Parties to the main proceedings

Applicants: Helga Petersen, Peter Petersen

Defendant: Finanzamt Ludwigshafen

Question referred

Is a legal provision compatible with Article 49 of the Treaty establishing the European Community (in the version of the Nice Treaty signed on 26 February 2001; now Article 56 of the Treaty on the Functioning of the European Union) if it makes a tax exemption for income of an employee who is taxable in Germany dependent on the employer being established in Germany, but does not provide for such exemption if the employer is established in another EU Member State?

Reference for a preliminary ruling from the Verwaltungsgericht Frankfurt (Oder) (Germany) lodged on 24 October 2011 — Agrargenossenschaft Neuzelle e.G. v Landrat of the Landkreis Oder-Spree

(Case C-545/11)

(2012/C 25/58)

Language of the case: German

Referring court

Verwaltungsgericht Frankfurt (Oder)

Parties to the main proceedings

Applicant: Agrargenossenschaft Neuzelle e.G.

Defendant: Landrat of the Landkreis Oder-Spree

Questions referred

1. Is Article 7(1) of Council Regulation (EC) No 73/2009 of 19 January 2009 [1] establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers to be regarded as valid to the extent that for the years 2009 to 2012 it provides for a reduction in direct payments in excess of 5 %?

2. Is Article 7(2) of Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers to be regarded as valid?

[1] OJ 2009 L 30, p. 16.

Reference for a preliminary ruling from the Arbeidshof te Antwerpen (Belgium), lodged on 31 October 2011 — Edgard Mulders v Rijksdienst voor Pensioenen

(Case C-548/11)

(2012/C 25/59)

Language of the case: Dutch

Referring court

Arbeidshof te Antwerpen

Parties to the main proceedings

Appellant: Edgard Mulders

Respondent: Rijksdienst voor Pensioenen

Question referred

Is Article 46 of Council Regulation (EEC) No 1408/71 [1] 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 infringed in the case where, in the calculation of the pension of a migrant worker, a period of incapacity for work during which a work incapacity benefit was awarded and contributions under the Netherlands General Law on Old-Age Pensions were paid is not regarded as being a 'period of insurance' within the meaning of Article 1(r) of Regulation (EEC) No 1408/71?

[1] OJ, English Special Edition 1971(II), p. 416.

Appeal brought on 2 November 2011 by Internationaler Hilfsfonds eV against the order of the General Court (Fourth Chamber) made on 21 September 2011 in Case T-141/05 RENV Internationaler Hilfsfonds eV v European Commission

(Case C-554/11 P)

(2012/C 25/60)

Language of the case: German

Parties

Appellant: Internationaler Hilfsfonds eV (represented by: H. Kaltenecker, Rechtsanwalt)

Other party to the proceedings: European Commission

Form of order sought

The appellant claims that the Court should:

(a) set aside the order of 21 September 2011 and refer the case back to the General Court, directing it to carry out a new assessment after delivery of the judgment in Case T-300/10;

in the alternative, rule on the case itself;

(b) order the Commission to pay the costs which arose out of the interlocutory proceedings to which the order under appeal relates and the costs of the appeal.

Pleas in law and main arguments

The appeal is against the order of the General Court of 21 September 2011 in Case T-141/05 RENV, by which that Court held that there was no longer any need to adjudicate on proceedings which the appellant and applicant at first instance had brought against a decision of the Commission in 2005. The original action was directed against the Commission's refusal to grant the appellant full access to the file in respect of the contract LIEN 97-2011.

By the appeal the appellant criticises the order of the General Court on the grounds of incorrect application of the rules of procedure, in particular the inadequate coordination of the proceedings in Cases T-36/10 and T-141/05 RENV, by which its interests were, according to the appellant, seriously undermined. In addition, the General Court made an incorrect decision on costs to the appellant's disadvantage.

Reference for a preliminary ruling from the Simvoulio tis Epikrateias lodged on 3 November 2011 — Enosis Epangelmation Asfaliston Ellados (EEAE), Sillogos Asfalistikon Praktoron Nomou Attikis (SPATE), Panellinios Sillogos Asfalistikon Simboulon (PSAS), Sindesmos Ellinon Mesiton Asfaliseon (SEMA), Panellinios Sindesmos Sintoniston Asfalistikon Simboulon (PSAS) v Ipourgos Anaptixis and Omospondias Asfalistikon Sillogon Ellados

(Case C-555/11)

(2012/C 25/61)

Language of the case: Greek

Referring court

Simvoulio tis Epikrateias (Council of State)

Parties to the main proceedings

Applicants: Enosis Epangelmation Asfaliston Ellados (Hellenic Association of Insurance Professionals, EEAE), Sillogos Asfalistikon Praktoron Nomou Attikis (Attica Association of Insurance Agents, SPATE), Panellinios Sillogos Asfalistikon Simboulon (Hellenic Association of Insurance Advisors, PSAS), Sindesmos Ellinon Mesiton Asfaliseon (Hellenic Insurance Broker Association, SEMA), Panellinios Sindesmos Sintoniston Asfalistikon Simboulon (Hellenic Association of Insurance Advisor Coordinators, PSAS).

Defendants: Ipourgos Anaptixis (Minister for Development), Omospondias Asfalistikon Sillogon Ellados (Federation of Hellenic Insurance Associations)

Question referred

Does the provision of the second subparagraph of Article 2(3) of Directive 2002/92/EC, which states: 'These activities (those listed in the first subparagraph of that provision) when undertaken by an insurance undertaking or an employee of an insurance undertaking who is acting under the responsibility of the insurance undertaking shall not be considered as insurance mediation', mean that an employee of an insurance undertaking who does not have the qualifications required under Article 4(1) of that directive is permitted to pursue the activity of insurance mediation on an incidental basis, and not as his main professional activity, even if that employee does not have an employment relationship with the undertaking, which however supervises his actions, or does the directive permit that activity to be pursued only within the framework of an employment relationship?

Reference for a preliminary ruling from the Juzgado Contencioso-Administrativo de Valladolid (Spain) lodged on 3 November 2011 — María Jesús Lorenzo Martínez v Dirección Provincial de Educación Valladolid

(Case C-556/11)

(2012/C 25/62)

Language of the case: Spanish

Referring court

Juzgado Contencioso-Administrativo de Valladolid

Parties to the main proceedings

Applicant: María Jesús Lorenzo Martínez

Defendant: Dirección Provincial de Educación Valladolid

Question referred

Does the fact that an individual is an established (career) civil servant and, as such, belongs to one of the staff groups into which the public teaching service is organised constitute an objective ground sufficient to justify the individual 'continuing-professional-education' component of the special increment (also commonly referred to as the '*sexenio*' or six-yearly increment) being paid — once it is demonstrated that they have satisfied the relevant requirements — only to established civil servants forming part of the public teaching service?

Reference for a preliminary ruling from the Naczelny Sąd Administracyjny (Republic of Poland) lodged on 4 November 2011 — Maria Kozak v Dyrektor Izby Skarbowej w Lublinie

(Case C-557/11)

(2012/C 25/63)

Language of the case: Polish

Referring court

Naczelny Sąd Administracyjny

Parties to the main proceedings

Appellant: Maria Kozak

Respondent: Dyrektor Izby Skarbowej w Lublinie (Director of the Tax Chamber, Lublin)