Request for a preliminary ruling from the Tribunalul București (Romania) lodged on 25 March 2019 — JE v KF

(Case C-249/19)

(2019/C 206/32)

Language of the case: Romanian

Referring court

Tribunalul București

Parties to the main proceedings

Appellant: JE

Rrespondent: KF

Question referred

On a proper construction of Article 10 of Regulation No 1259/2010, (¹) under which '[w]here the law applicable pursuant to Article 5 or Article 8 makes no provision for divorce or does not grant one of the spouses equal access to divorce or legal separation on grounds of their sex, the law of the forum shall apply', is the expression 'the law applicable pursuant to Article 5 or Article 8 makes no provision for divorce' to be interpreted in a strict, literal manner, that it is to say only in respect of a situation where the foreign law applicable makes no provision for any form of divorce, or (b) more broadly, as also including a situation where the foreign law applicable permits divorce, but does so in extremely limited circumstances, involving an obligatory legal separation procedure prior to divorce, in respect of which the law of the forum contains no equivalent procedural provisions?

(¹) Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation (OJ 2010 L 343, p. 10).

Request for a preliminary ruling from the Tribunal da Relação de Guimarães (Portugal) lodged on 26 March 2019 — MH, NI v OJ, Novo Banco SA

(Case C-253/19)

(2019/C 206/33)

Language of the case: Portuguese

Referring court

Tribunal da Relação de Guimarães

Parties to the main proceedings

Applicants at first instance and appellants on appeal: MH, NI

Defendants at first instance and respondents on appeal: OJ, Novo Banco SA

Question referred

Under Regulation (EU) 2015/848 (¹) of the European Parliament and of the Council, do the courts of a Member State have jurisdiction to open main insolvency proceedings in respect of a citizen whose sole immovable asset is located in that State, while he, along with his family unit, is habitually resident in another Member State where he is in paid employment?

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(¹) Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ 2015 L 141, p. 192).

Reference for a preliminary ruling from the High Court (Ireland) made on 26 March 2019 — Friends of the Irish Environment Limited v An Bord Pleanála

(Case C-254/19)

(2019/C 206/34)

Language of the case: English

Referring court

High Court (Ireland)

Parties to the main proceedings

Applicant: Friends of the Irish Environment Limited

Defendant: An Bord Pleanála

Questions referred

1) Does a decision to extend the duration of a development consent constitute the agreement of a project such as to trigger Article 6(3) of Council Directive 92/43/EEC (¹) of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (hereinafter 'the Habitats Directive')?

2) Is the answer to Question (1) above affected by any of the following considerations?

   a) The development consent (the duration of which is to be extended) was granted pursuant to a provision of national law which did not properly implement the Habitats Directive in that the legislation incorrectly equated an appropriate assessment for the purposes of the Habitats Directive with an environmental impact assessment for the purposes of the EIA Directive (Directive 2011/92/EU (²)).

   b) The development consent as originally granted does not record whether the consent application was dealt with under Stage 1 or Stage 2 of Article 6(3) of the Habitats Directive, and does not contain 'complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects of the proposed works on the site concerned' as required under Case C-404/09, Commission v. Spain (³).