

Request for a preliminary ruling from the Tribunale di Cagliari (Italy) lodged on 26 April 2013 — Criminal proceedings against Sergio Alfonso Lorrai

(Case C-224/13)

(2013/C 207/23)

Language of the case: Italian

Referring court

Tribunale di Cagliari

Parties to the main proceedings

Sergio Alfonso Lorrai

Questions referred

1. On a proper construction of Article 6 ECHR and of the second paragraph of Article 47 of the Charter of Fundamental Rights of the European Union, do those provisions preclude the application of Articles 70, 71 and 72 of the [Italian] Criminal Procedure Code in so far as they require criminal proceedings to be stayed indefinitely and, in addition, regular expert assessments to be carried out in respect of the defendant, once it has been ascertained that that defendant is incapable of taking part in the proceedings in a state of full awareness, by reason of a medical condition which is irreversible and unlikely to improve?
2. On a proper construction of Article 6 ECHR and of the second paragraph of Article 47 of the Charter of Fundamental Rights of the European Union, do those provisions preclude the application of point (3) of the first paragraph of Article 159 of the Criminal Code in so far as it requires the limitation period to be prolonged indefinitely (extended on a six-month basis under Article 72 of that Code) in the event that a defendant is incapable of taking part in the proceedings in a state of full awareness, by reason of a medical condition which is irreversible and unlikely to improve?

Request for a preliminary ruling from the Conseil d'État (Belgium) lodged on 29 April 2013 — Ville d'Ottignies-Louvain-la-Neuve, Michel Tillieut, Willy Gregoire, Marc Lacroix v Région wallonne

(Case C-225/13)

(2013/C 207/24)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Applicants: Ville d'Ottignies-Louvain-la-Neuve, Michel Tillieut, Willy Gregoire, Marc Lacroix

Defendant: Région wallonne

Questions referred

1. Is Article 7 of Directive 75/442/EEC⁽¹⁾ on waste to be interpreted as permitting the classification as a waste management plan of a legislative provision that states that, in derogation from the rule that no landfills may be authorised except on the sites provided for in the waste management plan, landfills authorised before that waste management plan entered into force may, after such entry into force, be the subject-matter of new authorisations in respect of the plots covered by the authorisation pre-dating the entry into force of the waste management plan?
2. Is Article 2(a) of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment⁽²⁾ to be interpreted as including within the meaning of plan and programme a legislative provision which states that, in derogation from the rule that no landfills may be authorised except on the sites provided for in the waste management plan required by Article 7 of Directive 75/442/EEC on waste, landfills authorised before that waste management plan entered into force may, after such entry into force, be the subject-matter of new authorisations in respect of the plots covered by the authorisation pre-dating the entry into force of the waste management plan?
3. If the answer to the second question is in the affirmative, does the second paragraph of Article 70 of the Decree of 27 June 1996 on waste, as amended by the Decree of 16 October 2003, satisfy the requirements for the assessment of effects laid down in Directive 2001/42/EC?

⁽¹⁾ Council Directive 75/442/EEC of 15 July 1975 on waste (OJ 1975 L 194, p. 39).

⁽²⁾ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ 2001 L 197, p. 30).

Appeal brought on 29 April 2013 by Albergo Quattro Fontane Snc against the order of the General Court (Fourth Chamber) of 20 February 2013 in Joined Cases T-278/00 to T-280/00, T-282/00 to T-286/00 and T-288/00 to T-295/00 Albergo Quattro Fontane and Others v Commission

(Case C-227/13 P)

(2013/C 207/25)

Language of the case: Italian

Parties

Appellant: Albergo Quattro Fontane Snc (represented by: A. Bianchini and F. Busetto, avvocati)