

By letter of 20 November 2020, the Commission addressed a letter of formal notice in circumstances where the Commission had not received from Ireland any notification concerning the adoption of the necessary provisions to comply with the Directive. By letter of 23 September 2021, in the absence of any further notification regarding the transposition of the Directive, the Commission sent a reasoned opinion to Ireland. Nevertheless, the transposing measures have not yet been adopted by Ireland and, in any event, they have not been notified to the Commission.

⁽¹⁾ OJ 2018, L 303, p. 69.

⁽²⁾ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ 2010, L 95, p. 1).

Request for a preliminary ruling from the Nejvyšší soud (Czech Republic) lodged on 15 November 2022 — RegioJet a. s., STUDENT AGENCY k.s. v České dráhy, a.s., Správa železnic, státní organizace, Česká republika, Ministerstvo dopravy

(Case C-700/22)

(2023/C 45/15)

Language of the case: Czech

Referring court

Nejvyšší soud

Parties to the main proceedings

Applicants: RegioJet a. s., STUDENT AGENCY k.s.

Defendants: České dráhy, a.s., Správa železnic, státní organizace, Česká republika, Ministerstvo dopravy

Question referred

Must the last sentence of Article 108(3) of the Treaty on the Functioning of the European Union be interpreted as meaning that a national court must, in proceedings initiated on the application of a third party (competitor), order the recipient to return aid provided in breach of that provision even though (as at the date of the court's decision) the limitation period for the Commission's powers pursuant to Article 17(1) of Council Regulation (EU) 2015/1589 ⁽¹⁾ of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union has expired, due to which the aid provided is deemed, pursuant to Article 1(b)(iv) and Article 17(3) of the Regulation, to constitute existing aid?

⁽¹⁾ OJ 2015 L 248, p. 9.

Request for a preliminary ruling from the Sąd Najwyższy (Poland) lodged on 18 November 2022 — Advance Pharma sp. z o.o. v The Treasury — Chief Pharmaceuticals Inspector

(Case C-711/22)

(2023/C 45/16)

Language of the case: Polish

Referring court

Sąd Najwyższy

Parties to the main proceedings

Applicant: Advance Pharma sp. z o.o.

Defendant: The Treasury — Chief Pharmaceuticals Inspector