3. Is the phrase 'alone or jointly with others determines the purposes and means of the processing of personal data' in Article 2(d) of the Data Protection Directive to be interpreted as meaning that a religious community which organises the activity in connection with which personal data is collected (inter alia by dividing up the areas in which the activity is carried out among members involved in evangelical work, supervising the work of those members and maintaining a list of individuals who do not wish to receive visits from evangelists) may be regarded as a controller, on account of the processing of personal data carried out by its members, even though the religious community claims that only the individual members carrying out evangelical work have access to the data collected.

4. Is Article 2(d) to be interpreted as meaning that in order for a religious community to be considered a controller other specific actions are required, such as giving instructions or written guidelines governing the collection of data, or is it sufficient that that religious community is regarded as having de facto control of the activities of its members?

It is necessary to answer Questions 3 and 4 only if, on the basis of the answers to Questions 1 and 2, the directive is applicable. It is necessary to answer Question 4 only if, on the basis of Question 3, the application of Article 2(d) of the Directive to the Religious Community cannot be excluded.

(1) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ 1995 L 281, p. 31).

Request for a preliminary ruling from the Okrajno Sodišče Pliberk (Austria) lodged on 23 January 2017 — Čepelnik d.o.o. v Michael Vavti

(Case C-33/17)

(2017/C 086/24)

Language of the case: Slovenian

Referring court

Okrajno Sodišče Pliberk

Parties to the main proceedings

Applicant: Čepelnik d.o.o.

Defendant: Michael Vavti

Questions referred

1. Are Article 56 TFEU and Directive 2014/67/EU of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System to be interpreted as meaning that they prohibit a Member State from imposing a payment stop and the payment of a surety equal to the outstanding fee for work rendered on the domestic customer if the payment stop and the payment of the surety serve only to secure a possible fine, which would be imposed subsequently in separate proceedings against a service provider established in another Member State?

If that question is answered in the negative:

a. Are Article 56 TFEU and Directive 2014/67/EU of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System to be interpreted as meaning that they prohibit a Member State from imposing on the domestic customer a payment stop and the payment of a surety equal to the outstanding fee for work rendered if the service provider established in another Member State on whom a fine is to be imposed has no legal remedy against the imposition of a surety on the service provider established in another Member State in proceedings for the imposition of a surety and if the domestic customer's appeal against that decision has no suspensory effect?

b. Are Article 56 TFEU and Directive 2014/67/EU of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System to be interpreted as meaning that they prohibit a Member State from imposing on the domestic customer a payment stop and the payment of a surety equal to the outstanding fee for work rendered solely because the service provider is established in another Member State?

c. Are Article 56 TFEU and Directive 2014/67/EU of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System to be interpreted as meaning that they prohibit a Member State from imposing on the domestic customer a payment stop and the payment of a surety equal to the outstanding fee for work rendered even though the fee is not yet due and the amount of the final fee has not yet been determined on account of counter claims and retention rights?

Order of the President of the Court of 30 November 2016 (request for a preliminary ruling from the High Court of Justice Queen's Bench Division (Administrative Court) — United Kingdom) — The Queen, on the application of: Prospector Offshore Drilling SA and Others v Her Majesty's Treasury, Commissioners for Her Majesty's Revenue and Customs

(Case C-72/16) ([1])

(2017/C 086/25)

Language of the case: English

The President of the Court has ordered that the case be removed from the register.

([1]) OJ C 136, 18.4.2016.

Order of the President of the Court of 6 December 2016 (request for a preliminary ruling from the Högsta domstolen — Sweden) — Riksåklagaren v Zenon Robert Akarsar

(Case C-148/16) ([1])

(2017/C 086/26)

Language of the case: Swedish

The President of the Court has ordered that the case be removed from the register.

([1]) OJ C 175, 17.5.2016.
