

Request for a preliminary ruling from the Administrativen sad Veliko Tarnovo (Bulgaria) lodged on 27 July 2017 — Walltopia AD v Direktor na Teritorialna direktsia na Natsionalnata agentsia za prihodite — Veliko Tarnovo

(Case C-451/17)

(2017/C 330/11)

Language of the case: Bulgarian

Referring court

Administrativen sad Veliko Tarnovo (Bulgaria)

Parties to the main proceedings

Applicant: Walltopia AD

Defendants: Direktor na Teritorialna direktsia na Natsionalnata agentsia za prihodite — Veliko Tarnovo

Questions referred

1. Is Article 14(1) of Regulation No 987/2009⁽¹⁾ of the European Parliament and the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems in conjunction with Article 12(1) of Regulation (EU) No 883/2004 of the European Parliament and the Council of 29 April 2004 on the coordination of social security systems to be interpreted as meaning that a person who pursues an activity as an employed person is not subject to the legislation of the Member State where the company that recruited him is established if he was not an insured person in this Member State in accordance with the national legislation referred to in Article 1(l) of the basic Regulation immediately before the start of his employment?
2. If the answer to the first question is in the negative, is it permissible for a national court, when interpreting the content and meaning of the term 'is subject to' in Article 14(1) of Regulation No 987/2009 and in Article 12(1) of Regulation No 883/2004, to take the citizenship of a Member State of the person into account when the employed person is in any case subject to the national legislation only on account of their citizenship?
3. May — if the answer to the second question is also in the negative — the national court, when applying the term referred to in the second question, take into account the habitual and permanent residence of the person employed, within the meaning of Article 1(j) of Regulation No 883/2004?
4. If the answer to the third question is also in the negative, what elements must be taken into account by the national court in determining the meaning of 'is subject to ... the legislation' in Article 12(1) of the basic Regulation and Article 14(1) of Regulation [No 987/2009] in order to apply these provisions in accordance with their precise sense?

⁽¹⁾ Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (Text with relevance for the EEA and for Switzerland) (OJ 2009 L 284, p. 1).

Request for a preliminary ruling from the Oberlandesgericht Düsseldorf (Germany) lodged on 2 August 2017 — Falck Rettungsdienste GmbH, Falck A/S v Stadt Solingen

(Case C-465/17)

(2017/C 330/12)

Language of the case: German

Referring court

Oberlandesgericht Düsseldorf