

market and amending Directive 92/42/EEC must be interpreted as meaning that its scope is not limited solely to cogeneration plants which are high efficiency cogeneration plants within the meaning of that directive.

2. In the present state of European Union law, the principle of equal treatment and non-discrimination laid down in particular in Articles 20 and 21 of the Charter of Fundamental Rights of the European Union does not preclude the Member States, when introducing national support schemes for cogeneration and electricity production from renewable energy sources, such as those referred to in Article 7 of Directive 2004/8 and Article 4 of Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market, from providing for an enhanced support measure such as that at issue in the main proceedings capable of benefiting all cogeneration plants principally using biomass with the exclusion of cogeneration plants principally using wood and/or wood waste.

(<sup>1</sup>) OJ C 200, 7.7.2012.

**Judgment of the Court (Fifth Chamber) of 19 September 2013 (requests for a preliminary ruling from the Cour de cassation du Grand-Duché de Luxembourg (Luxembourg)) — Caisse nationale des prestations familiales v Fjola Hliddal (C-216/12), Pierre-Louis Bornand (C-217/12)**

(Joined Cases C-216/12 and C-217/12) (<sup>1</sup>)

*(Social security — Regulation (EEC) No 1408/71 — Agreement between the European Community and the Swiss Confederation — Swiss nationals residing in Switzerland and working in Luxembourg — Grant of a parental leave allowance — Concept of a ‘family benefit’)*

(2013/C 344/49)

Language of the case: French

#### Referring court

Cour de cassation du Grand-Duché de Luxembourg

#### Parties to the main proceedings

Appellant: Caisse nationale des prestations familiales

Respondents: Fjola Hliddal (C-216/12), Pierre-Louis Bornand (C-217/12)

#### Re:

Requests for a preliminary ruling — Cour de cassation (Luxembourg) — Interpretation of Articles 1(u)(i) and 4(1)(h) of Regulation (EEC) No 1408/71 of the Council of 14 June

1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community (OJ 1971 L 149, p. 2) and of point 1 of Section A of Annex II to 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, concluded on 21 June 1999 (OJ 2002 L 114, p. 6) — Concept of a ‘family benefit’ — Permissibility of national legislation providing for the grant of a parental leave allowance — Swiss national residing in Switzerland and working in Luxembourg.

#### Operative part of the judgment

Articles 1(u)(i) and 4(1)(h) of Regulation (EEC) No 1408/71 of the Council of 14 June 1971 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 amended and updated by Council Regulation (EC) No 118/97 of 2 December 1996 and as amended by Council Regulation (EC) No 1606/98 of 29 June 1998, must be interpreted as meaning that a parental leave allowance, such as the allowance provided for under Luxembourg legislation, constitutes a ‘family benefit’ within the meaning of that regulation.

(<sup>1</sup>) OJ C 235, 4.8.2012.

**Judgment of the Court (Third Chamber) of 19 September 2013 (request for a preliminary ruling from the Tribunal de commerce, Brussels — Belgium) — Christian Van Buggenhout and Ilse Van de Mierop, acting as liquidators in the insolvency of Grontimmo SA v Banque Internationale à Luxembourg SA**

(Case C-251/12) (<sup>1</sup>)

*(Judicial cooperation in civil matters — Regulation (EC) No 1346/2000 — Insolvency proceedings — Article 24(1) — Honouring an obligation ‘for the benefit of a debtor that is subject to insolvency proceedings’ — Payment made to a creditor of that debtor)*

(2013/C 344/50)

Language of the case: French

#### Referring court

Tribunal de commerce, Brussels

#### Parties to the main proceedings

Applicant: Christian Van Buggenhout and Ilse Van de Mierop, acting as liquidators in the insolvency of Grontimmo SA