

- (b) that no information concerning a consultation of personal data of a beneficial owner contained in such a register is disclosed to that beneficial owner; or
 - (c) that no restriction on the extent and accessibility of the personal data at issue is applicable in the light of the purpose of their processing?
6. Are Articles 44 to 50 of the GDPR, under which the transfer of personal data to a third country is subject to strict conditions, to be interpreted as not precluding that the personal data of a beneficial owner, contained in a register of beneficial owners established in accordance with Article 30 of Directive 2015/849, as amended by Article 1(15) of Directive 2018/843, are accessible in any circumstances to any member of the general public, with no requirement to demonstrate a legitimate interest and no limitations as to the location of that public?

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- (¹) Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ 2018 L 156, p. 43).
 - (²) Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ 2015 L 141, p. 73).
 - (³) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ 2016 L 119, p. 1).

Request for a preliminary ruling from the Landesgericht Salzburg (Austria) lodged on 18 November 2020 — CS v Eurowings GmbH

(Case C-613/20)

(2021/C 35/51)

Language of the case: German

Referring court

Landesgericht Salzburg

Parties to the main proceedings

Applicant: CS

Defendant: Eurowings GmbH

Questions referred

1. Does a strike by an air carrier's staff called by a trade union to pursue pay demands and/or social benefits constitute 'extraordinary circumstances' within the meaning of Article 5(3) of Regulation (EC) No 261/2004? (¹)
2. Would it at the very least:
 - a) where staff of the subsidiary company come out in sympathy with a strike called against the parent company (Lufthansa AG) in order to support parent company cabin crew demands being pursued by the trade union, and
 - b) in particular where the strike in the subsidiary company becomes an 'independent' strike, after agreement has been reached with the parent company, because the trade union reiterates the call for and even extends the strike for no apparent reason and the cabin crew of the subsidiary company responds to that call?
3. Does it suffice for the purpose of proving extraordinary circumstances that the operating air carrier claims that the call for the strike was continued for no reason, as the parent company had met the demands of the trade union, and was ultimately prolonged by the trade union, and who bears the burden of proof where the precise reasons in fact for that have remained unclear?

4. Can a strike in the defendant's subsidiary company which was announced on 18 October 2019 for 05,00 to 11,00 on 20 October 2019 and which ultimately was spontaneously prolonged at 05,30 on 20 October 2019 to midnight be regarded as circumstances which are now beyond actual control?
5. Are precautions in the form of an alternative flight plan and the use of subcharters for flights cancelled due to a lack of available cabin crew measures appropriate to the situation, taking account in particular of 'water destinations' not easily reached by land and the difference between German domestic flights and internal European flights and, in addition, the fact that only 158 out of a total of 712 flights scheduled for that day had to be cancelled?
6. What requirements should be attached to the operating air carrier's burden of assertion that all technically and economically viable measures were taken?

(¹) Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1).

Request for a preliminary ruling from the Tallinna Halduskohus (Estonia) lodged on 18 November 2020 — AS Lux Express Estonia v Majandus- ja Kommunikatsiooniministeerium

(Case C-614/20)

(2021/C 35/52)

Language of the case: Estonian

Referring court

Tallinna Halduskohus

Parties to the main proceedings

Applicant: AS Lux Express Estonia

Defendant: Majandus- ja Kommunikatsiooniministeerium

Questions referred

1. Is a situation in which the same obligation to transport free of charge certain categories of passenger (pre-school children, disabled persons up to the age of 16, severely disabled persons aged 16 and over, persons with a significant visual impairment and persons accompanying a person with a severe or significant visual impairment, and guide dogs or assistance dogs of a disabled person) is imposed on all private-law undertakings that operate regular road, water and rail passenger transport services within the national territory on a commercial basis to be treated as a public service obligation within the meaning of Articles 2(e) and 3(2) of Regulation (EC) No 1370/2007 (¹) of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70?
2. If it does constitute a public service obligation within the meaning of Regulation No 1370/2007: Is a Member State entitled under Article 4(1)(b)(i) of Regulation No 1370/2007 to exclude, by a national law, the payment of compensation to the carrier for the discharge of such an obligation?

If a Member State is entitled to exclude compensation to the carrier, under what conditions can it do so?

3. Is it permissible under Article 3(3) of Regulation No 1370/2007 to exclude from the scope of that regulation general rules for establishing maximum tariffs for categories of passenger other than those referred to in that provision?

Does the obligation to notify the European Commission under Article 108 of the Treaty on the Functioning of the European Union apply even if the general rules for establishing maximum tariffs do not provide for compensation for the carrier?