

**Request for a preliminary ruling from the Conseil d'État (France) lodged on 28 June 2016 —
Christian Picart v Ministre des finances et des comptes publics**

(Case C-355/16)

(2016/C 335/48)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Appellant: Christian Picart

Respondent: Ministre des finances et des comptes publics

Questions referred

1. May the right of establishment as a self-employed person, as defined in Articles 1 and 4 of the Agreement of 21 June 1999 and Article 12 of Annex I to that agreement, be regarded as equivalent to the freedom of establishment which Article 43 of the Treaty establishing the European Community, now Article 49 of the Treaty on the Functioning of the European Union, guarantees in respect of activities pursued as a self-employed person?
2. In this case, account being taken of the provisions in Article 16 of the agreement, should the case-law deriving from the judgment of 7 September 2006 in Case C-470/04, which was made after the agreement, be applied in the case of a national of a Member State who transferred his residence to Switzerland and who merely keeps his shareholding in companies under the law of that Member State (which gives him a definite influence over the decisions of those companies and enables him to determine their activities), without claiming to have the intention to pursue in Switzerland an activity as a self-employed person which is different to the activity he pursued in the Member State of which he was a national and which consists in the management of his shareholdings?
3. If that right is not equivalent to the freedom of establishment, must it be interpreted in the same way as the Court of Justice of the European Union interpreted the freedom of establishment in its judgment of 7 September 2006 in Case C-470/04?

**Request for a preliminary ruling from the Nederlandstalige rechtbank van eerste aanleg Brussel
(Belgium) lodged on 27 June 2016 — Criminal proceedings against Wamo BVBA, Luc Cecile Jozef Van
Mol**

(Case C-356/16)

(2016/C 335/49)

Language of the case: Dutch

Referring court

Nederlandstalige rechtbank van eerste aanleg Brussel

Parties to the main proceedings

Wamo BVBA,

Luc Cecile Jozef Van Mol