

**Request for a preliminary ruling from the Korkein hallinto-oikeus (Finland) lodged on  
28 May 2020 — B Oy**

**(Case C-223/20)**

(2020/C 262/23)

*Language of the case: Finnish*

**Referring court**

Korkein hallinto-oikeus

**Parties to the main proceedings**

*Appellant:* B Oy

*Other party:* Veronsaajien oikeudenvallontayksikkö

**Questions referred**

1. Is Article 4 of Directive 92/83/EEC <sup>(1)</sup> to be interpreted as meaning that a Member State which applies reduced rates of excise duty to beer produced by independent small breweries pursuant to that provision must also apply the provision on the joint taxation of small breweries contained in the second sentence of Article 4(2) of that directive, or is the application of the latter provision left to the discretion of the Member State concerned?
2. Does the second sentence of Article 4(2) of Directive 92/83/EEC have direct effect?

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<sup>(1)</sup> Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages (OJ 1992 L 316, p. 21).

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**Request for a preliminary ruling from the Augstākā tiesa (Senāts) (Latvia) lodged on 4 June 2020 —  
SIA ‘Sātiņi-S’ v Lauku atbalsta dienests**

**(Case C-234/20)**

(2020/C 262/24)

*Language of the case: Latvian*

**Referring court**

Augstākā tiesa (Senāts)

**Parties to the main proceedings**

*Applicant:* SIA ‘Sātiņi-S’

*Defendant:* Lauku atbalsta dienests

**Questions referred**

1. Must Article 30(6)(a) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 <sup>(1)</sup> be interpreted as meaning that peat bogs are completely excluded from Natura 2000 payments?
2. If the reply to the first question is in the negative, are peat bogs included in agricultural or forest areas?

3. If the reply to the first question is in the negative, must Article 30 of Regulation No 1305/2013 be interpreted as meaning that a Member State may completely exclude peat bogs from Natura 2000 payments and that such national provisions are compatible with the compensatory aim of those payments established in Regulation No 1305/2013?
4. Must Article 30 of Regulation No 1305/2013 be interpreted as meaning that a Member State may restrict support payments for Natura 2000 areas by making support available only in connection with restrictions on a particular type of economic activity, for example, by limiting support in forest areas to forestry activities?
5. Must Article 30(1) of Regulation No 1305/2013, read together with Article 17 of the Charter of Fundamental Rights of the European Union, be interpreted as meaning that someone is entitled to a Natura 2000 payment by virtue of his plans for a new economic activity if, when he acquired the property, he was already aware of the restrictions that applied to it?

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(<sup>1</sup>) OJ 2013 L 347, p. 487.

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**Request for a preliminary ruling from the Augstākā tiesa (Senāts) (Latvia) lodged on 5 June 2020 —  
SIA ‘Sātiņi-S’ v Dabas aizsardzības pārvalde**

(Case C-238/20)

(2020/C 262/25)

*Language of the case: Latvian*

**Referring court**

Augstākā tiesa (Senāts)

**Parties to the main proceedings**

*Applicant:* SIA ‘Sātiņi-S’

*Defendant:* Dabas aizsardzības pārvalde

**Questions referred**

1. Does the right to fair compensation for limits on the right to property that is guaranteed by Article 17 of the Charter of Fundamental Rights of the European Union allow the compensation awarded by a State for the losses caused to aquaculture in a Natura 2000 network area by protected birds, in accordance with Directive 2009/147/EC of the European Parliament and of the Council (<sup>1</sup>) of 30 November 2009 on the conservation of wild birds, to be significantly less than the losses actually suffered?
2. Does the compensation awarded by a State for the losses caused to aquaculture in a Natura 2000 network area by protected birds, in accordance with Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, constitute State aid within the meaning of Articles 107 and 108 of the Treaty on the Functioning of the European Union?
3. If the answer to the second question is in the affirmative, is the de minimis aid limit of EUR 30 000 laid down in Article 3(2) of Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fishery and aquaculture sector (<sup>2</sup>) applicable to compensation such as that at issue in the dispute in the main proceedings?

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(<sup>1</sup>) OJ 2010 L 20, p. 7.

(<sup>2</sup>) OJ 2014 L 190, p. 45.