

Second plea, that the General Court committed an error of law, and acted contrary to the principle of legal certainty, in its attempts to limit the scope of *Piraiiki-Patraiki* and *Dreyfus* (in particular by restricting the former to cases in which the Union measure is adopted in response to a request by a Member State, and by restricting the latter to cases with a 'very specific factual context').

Third plea, that the General Court committed an error of law in narrowing the test for standing under Article 263. This is contrary to the proper interpretation of Article 263 as amended by the Treaty of Lisbon, in particular by reference to its purpose and to the principle of effective judicial protection.

Fourth plea, that if the General Court had applied the correct legal principles to the present case, DARD would have been found to be 'directly concerned'. In particular, the constitutional position in the United Kingdom is that the devolved administration — in this case DARD — is directly responsible for bearing the cost of the disallowance. The chain of causation is direct and automatic. The United Kingdom devolutionary arrangements are well established (see Case C-428/07 *Horvath* [2009] ECR I-6355) and any argument that their application is less than a 'foregone conclusion' should fail.

Reference for a preliminary ruling from the Tribunal de commerce de Bruxelles (Belgium), lodged on 22 May 2012 — Christian van Buggenhout and Ilse van de Mierop (lawyers acting as administrators in the insolvency of Grontimmo SA) v Banque Internationale à Luxembourg

(Case C-251/12)

(2012/C 200/18)

Language of the case: French

Referring court

Tribunal de commerce de Bruxelles

Parties to the main proceedings

Applicants: Christian van Buggenhout and Ilse van de Mierop (lawyers acting as administrators in the insolvency of Grontimmo SA)

Defendant: Banque Internationale à Luxembourg

Questions referred

1. How should the words 'obligation ... for the benefit of a debtor' in Article 24 of Regulation (EC) No 1346/2000 ⁽¹⁾ of 29 May 2000 be interpreted?
2. Must those words be interpreted as including a payment made to a creditor of the insolvent debtor at the latter's request, in the case where the party which carried out that payment obligation on behalf and for the benefit of the insolvent debtor did so while unaware of the existence of insolvency proceedings which had been opened against the debtor in another Member State?

⁽¹⁾ Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings (OJ 2000 L 160, p. 1).

Order of the President of the First Chamber of the Court of 7 May 2012 (Reference for a preliminary ruling from the Landgericht Essen — Germany) — Dr Biner Bähr in his capacity as liquidator in respect of the assets of Hertie GmbH v HIDD Hamburg-Bramfeld B.V.1

(Case C-494/10) ⁽¹⁾

(2012/C 200/19)

Language of the case: German

The President of the First Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 30, 29.1.2011.