

4. Article 96(1)(a) in conjunction with Article 204(1)(a) and (3) of Regulation No 2913/92, as amended by Regulation No 648/2005, must be interpreted as meaning that the principal is liable for the payment of the customs debt arising in relation to goods placed under the external Community transit procedure, even if the carrier did not fulfil the obligations to which he was subject under Article 96(2) of that regulation, in particular the requirement to produce those goods intact at the customs office of destination within the prescribed period.
5. Article 96(1)(a) and (2), Article 204(1)(a) and (3) and Article 213 of Regulation No 2913/92, as amended by Regulation No 648/2005, must be interpreted as meaning that the customs authority of a Member State is not obliged to declare the joint and several liability of the carrier who, together with the principal, must be regarded as liable for payment of the customs debt.

⁽¹⁾ OJ C 191, 30.5.2016

**Judgment of the Court (Eighth Chamber) of 11 May 2017 (request for a preliminary ruling from the
Rechtbank Noord-Nederland — Netherlands) — Bas Jacob Adriaan Krijgsman v Surinaamse
Luchtvaart Maatschappij NV**

(Case C-302/16) ⁽¹⁾

*(Reference for a preliminary ruling — Air transport — Regulation (EC) No 261/2004 — Article 5(1)
(c) — Compensation and assistance to passengers in the event of cancellation of a flight — Exemption
from the obligation to pay compensation — Contract for carriage concluded through an online travel
agent — Air carrier having informed the travel agent in good time of a change to the scheduled time for
the flight — Travel agent having communicated that information to a passenger by email 10 days before
the flight)*

(2017/C 239/20)

Language of the case: Dutch

Referring court

Rechtbank Noord-Nederland

Parties to the main proceedings

Applicant: Bas Jacob Adriaan Krijgsman

Defendant: Surinaamse Luchtvaart Maatschappij NV

Operative part of the judgment

Article 5(1)(c) and Article 7 of Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91, must be interpreted as meaning that the operating air carrier is required to pay the compensation specified in those provisions in the case where a flight was cancelled and that information was not communicated to the passenger at least two weeks before the scheduled time of departure, including in the case where the air carrier, at least two weeks before that time, communicated that information to the travel agent via whom the contract for carriage had been entered into with the passenger concerned and the passenger had not been informed of that cancellation by that agent within that period.

⁽¹⁾ OJ C 326, 5.9.2016.