

Parties to the main proceedings

Applicant: SIA Zinātnes parks

Defendant: Finanšu ministrija

Questions referred

1. Must the concept of 'subscribed share capital' in Article 2(18)(a) of Commission Regulation No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 ⁽¹⁾ of the Treaty, in conjunction with other EU legal provisions relating to company law, be interpreted as meaning that, for the purposes of determining subscribed share capital, only particulars that have been published in the manner laid down by the national laws of each Member State may be taken into account, bearing in mind that the particulars in question are thus deemed to become effective only from that moment?
2. When assessing the concept of 'undertaking in difficulty' in Article 2(18) of Commission Regulation No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty, is it necessary to attach significance to the requirements, laid down as part of the procedure for selecting projects for European funds, concerning which documents are to be submitted as evidence of the financial situation of the undertaking in question?
3. If the reply to the second question referred is in the affirmative, is a provision of domestic law on the selection of projects, which establishes that no further clarification of project applications may be made once the application has been submitted, compatible with the principles of non-discrimination and transparency established in Article 125(3)(a) (ii) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006? ⁽²⁾

⁽¹⁾ OJ 2014 L 187, p. 1.

⁽²⁾ OJ 2013 L 347, p. 320.

Request for a preliminary ruling from the Tribunal de l'Entreprise du Hainaut, division de Charleroi (Belgium) lodged on 31 July 2020 — Skeyes v Ryanair DAC, formerly Ryanair Ltd

(Case C-353/20)

(2020/C 339/10)

Language of the case: French

Referring court

Tribunal de l'Entreprise du Hainaut, division de Charleroi

Parties to the main proceedings

Applicant: Skeyes

Defendant: Ryanair DAC, formerly Ryanair Ltd

Questions referred

1. Must Regulation No 550/2004, ⁽¹⁾ in particular Article 8 thereof, be interpreted as meaning that it authorises the Member States to remove from review by the courts of that Member State any alleged failures to fulfil the obligation to provide services by the air traffic services provider, or must the provisions of that regulation be interpreted as meaning that they require the Member States to provide an effective remedy against any such alleged breaches, account being taken of the nature of the services to be provided?

2. Must Regulation No 550/2004, inasmuch as it states that *'the provision of air traffic services, as envisaged by this Regulation, is connected with the exercise of the powers of a public authority, which are not of an economic nature justifying the application of the Treaty rules on competition'*, be interpreted as excluding not only the rules on competition *per se*, but also any other rules applicable to public undertakings active on a market for goods and services which have an indirect effect on competition, such as those prohibiting hindrances to the freedom to conduct business and to provide services?

(¹) Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation) (OJ 2004 L 96, p. 10).