

Question referred

Is Article 3(5) of, in conjunction with point (b) and/or (c) of Annex A to, Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules⁽¹⁾ for the internal market in electricity and repealing Directive 96/92/EC to be interpreted as meaning that a provision of national law on price variations in electricity delivery contracts with domestic customers, who are supplied electricity within the framework of the general duty to supply (standard-rate customers), satisfies the transparency requirements if, in that provision, the grounds, preconditions and scope of the price variation are not stipulated but customers are assured that electricity suppliers will give them sufficient advance notice of any price increases and they have the right to terminate the contract if they are unwilling to accept the amended contractual terms and conditions as communicated?

⁽¹⁾ Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC — Statements made with regard to decommissioning and waste management activities (OJ 2003 L 176, p. 37).

Reference for a preliminary ruling from the Nejvyšší správní soud (Czech Republic) lodged on 28 July 2011 —
Blanka Soukupová v Ministerstvo zemědělství

(Case C-401/11)

(2011/C 311/31)

Language of the case: Czech

Referring court

Nejvyšší správní soud

Parties to the main proceedings

Applicant: Blanka Soukupová

Defendant: Ministerstvo zemědělství

Questions referred

1. May the concept of ‘normal retirement age’ at the time of transfer of a farm under Article 11 of Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations⁽¹⁾ be interpreted as ‘the age required for entitlement to a retirement pension’ by a particular applicant under national legislation?
2. If the answer to the first question is in the affirmative, is it in accordance with European Union law and the general

principles of European Union law for ‘normal retirement age’ at the time of transfer of a farm to be determined differently for individual applicants depending on their sex and the number of children they have brought up?

3. If the answer to the first question is in the negative, what criteria should the national court take into account when interpreting the concept of ‘normal retirement age’ at the time of transfer of a farm under Article 11 of Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations?

⁽¹⁾ OJ 1999 L 160, p. 80.

Appeal brought on 28 July 2011 by the European Commission against the judgment delivered by the General Court on 17 May 2011 in Case T-1/08 Buczek Automotive v Commission

(Case C-405/11 P)

(2011/C 311/32)

Language of the case: Polish

Parties

Appellant: European Commission (represented by: A. Stobiecka-Kuik, T. Maxian Rusche, Agents)

Other party to the proceedings: Buczek Automotive Sp. z o.o., Republic of Poland

Form of order sought

- set aside the judgment of the General Court of 17 May 2011 in Case T-1/08 *Buczek Automotive Sp. z o.o. v Commission* in so far as it annuls the contested decision;
- give final judgment on the issues which are the subject of the present appeal;
- refer the decision back to the General Court for fresh consideration as regards the remaining pleas put forward at first instance;
- reserve costs.

Pleas in law and main arguments

In the appeal the Commission puts forward two pleas, namely infringement of Article 107(1) TFEU and infringement of Article 107(1) TFEU in conjunction with Article 296 TFEU and Protocol No 8 to the 2004 Act of Accession on the restructuring of the Polish steel industry⁽¹⁾ (‘Protocol No 8’).