

Questions referred

1. Does the sixth indent of Article 3(1)(a) of Council Regulation (EC) No 2201/2003 ⁽¹⁾ of 27 November 2003 infringe the prohibition of discrimination in Article 18 TFEU on the ground that it provides, as a precondition to the jurisdiction of the courts of the State of residence, depending on the nationality of the applicant, for a shorter period of residence than the fifth indent of Article 3(1)(a) of Council Regulation (EC) No 2201/2003 of 27 November 2003?
2. If the answer to Question 1 is in the affirmative:

Does that infringement of the prohibition of discrimination mean that, based on the fundamental rule laid down in the fifth indent of Article 3(1)(a) of Council Regulation (EC) No 2201/2003 of 27 November 2003, a period of residence of 12 months is required for all applicants, irrespective of their nationality, in order to rely upon the jurisdiction of the courts in the place of residence or is it to be assumed that a period of 6 months' residence is the precondition for all applicants?

⁽¹⁾ Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000 (OJ 2003 L 338, p. 1).

**Request for a preliminary ruling from the Conseil d'État (France) lodged on 19 October 2020 —
Association France Nature Environnement v Premier ministre and Ministre de la Transition
écologique et solidaire**

(Case C-525/20)

(2021/C 35/37)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Applicant: Association France Nature Environnement

Defendants: Premier ministre, Ministre de la Transition écologique et solidaire

Questions referred

1. Should Article 4 of Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy ⁽¹⁾ be interpreted as permitting Member States, when authorising a programme or project, not to take into account their temporary, short-term impacts on surface water status which are without lasting consequences?
2. If so, what conditions should those programmes and projects meet for the purposes of Article 4 of that directive and in particular paragraphs 6 and 7 thereof?

⁽¹⁾ OJ 2000 L 327, p. 1.

**Request for a preliminary ruling from the Bundesfinanzhof (Germany) lodged on 21 October
2020 — Finanzamt B v W AG**

(Case C-538/20)

(2021/C 35/38)

Language of the case: German

Referring court

Bundesfinanzhof

Parties to the main proceedings

Appellant on a point of law: Finanzamt B