

3. The second indent of Article 18(2) of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data must be interpreted as not placing the personal data protection official under an obligation to keep the register provided for by that provision before an operation for the processing of personal data, such as that resulting from Articles 42(8b) and 44a of Regulation No 1290/2005, as amended by Regulation No 1437/2007, and from Regulation No 259/2008, is carried out.
4. Article 20 of Directive 95/46 must be interpreted as not imposing an obligation on the Member States to make the publication of information resulting from Articles 42(8b) and 44a of Regulation No 1290/2005, as amended by Regulation No 1437/2007, and from Regulation No 259/2008 subject to the prior checks for which that Article 20 provides.

(¹) OJ C 129, 6.6.2009
OJ C 119, 16.5.2009

Judgment of the Court (First Chamber) of 18 November 2010 (reference for a preliminary ruling from the Rechtbank van eerste aanleg te Dendermonde — Belgium) — Criminal proceedings against V. W. Lahousse, Lavichy BVBA

(Case C-142/09) (¹)

(Directives 92/61/EEC and 2002/24/EC — Type-approval of two- or three-wheel motor vehicles — Vehicles intended for use in competition, on roads or in off-road conditions — National legislation prohibiting the manufacture, marketing and use of equipment designed to increase the engine power and/or speed of mopeds)

(2011/C 13/10)

Language of the case: Dutch

Referring court

Rechtbank van eerste aanleg te Dendermonde

Parties in the main proceedings

V. W. Lahousse, Lavichy BVBA

Re:

Reference for a preliminary ruling — Rechtbank van eerste aanleg te Dendermonde (Belgium) — Interpretation of Articles 1(1), 12 and 15(2) of Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the

type-approval of two or three-wheel motor vehicles and repealing Council Directive 92/61/EEC (OJ 2002 L 124, p. 1) — Exception in respect of vehicles intended for use in competition, on roads or in off-road conditions — National legislation disregarding that exception

Operative part of the judgment

Council Directive 92/61/EEC of 30 June 1992 relating to the type-approval of two or three-wheel motor vehicles, and Directive 2002/24/EC of the European Parliament and of the Council of 18 March 2002 relating to the type-approval of two or three-wheel motor vehicles and repealing Directive 92/61 are to be construed as meaning that, where a vehicle or a component or separate technical unit thereof does not qualify for the type-approval procedure established by those directives, on the ground that it does not come within their scope, the provisions of those directives do not prevent a Member State from introducing, in its domestic law and in relation to such vehicle, component or separate technical unit, a similar mechanism for recognising the checks carried out by other Member States. In any event, such legislation must comply with EU law, in particular Articles 34 TFEU and 36 TFEU.

(¹) OJ C 153, 4.7.2009.

Judgment of the Court (First Chamber) of 11 November 2010 (reference for a preliminary ruling from the Verwaltungsgericht Schwerin (Germany)) — André Grootes v Amt für Landwirtschaft Parchim

(Case C-152/09) (¹)

(Common agricultural policy — Integrated administration and control system for certain aid schemes — Single payment scheme — Regulation (EC) No 1782/2003 — Calculation of payment entitlements — Article 40(5) — Farmers who were under agri-environmental commitments during the reference period — Article 59(3) — Regional implementation of the single payment scheme — Article 61 — Different per-unit values for hectares under permanent pasture and for any other hectare eligible for aid)

(2011/C 13/11)

Language of the case: German

Referring court

Verwaltungsgericht Schwerin

Parties to the main proceedings

Applicant: André Grootes

Defendant: Amt für Landwirtschaft Parchim