Reference for a preliminary ruling from the Tribunale di Torre Annunziata (Italy) lodged on 23 April 2012 — Lorenzo Ciampaglia v Sangita Masawan

(Case C-185/12)

(2012/C 235/09)

Language of the case: Italian

Referring court

Tribunale di Torre Annunziata

Parties to the main proceedings

Applicant: Lorenzo Ciampaglia

Defendant: Sangita Masawan

By order of 3 May 2012, the Court of Justice declared that the reference for a preliminary ruling is manifestly inadmissible and removed the case from the register.

Reference for a preliminary ruling from the Cour de cassation du Grand-Duché de Luxembourg lodged on 8 May 2012 — Caisse nationale des prestations familiales v Fjola HLIDDAL

(Case C-216/12)

(2012/C 235/10)

Language of the case: French

Referring court

Cour de cassation du Grand-Duché de Luxembourg

Parties to the main proceedings

Applicant: Caisse nationale des prestations familiales

Respondent: Fjola HLIDDAL

Question referred

Does a benefit such as the parental leave allowance provided for by Articles 306 to 308 of the [Luxembourg] Code de la Sécurité Sociale constitute a family benefit within the meaning of Article 1(u)(i) and Article 4(1)(h) of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to the members of their families moving within the Community, [1] as amended and updated and applicable in accordance with Annex II, Section A, (1) of the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons and the Final Act signed in Luxembourg on 21 June 1999? [2]

[1] OJ 1971, L 149, p. 2.
[2] OJ 2002, L 114, p. 6.

Reference for a preliminary ruling from the Cour de cassation du Grand-Duché de Luxembourg lodged on 8 May 2012 — Caisse nationale des prestations familiales v Bornand, Pierre-Louis

(Case C-217/12)

(2012/C 235/11)

Language of the case: French

Referring court

Cour de cassation du Grand-Duché de Luxembourg

Parties to the main proceedings

Applicant: Caisse nationale des prestations familiales

Respondent: Bornand, Pierre-Louis

Question referred

Does a benefit such as the parental leave allowance provided for by Articles 306 to 308 of the [Luxembourg] Code de la Sécurité Sociale constitute a family benefit within the meaning of Article 1(u)(i) and Article 4(1)(h) of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to the members of their families moving within the Community, [1] as amended and updated and applicable in accordance with Annex II, Section A, (1) of the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons and the Final Act signed in Luxembourg on 21 June 1999? [2]

[1] OJ 1971, L 149, p. 2.
[2] OJ 2002, L 114, p. 6.

Reference for a preliminary ruling from the Tribunalul Argeș (Romania) lodged on 4 May 2012 — Comisariatul Județean pentru Protecția Consumatorilor Argeș v SC Volksbank România SA, SC Volksbank România SA — Sucursala Pitești, Alin Iulian Matei, Petruța Florentina Matei

(Case C-236/12)

(2012/C 235/12)

Language of the case: Romanian

Referring court

Tribunalul Argeș

Parties to the main proceedings

Appellant: Comisariatul Județean pentru Protecția Consumatorilor Argeș

Respondents: SC Volksbank România SA, SC Volksbank România SA — Sucursala Pitești, Alin Iulian Matei, Petruța Florentina Matei

Question referred

Having regard to the fact that, in accordance with Article 4(2) of Directive 93/13/EEC, ([1]) assessment of the unfair nature of contractual terms must relate neither to the definition of the main subject-matter of the agreement nor to the adequacy [*sic*] of the price and remuneration, on the one hand, as against the services or goods supplied in exchange, on the other, in so far as these terms are in plain intelligible language,

and

given that, under Article 2(2)(a) of Directive 2008/48/EC, ([2]) the definition provided in Article 3(g) of that directive of 'the total cost of the credit to the consumer', which includes all the fees which the consumer is required to pay in connection with the credit agreement, does not apply for the purposes of determining the subject-matter of a credit agreement secured by a mortgage,

can the concepts of 'main subject-matter' and/or of 'price', to which Article 4(2) of Directive 93/13/EEC refers, be interpreted as also covering, among the elements which make up the consideration owed to the credit institution, the global effective annual rate of a credit agreement, formed in particular of the interest rate, whether fixed or variable, the bank charges and other costs included and defined in the agreement?

([1]) Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ 1993, L 95, p. 29).
([2]) Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ 2008, L 133, p. 66).

Reference for a preliminary ruling from the Verwaltungsgerichtshof (Austria) lodged on 21 May 2012 — Salzburger Flughafen GmbH v Umweltsenat

(Case C-244/12)

(2012/C 235/13)

Language of the case: German

Referring court

Verwaltungsgerichtshof

Parties to the main proceedings

Applicant: Salzburger Flughafen GmbH

Defendant: Umweltsenat

Party: Landesumweltanwalt von Salzburg

Further party: Bundesministerin für Verkehr, Innovation und Technologie

Questions referred

1. Does Council Directive 85/337/EEC of 27 June 1985, ([1]) as amended by Council Directive 97/11/EC of 3 March 1997, ([2]) preclude a national rule by which it is established that an environmental impact assessment for infrastructure works (not concerning the runway) at an airport, that is the construction of a terminal and the extension of the airport site to construct further facilities (in particular hangars, equipment buildings and parking areas), shall only be carried out if the annual number of aircraft movements is anticipated to increase by no less than 20 000?

   In the event that Question 1 is answered in the affirmative:

2. In the absence of relevant national provisions, does Directive 85/337 require and allow for the direct application of its provisions to assess (taking due account of the objectives thereby pursued and the criteria set out in Annex III thereto) the environmental impact of a project — specified in Question 1 — which is covered by Annex II?

([1]) Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, OJ 1985 L 175, p. 40.
([2]) Council Directive 97/11/EC of 3 March 1997 amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, OJ 1997 L 73, p. 5.

Reference for a preliminary ruling from the Varhoven administrativen sad (Bulgaria) lodged on 21 May 2012 — Meliha Veli Mustafa v Direktor na fond 'Garantirani vzemania na rabotnitsite i sluzhitelnite' kam Natsionalnia osiguritelen institut

(Case C-247/12)

(2012/C 235/14)

Language of the case: Bulgarian

Referring court

Varhoven administrativen sad

Parties to the main proceedings

Applicant: Meliha Veli Mustafa

Defendant: Direktor na fond 'Garantirani vzemania na rabotnitsite i sluzhitelnite' kam Natsionalnia osiguritelen institut

Questions referred

1. In the light of Recital 5 of the preamble to Directive 2002/74/EC, ([1]) is Article 2(1) of Council Directive 80/987/EEC ([2]) of 20 October 1980 on the protection of employees in the event of the insolvency of their employer, as amended by Directive 2002/74/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 80/987/EEC of 20 October 1980 on the approximation of the laws of the Member States relating to the protection of employees in the event