C 346/06)

Language of the case: Polish

Referring court

Trybunał Konstytucyjny

Applicant in the main proceedings

Rzecznik Praw Obywatelskich (RPO)

Other parties to the proceedings: Marszałek Sejmu Rzeczypospolitej Polskiej, Prokurator Generalny

Questions referred

1. Is point 6 of Annex III to Council Directive 2006/112/EC of 28 November 2006 on the common system on value added tax [1], in the version amended by Council Directive 2009/47/EC of 5 May 2009 amending Directive 2006/112/EC as regards reduced rates of value added tax [2], invalid on the ground that, during the legislative procedure, the essential formal requirement of consultation with the European Parliament was not complied with?

2. Is Article 98(2) of Directive 2006/112/EC, referred to in Question 1, in conjunction with point 6 of Annex III to that directive, invalid on the ground that it infringes the principle of fiscal neutrality to the extent to which it excludes the application of reduced tax rates to books published in digital format and other electronic publications?

(1) OJ 2006 L 347, p. 1.
(2) OJ 2009 L 116, p. 18.

Request for a preliminary ruling from the Tribunal Superior de Justicia de Andalucía (Spain) lodged on 20 July 2015 — Marina del Mediterráneo, S.L. and Others v Consejería de Obras Públicas y Vivienda de la Junta de Andalucía

(Case C-391/15)

(2015/C 346/07)

Language of the case: Spanish

Referring court

Tribunal Superior de Justicia de Andalucía

Parties to the main proceedings

Applicants: Marina del Mediterráneo, S.L., Marina del Mediterráneo Duquesa, S.L., Marina del Mediterráneo Estepona, S.L., Marina del Mediterráneo Este, S.L., Marinas del Mediterráneo Torre, S.L., Marina del Mediterráneo Marbella, S.L., Gómez Palma, S.C., Enrique Alemán, S.A., Cyes Infraestructuras, S.A., Cysur Obras y Medioambiente, S.A.