

Parties to the main proceedings

Applicants: Maatschap T. van Oosterom en A. van Oosterom-Boelhauer

Defendants: Staatssecretaris van Economische Zaken, Landbouw en Innovatie

Question referred

Must Article 32 of Regulation (EC) No 796/2004 ⁽¹⁾ be interpreted as meaning that a physical inspection in the field will always need to take place before it can be decided on the basis of aerial photographs taken in connection with the assessment of a declaration that the declaration submitted by a farmer is inaccurate?

⁽¹⁾ Commission Regulation (EC) No 796/2004 of 21 April 2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in Council Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers (OJ 2004 L 141, p. 18).

Reference for a preliminary ruling from the Gerechtshof te 's Hertogenbosch (Netherlands) lodged on 31 October 2012 — X, other party: Heffingsambtenaar van de gemeente Z

(Case C-486/12)

(2013/C 26/45)

Language of the case: Dutch

Referring court

Gerechtshof te 's Hertogenbosch

Parties to the main proceedings

Appellant: X

Respondent: Heffingsambtenaar van de gemeente Z

Questions referred

- Does the provision of access (pursuant to Article 79(2) of the Wet GBA [Law on personal data held by local authorities]) constitute compliance with the obligation of communication of the data undergoing processing as referred to in the second indent of Article 12(a) of ... Directive [95/46/EC ⁽¹⁾]?
- Does Article 12(a) of the Directive preclude the levying of fees in respect of the communication, by means of a transcript from the municipal database, of the personal data undergoing processing?

- If Question 2 is to be answered in the negative: is the levying of the present fees excessive within the meaning of Article 12(a) of the Directive?

⁽¹⁾ 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).

Reference for a preliminary ruling from the Juzgado Contencioso-Administrativo No 1 de Ourense (Spain) lodged on 2 November 2012 — Vueling Airlines, S.A. v Instituto Galego de Consumo de la Xunta de Galicia

(Case C-487/12)

(2013/C 26/46)

Language of the case: Spanish

Referring court

Juzgado Contencioso-Administrativo No 1 de Ourense

Parties to the main proceedings

Applicant: Vueling Airlines, S.A.

Defendant: Instituto Galego de Consumo de la Xunta de Galicia

Question referred

- Is Article 22(1) of Regulation (EC) No 1008/2008 of the European Parliament and of the Council ⁽¹⁾ of 24 September 2008 on common rules for the operation of air services in the Community to be interpreted as precluding a national rule (Article 97 of Ley 48/1960 de Navegación Aérea) that requires passenger airlines to grant passengers the right always to check in a suitcase without paying a supplement or surcharge on top of the base price of the ticket purchased?

⁽¹⁾ OJ 2008 L 293, p. 3.

Reference for a preliminary ruling from the Conseil d'État (France) lodged on 5 November 2012 — Conseil national de l'ordre des médecins v Ministère des affaires sociales et de la santé

(Case C-492/12)

(2013/C 26/47)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Applicant: Conseil national de l'ordre des médecins