

Reference for a preliminary ruling from the High Court, Ireland by order of that court of 30 July 2004 in Elaine Farrell v Alan Whitty, Minister for the Environment, Ireland and the Attorney General and Motor Insurers' Bureau of Ireland

(Case C-356/05)

(2005/C 315/18)

(Language of the case: English)

Reference has been made to the Court of Justice of the European Communities by order of the High Court, Ireland of 30.07.2004, received at the Court Registry on 23.09.2005, for a preliminary ruling in the proceedings between Elaine Farrell and Alan Whitty, The Minister for the Environment, Ireland and the Attorney General and The Motor Insurers' Bureau of Ireland on the following questions:

1. As of December 31st 1995 the date by which Ireland was obliged to implement the provisions of the Third Directive⁽¹⁾ in respect of passengers on vehicles other than motorcycles, did Article 1 of the Third Directive oblige Ireland to render insurance compulsory in respect of civil liability for injury to individuals travelling in that part of a motor vehicle not designed and constructed with seating accommodation for passengers?
2. If the answer to Question (1) is in the positive, does Article 1 of the Third Directive confer rights on individuals that may be relied upon directly before the national courts?

⁽¹⁾ Third Council Directive 90/232/EEC of 14 May 1990 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, Official Journal L 129, 19/05/1990 P.0033-0035.

Reference for a preliminary ruling from the Tribunal de Grande Instance de Brive-La-Gaillarde by order of that court of 9 September 2005 in Estager SA v Receveur Principal de la Recette des Douanes de Brive

(Case C-359/05)

(2005/C 315/19)

(Language of the case: French)

Reference has been made to the Court of Justice of the European Communities by order of the Tribunal de Grande Instance

(Regional Court) of Brive-La-Gaillarde of 9 September 2005, received at the Court Registry on 26 September 2005, for a preliminary ruling in the proceedings between Estager SA and Receveur Principal de la Recette des Douanes de Brive (Principal Collector of Customs Revenue of Brive) on the following question:

Are the provisions of Order No 2000-916 of 19 September 2000, adapting the value to euros of certain amounts expressed in francs in the legislation, that concern the conversion of the BAPSA tax applied to the production of flour, meal and groats of common wheat, from FRF 100 francs to EUR 16 in conformity with the Community regulations in relation to the introduction of the euro?

Reference for a preliminary ruling from the Vestre Landsret, Denmark by order of that court of 5 October 2005 in Anklagemyndigheden v Uwe Kay Festersen

(Case C-370/05)

(2005/C 315/20)

(Language of the case: Danish)

Reference has been made to the Court of Justice of the European Communities by order of the Vestre Landsret, Denmark, of 5 October 2005, received at the Court Registry on 10 October 2005, for a preliminary ruling in the proceedings between Anklagemyndigheden and Uwe Kay Festersen on the following questions:

1. Do Article 43 EC and Article 56 EC preclude a Member State from laying down as a condition for acquiring an agricultural property the requirement that the acquirer take up fixed residence on that property?
2. Does it matter, as regards the answer to Question 1, that the property cannot constitute a self-sustaining unit and that the property's residential building is situated in an urban zone?