

**Request for a preliminary ruling from the Hof van Cassatie (Belgium) lodged on 24 June 2016 —
Ömer Altun and Others, Absa NV and Others v Openbaar Ministerie**

(Case C-359/16)

Language of the case: Dutch

Referring court

Hof van Cassatie

Parties to the main proceedings

Appellants: Ömer Altun, Abubekir Altun, Sedrettin Maksutogullari, Yunus Altun, Absa NV, M. Sedat BVBA, Alnur BVBA

Respondent: Openbaar Ministerie

Question referred

Can an E101 certificate issued under Article 11(1) of Regulation (EEC) No 574/72 ¹ of the Council of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, as applicable before its repeal by Article 96(1) of Regulation (EC) No 987/2009 ² laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, be annulled or disregarded by a court other than that of the sending Member State if the facts which are submitted to its scrutiny support the conclusion that the certificate was obtained or invoked fraudulently?

¹ (OJ 1972 L 74, p. 1).

² 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 (OJ 2009 L 284, p. 1).