

**Request for a preliminary ruling from the Supremo Tribunal Administrativo (Portugal) lodged on 14 September 2016 — Instituto de Financiamento da Agricultura e Pescas IP v Maxiflor — Promoção e Comercialização de Plantas, Importação e Exportação, Lda**

**(Case C-491/16)**

(2016/C 441/13)

*Language of the case: Portuguese*

**Referring court**

Supremo Tribunal Administrativo

**Parties to the main proceedings**

*Applicant:* Instituto de Financiamento da Agricultura e Pescas IP

*Defendant:* Maxiflor — Promoção e Comercialização de Plantas, Importação e Exportação, Lda

**Questions referred**

1. Must the Operational Programme for Rural Development, ('the AGRO Programme') be considered a 'multiannual programme' within the meaning of Article 14 of Council Regulation (EC) No 1260/1999 <sup>(1)</sup> of 21 June 1999 (repealed by Article 107 of Council Regulation (EC) No 1083/2006 <sup>(2)</sup> of 11 July 2006, without prejudice to Article 105(1) thereof)?
2. Must the AGRO Programme be considered a 'multiannual programme' within the meaning of the second sentence of the second paragraph of Article 3(1) of Council Regulation (EC, Euratom) No 2988/95 <sup>(3)</sup> of 18 December 1995, according to which 'in the case of multiannual programmes, the limitation period shall in any case run until the programme is definitively terminated'?
3. In the event that the AGRO Programme is considered a 'multiannual programme' within the meaning of the second sentence of the second paragraph of Article 3(1) of Council Regulation (EC, Euratom) No 2988/95:
  - Is the limitation period for the administrative measures conducted pursuant to that programme subject to expiry after 4 years, as set out in Article 3(1)?
  - If the limitation period of 4 years ends before the termination of the programme, does this result in expiry, or
  - In view of the provision in the second sentence of the second paragraph of Article 3(1) of Regulation No 2988/95, is the *dies ad quem* of the limitation period extended, so that it coincides with the date when the '[multiannual] programme is definitively terminated'?

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<sup>(1)</sup> Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds (OJ 1999 L 161, p. 1).

<sup>(2)</sup> Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 (OJ 2006 L 210, p. 25).

<sup>(3)</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ 1995 L 312, p. 1).

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**Request for a preliminary ruling from the Oberster Gerichtshof (Austria) lodged on 19 September 2016 — Maximilian Schrems v Facebook Ireland Limited**

**(Case C-498/16)**

(2016/C 441/14)

*Language of the case: German*

**Referring court**

Oberster Gerichtshof