

Parties to the main proceedings

Applicant: Kakavetsos-Fragkopoulos AE Epexergasias kai Emporias Stafidas, formerly K. Fragkopoulos kai SIA OE

Defendant: Normarchiaki Aftodioikisi Korinthias

intervening parties: Ypourgos Georgias, Enosis Agrotikon Synaiterismou Aigialeias tou Nomou Achaïas

Re:

Reference for a preliminary ruling — *Simvoulío tis Epikratias* — Free movement of goods — Quantitative restrictions on exports— Measures having equivalent effect — National legislation distinguishing between regions producing dried grapes according to their quality — Prohibition on bringing drying grapes from Region B, where the drying grapes are of inferior quality, into Region A, where they are of superior quality, to be processed and marketed — Prohibition on bringing into Region A best drying grapes from a particular area of that region to be processed and marketed — Compatibility with Articles 29 EC and 30 EC

Operative part of the judgment

Article 29 EC must be interpreted as precluding national legislation, such as that at issue in the main proceedings, which lays down an absolute prohibition on bringing in, storing, processing and packing for export dried grapes both as between the two sub-areas of area A and as between the second sub-area of area A and area B, since it does not enable the legitimate objectives pursued to be met consistently and goes beyond what is necessary to ensure the attainment of those objectives.

⁽¹⁾ OJ C 153, 4.7.2009.

Judgment of the Court (Grand Chamber) of 1 March 2011 (reference for a preliminary ruling from the Cour constitutionnelle (Belgium)) — Association Belge des Consommateurs Test-Achats ASBL, Yann van Vugt, Charles Basselier v Conseil des ministres

(Case C-236/09) ⁽¹⁾

(Reference for a preliminary ruling — *Fundamental rights* — *Combating discrimination* — *Equal treatment for men and women* — *Access to and supply of goods and services* — *Insurance premiums and benefits* — *Actuarial factors* — *Sex as a factor in the assessment of insurance risks* — *Private life assurance contracts* — *Directive 2004/113/EC* — *Article 5(2)* — *Derogation not subject to any temporal limitation* — *Charter of Fundamental Rights of the European Union* — *Articles 21 and 23* — *Invalidity*)

(2011/C 130/06)

Language of the case: French

Referring court

Cour constitutionnelle (Belgium)

Parties to the main proceedings

Applicants: Association Belge des Consommateurs Test-Achats ASBL, Yann van Vugt, Charles Basselier

Defendant: Conseil des ministres

Re:

Reference for a preliminary ruling — Cour constitutionnelle (Belgium) — Validity of Article 5(2) of Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services (OJ 2004 L 373, p. 37) — Gender used as a determining factor in the assessment of risk and in the calculation of insurance premiums and benefits on the basis of relevant and accurate actuarial and statistical data — Life assurance contracts — Whether a difference in treatment is permissible and justified

Operative part of the judgment

Article 5(2) of Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services is invalid with effect from 21 December 2012.

⁽¹⁾ OJ C 205, 29.8.2009.

Judgment of the Court (Grand Chamber) of 8 March 2011 (reference for a preliminary ruling from the Najvyšší súd Slovenskej republiky (Slovakia)) — Lesoochránárske zoskupenie VLK v Ministerstvo životného prostredia Slovenskej republiky

(Case C-240/09) ⁽¹⁾

(Environment — Aarhus Convention — Public participation in the decision-making process and access to justice in environmental matters — Direct effect)

(2011/C 130/07)

Language of the case: Slovakian

Referring court

Najvyšší súd Slovenskej republiky

Parties to the main proceedings

Applicant: Lesoochránárske zoskupenie VLK

Defendant: Ministerstvo životného prostredia Slovenskej republiky

Re:

Request for a preliminary ruling — Supreme Court of the Slovak Republic — Interpretation of Article 9(3) of the Council Decision of 17 February 2005 on the conclusion, on behalf of the European Community, of the Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters (OJ 2005 L 124, p. 1) — Direct effect of that provision — Interpretation of the concept of ‘acts of public authorities’ — Inclusion or not of the decisions of a public authority, the unlawfulness of which lies in their effect on the environment