

Reference for a preliminary ruling from the Bundesverwaltungsgericht lodged on 21 April 2006 — Matthias Kruck v Landkreis Potsdam-Mittelmark

(Case C-192/06)

(2006/C 154/24)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: Matthias Kruck

Defendant: Landkreis Potsdam-Mittelmark

Question referred

Is Article 9(2) to (4) of Regulation (EEC) No 3887/92, ⁽¹⁾ as amended by Regulation (EC) No 1648/95, ⁽²⁾ to be interpreted as meaning that the maximum area to be considered for compensatory payments for set-aside in accordance with the second and fourth sentences of Article 7(6) of Regulation (EEC) No 1765/92, as amended by Regulation (EC) No 2989/95, ⁽³⁾ should be calculated on the basis of the area applied for or the area actually determined?

⁽¹⁾ AB1.L 391, S.36

⁽²⁾ AB1.156, S.27

⁽³⁾ AB1.L 312, S.5

Reference for a preliminary ruling from the Conseil d'Etat lodged on 2 May 2006 — Centre d'exportation du livre français (CELF), Ministre de la culture et de la communication v Société internationale de diffusion et d'édition

(Case C-199/06)

(2006/C 154/25)

Language of the case: French

Referring court

Conseil d'Etat (France)

Parties to the main proceedings

Appellants: Centre d'exportation du livre français (CELF), Ministre de la culture et de la communication

Respondent: Société internationale de diffusion et d'édition

Questions referred

- (1) Is it permissible under Article 88 (EC) for a State which has granted to an undertaking aid which is unlawful, and which the courts of that State have found to be unlawful on the ground that it had not previously been notified to the European Commission as required under Article 88(3) EC, not to recover that aid from the economic operator which received it on the ground that, after receiving a complaint from a third party, the Commission declared that aid to be compatible with the rules of the common market, thus effectively exercising its exclusive right to determine such compatibility?
- (2) If that obligation to repay the aid is confirmed, must the periods during which the aid in question was declared by the European Commission to be compatible with the rules of the common market, before those decisions were annulled by the Court of First Instance of the European Communities, be taken into account for the purpose of calculating the sums to be repaid?

Order of the President of the Court of 22 March 2006 — Commission of the European Communities v Federal Republic of Germany

(Case C-204/04) ⁽¹⁾

(2006/C 154/26)

Language of the case: German

The President of the Court has ordered that the case be removed from the register.

⁽¹⁾ OJ C 201, 07.08.2004.

Order of the President of the Court of 11 January 2006 (references for a preliminary ruling from the Tribunale Amministrativo Regionale della Liguria) — Acquedotto De Ferrari Galliera SpA v Provincia di Genova and Others (C-241/04) and Acquedotto Nicolay SpA v Provincia di Genova and Others (C-242/04)

(Joined Case C-241/04 and C-242/04) ⁽¹⁾

(2006/C 154/27)

Language of the case: Italian.

The President of the Court has ordered that the case be removed from the register.

⁽¹⁾ OJ C 217, 28.08.2004.