

**Order of the Court (Eighth Chamber Chamber) of 30 January 2019 — (requests for a preliminary ruling from the Sofiyski gradski sad, Apelativen sad — Sofia — Bulgaria) — Criminal proceedings against AK (C-335/18), EP (C-336/18)**

**(Joined Cases C-335/18 and C-336/18) <sup>(1)</sup>**

*(References for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — Controls of cash entering or leaving the European Union — Regulation (EC) No 1889/2005 — Article 3 (1) — Infringement of the obligation to declare — Article 4(2) — Measure to detain — Article 9(1) — Penalties provided for by national law — National legislation providing that, in addition to the imposition of a penalty of a term of imprisonment or a fine in the amount of one fifth of the amount of the undeclared sum, that sum is to be confiscated by the State — Proportionality)*

(2019/C 112/12)

Language of the case: Bulgarian

#### **Referring court**

Sofiyski gradski sad, Apelativen sad — Sofia

#### **Criminal proceedings against**

AK (C-335/18), EP (C-336/18)

#### **Operative part of the order**

Articles 4(2) and 9(1) of Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community must be interpreted as precluding national legislation, such as that at issue in the main proceedings, which, for the purpose of penalising an infringement of the obligation to declare provided for in Article 3 of that regulation, provides that, in addition to the imposition of a penalty of a term of imprisonment of up to five years or a fine in the amount of one fifth of the amount of the undeclared sum of cash, that undeclared sum is to be confiscated by the State.

<sup>(1)</sup> OJ C 276, 6.8.2018.

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**Order of the Court (Eighth Chamber) of 30 January 2019 — Verein Deutsche Sprache eV v European Commission**

**(Case C-440/18 P) <sup>(1)</sup>**

*(Appeal — Article 181 of the Rules of Procedure of the Court of Justice — Access to documents — Regulation (EC) No 1049/2001 — Documents relating to a Commission decision concerning the alteration of the appearance of the press room in the Berlaymont Building to display only the French and English languages — Refusal to grant full access)*

(2019/C 112/13)

Language of the case: German

#### **Parties**

Appellant: Verein Deutsche Sprache eV (represented by: W. Ehrhardt, Rechtsanwalt)

Other party to the proceedings: European Commission (represented by: F. Erlbacher and F. Clotuche-Duvieusart, acting as Agents)

#### **Operative part of the order**

1. The appeal is dismissed as manifestly inadmissible.