

**Request for a preliminary ruling from the Cour d'appel de Mons (Belgium) lodged on 4 March 2016 — Christian Ferenschild v JPC Motor SA**

(Case C-133/16)

(2016/C 191/14)

*Language of the case: French*

**Referring court**

Cour d'appel de Mons

**Parties to the main proceedings**

*Applicant:* Christian Ferenschild

*Defendant:* JPC Motor SA

**Question referred**

Must Article 5(1) of Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees, in conjunction with the second subparagraph of Article 7 (1) thereof, <sup>(1)</sup> be interpreted as precluding a provision of national law which is interpreted as allowing, for second-hand goods, the limitation period for action by the consumer to expire before the end of the two-year period as from delivery of goods which are not in conformity with the contract, where the seller and the consumer have agreed on a guarantee period of less than two years?

<sup>(1)</sup> OJ 1999 L 171, p. 12.

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**Request for a preliminary ruling from the Commissione Tributaria Regionale di Milano (Italy) lodged on 2 March 2016 — Stanleybet Malta Ltd and Mario Stoppani v Agenzia delle dogane e dei Monopoli**

(Case C-141/16)

(2016/C 191/15)

*Language of the case: Italian*

**Referring court**

Commissione Tributaria Regionale di Milano

**Parties to the main proceedings**

*Appellants:* Stanleybet Malta Ltd, Mario Stoppani

*Respondent:* Agenzia delle dogane e dei Monopoli

**Question referred**

Do Articles 56 and 52 of the Treaty on the Functioning of the European Union, having regard also to the case-law of the Court of Justice of the European Union itself, on gambling and betting services such as the judgments in *Gambelli*, *Placanica* and *Costa and Cifone*, on tax discrimination such as the judgments in *Lindman*, *Commission v Spain*, and *Bianco and Fabretti*, and to the EU law principles of equal treatment, non-discrimination and legitimate expectations, preclude national legislation such as the Italian legislation, under consideration in the present dispute, which makes national intermediaries transmitting gambling data on behalf of betting operators, established in a different EU Member State, in particular, those sharing the characteristics of the company Stanleybet Malta Ltd, and possibly, those betting operators, jointly with their national intermediaries, liable, even retrospectively, to the Single Tax on betting and pools provided for in Articles 1 to 3 of Legislative Decree No 504 of 23 December 1998, as amended by Article 1(66)(b) of the Stability Law 2011?

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