

Operative part of the judgment

Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts and the principles of equivalence and effectiveness must be interpreted as not precluding national procedural rules under which actions for an injunction brought by consumer protection associations must be brought before the courts where the defendant is established or has its address and whereby no appeal lies against a decision declining territorial jurisdiction handed down by a court of first instance.

⁽¹⁾ OJ C 379, 8.12.2012.

Judgment of the Court (Tenth Chamber) of 12 December 2013 (request for a preliminary ruling from the Finanzgericht Düsseldorf — Germany) — HARK GmbH & Co KG Kamin- und Kachelofenbau v Hauptzollamt Duisburg

(Case C-450/12) ⁽¹⁾

(Common Customs Tariff — Tariff classification — Combined Nomenclature — Headings 7307 and 7321 — Stove pipe sets — Notions of ‘parts’ of stoves and ‘tube or pipe fittings’)

(2014/C 45/22)

Language of the case: German

Referring court

Finanzgericht Düsseldorf

Parties to the main proceedings

Applicant: HARK GmbH & Co KG Kamin- und Kachelofenbau

Defendant: Hauptzollamt Duisburg

Re:

Reference for a preliminary ruling — Finanzgericht Düsseldorf — Interpretation of Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ 1987 L 256, p. 1), as amended by Commission Regulation (EC) No 1031/2008 of 19 September 2008 (OJ 2008 L 291, p. 1) — Interpretation of headings 7307 and 7321 — Classification of stove pipe sets.

Operative part of the judgment

The Combined Nomenclature in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended by Commission Regulation (EC) No 1031/2008 of 19 September

2008, must be interpreted as meaning that a stove pipe set, such as that at issue in the main proceedings, which comprises a right-angled tubular elbow component in steel with an external diameter of 154 mm and external dimensions of 495 mm x 595 mm, which is covered in heat-resistant paint and has a closing flap to allow internal cleaning, a chimney connection and an appropriate surround, must be classified under Combined Nomenclature heading 7321 as a part, in steel, of a stove.

⁽¹⁾ OJ C 389, 15.12.2012.

Judgment of the Court (Eighth Chamber) of 12 December 2013 (request for a preliminary ruling from the Gerechtshof te's-Hertogenbosch — Netherlands) — in the proceedings brought by X

(Case C-486/12) ⁽¹⁾

(Protection of individuals with regard to the processing of personal data — Directive 95/46/EC — Conditions governing the exercise of a right of access — Levying of excessive fees)

(2014/C 45/23)

Language of the case: Dutch

Referring court

Gerechtshof te's-Hertogenbosch

Party to the main proceedings

X

Re:

Request for a preliminary ruling — Gerechtshof te's-Hertogenbosch (Netherlands) — Interpretation of the second indent of Article 12(a) 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 (OJ 1995 L 281, p. 31) — Right of access to data — Communication of data undergoing processing — Meaning — Grant of access to data — Levying a fee.

Operative part of the judgment

- Article 12(a) 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 precluding the levying of fees in respect of the communication of personal data by a public authority.