

**Request for a preliminary ruling from the Nejvyšší správní soud (Czech Republic) lodged on
4 December 2020 — ET v Ministerstvo životního prostředí**

(Case C-659/20)

(2021/C 62/20)

Language of the case: Czech

Referring court

Nejvyšší správní soud

Parties to the main proceedings

Applicant: ET

Defendant: Ministerstvo životního prostředí

Questions referred

1. Does 'breeding stock', as defined by Commission Regulation (EC) No 865/2006 ⁽¹⁾ laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein, include specimens that are the parents of specimens bred by a given breeder, even though that breeder never owned or kept them?
2. If the answer to the first question is that such parent specimens do not constitute a part of the breeding stock, are competent bodies authorised to verify, in examining compliance with the condition set in Article 54(2) of Commission Regulation (EC) No 865/2006, consisting of the establishment of stock legally and, at the same time, in a manner not detrimental to the survival of wild specimens, the origin of those parent specimens and to infer on that basis whether the breeding stock has been established in accordance with the rules set out in Article 54(2) of the Regulation?
3. In examining compliance with the condition set out in Article 54(2) of Commission Regulation (EC) No 865/2006, consisting of the establishment of stock legally and, at the same time, in a manner not detrimental to the survival of wild specimens, can further circumstances of the case be taken into consideration (in particular, good faith in the transfer of the specimens and the legitimate expectation that trading in their potential offspring will be permitted, and potentially also the less stringent legislation applicable in the Czech Republic prior to the country's accession to the European Union)?

⁽¹⁾ OJ 2006 L 166, p. 1.

**Request for a preliminary ruling from the Bundesarbeitsgericht (Germany) lodged on 4 December
2020 — MK v Lufthansa CityLine GmbH**

(Case C-660/20)

(2021/C 62/21)

Language of the case: German

Referring court

Bundesarbeitsgericht

Parties to the main proceedings

Appellant in the appeal on a point of law: MK

Respondent in the appeal on a point of law: Lufthansa CityLine GmbH

Questions referred

1. Does a national statutory provision treat part-time workers in a less favourable manner than comparable full-time workers within the meaning of Clause 4.1 of the Framework Agreement on part-time work annexed to Directive 97/81/EC ⁽¹⁾ if it permits additional remuneration for part-time and full-time workers to be uniformly contingent on the same number of working hours having been exceeded, and therefore allows account to be taken of the overall remuneration, and not of the component of the remuneration that comprises the additional remuneration?

2. If Question 1 is answered in the affirmative:

Is a national statutory provision which allows an entitlement to additional remuneration to be made conditional on the same number of working hours being exceeded uniformly in the case of both part-time and full-time workers compatible with Clause 4.1 and the principle of *pro rata temporis* in Clause 4.2 of the Framework Agreement on part-time work annexed to Directive 97/81/EC if the purpose of the additional remuneration is to compensate for a particular workload?

⁽¹⁾ Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC (OJ 1998 L 14, p. 9).

Action brought on 17 December 2020 — European Commission v Portuguese Republic

(Case C-687/20)

(2021/C 62/22)

Language of the case: Portuguese

Parties

Applicant: European Commission (represented by: M. Noll-Ehlers and G. Braga da Cruz, acting as Agents)

Defendant: Portuguese Republic

Form of order sought

The applicant claims that the Court should:

- declare that, by not having drafted strategic road maps relating to five main roads, the Portuguese Republic failed to fulfil its obligations pursuant to the first paragraph of Article 7(2) of Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise ⁽¹⁾;
- declare that, by not having drafted action plans relating to the agglomerations of Amadora and Porto, action plans relating to 236 main roads, or action plans relating to 55 main railway routes, the Portuguese Republic failed to fulfil its obligations pursuant to Article 8(2) of the directive;
- declare that, by not having communicated to the Commission the information from the strategic noise maps relating to five main roads and, further, by not having communicated to the Commission the summaries of the action plans relating to the agglomerations of Amadora and Porto, together with those relating to 236 main road and 55 main railway routes, the Portuguese Republic failed to fulfil its obligations pursuant to Article 10(2) of the directive, read in conjunction with Annex VI thereto;
- order the Portuguese Republic to pay the costs.

Pleas in law and main arguments

Under Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise ('the directive'), which is of relevance in the present proceedings, the Portuguese authorities were required to take the steps indicated below.

(1) In the first place, under the second subparagraph of Article 7(2) of the directive, inform the Commission of all the agglomerations, and all the main roads and railways routes located in Portuguese territory, by 31 December 2008.