Parties to the main proceedings

Applicant: Ferdinand Stefan

Defendant: Federal Minister for Agriculture, Forestry, the Environment and Water Management

Questions referred

1. As regards the validity of Environmental Information Directive 2003/4/EC: [1]

   Pursuant to subparagraph (b) of the first sentence of Article 267 TFEU, is Directive 2003/4/EC valid in its entirety and/or are all parts of Directive 2003/4/EC valid, in particular having regard to the requirements of the second paragraph of Article 47 of the Charter of Fundamental Rights of the European Union?

2. As regards the interpretation of Environmental Information Directive 2003/4/EC:

   In the event that the Court of Justice of the European Union affirms the validity of Directive 2003/4/EC in its entirety or the validity of parts of Directive 2003/4/EC, the Court of Justice is requested, pursuant to subparagraphs (a) and (b) of the first sentence of Article 267 TFEU, to give a ruling on the extent to which, and the assumptions on the basis of which, the provisions of the Environmental Information Directive are compatible with the provisions of the Charter of Fundamental Rights of the European Union and the requirements of Article 6 TEU.

[1] Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ 2003 L 41, p. 26).

Request for a preliminary ruling from the Kúria (Hungary) lodged on 19 June 2013 — Ferenc Weigl v Nemzeti Innovációs Hivatal

(Case C-332/13)

(2013/C 274/05)

Language of the case: Hungarian

Referring court

Kúria

Parties to the main proceedings

Applicant: Ferenc Weigl

Defendant: Nemzeti Innovációs Hivatal

Questions referred

1. Must the Charter of Fundamental Rights of the European Union be considered applicable to the legal status of government officials and public officials?

2. Must Article 30 of the Charter of Fundamental Rights of the European Union be interpreted as meaning that the provision thereof concerning protection against unjustified termination of employment must be applied regardless of whether or not the Member State recognises Article 24 of the Revised European Social Charter as being binding upon it?

3. If that is the case, must Article 30 of the Charter of Fundamental Rights of the European Union be interpreted as meaning that a national provision under which, when the employment of a government official is terminated, it is not necessary to disclose to him the reasons for termination, corresponds to the concept of 'unjustified dismissal'?

4. Is it appropriate to interpret the expression 'in accordance with Union law and national laws and practices' contained in Article 30 of the Charter of Fundamental Rights of the European Union as meaning that the Member State may define by legislation a special category of persons to whom it is not necessary to apply Article 30 of the Charter if their legal relationship is brought to an end?

5. Having regard to the answer to questions 2 to 4, is it appropriate to interpret Article 51(1) of the Charter of Fundamental Rights of the European Union as meaning, with regard to government officials, that the national courts must disapply national provisions that are contrary to Article 30 of that Charter?

Request for a preliminary ruling from the Amtsgericht Rüsselsheim (Germany) lodged on 25 June 2013 — Erich Pickert v Condor Flugdienst GmbH

(Case C-347/13)

(2013/C 274/06)

Language of the case: German

Referring court

Amtsgericht Rüsselsheim

Parties to the main proceedings

Applicant: Erich Pickert

Defendant: Condor Flugdienst GmbH

Questions referred

1. Must the extraordinary circumstance within the meaning of Article 5(3) of Regulation No 261/2004 ([1]) relate directly to the booked flight?

2. If the first question is to be answered in the negative, how many earlier flights involving the aircraft to be used for the scheduled flight are relevant to the existence of an extraordinary circumstance? Is there a time-limit to the consideration of extraordinary circumstances which occur during earlier flights? If so, how is that time-limit to be calculated?

3. If extraordinary circumstances which occur during earlier flights are also relevant to a later flight, must the reasonable measures to be taken by the operating air carrier, in accordance with Article 5(3) of the regulation, relate only to preventing the extraordinary circumstance or also to avoiding a long delay?

([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 Naczelny Sąd Administracyjny (Poland) lodged on 25 June 2013 — Minister Finansów v Oil Trading Poland sp. z o.o.

(Case C-349/13)

(2013/C 274/07)

Language of the case: Polish

Referring court

Naczelny Sąd Administracyjny

Parties to the main proceedings

Applicant: Minister Finansów

Defendant: Oil Trading Poland sp. z o.o.

Question referred

Should Article 3(3) of Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products ([1]) and correspondingly the current Article 1(3), point (a) of the first subparagraph and the [second] subparagraph, of Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC ([2]) be interpreted as not precluding the imposition by a Member State of excise duty on lubricating oils falling within CN codes 2710 19 71 to 2710 19 99 used for purposes other than as motor fuels or heating fuels, in accordance with the rules relating to the harmonised excise duty imposed on the consumption of energy products?

([1]) OJ 1992 L 76, p. 1.
([2]) OJ 2009 L 9, p. 12.

Request for a preliminary ruling from the Amtsgericht Rüsselsheim (Germany) lodged on 27 June 2013 — Jürgen Hein, Hjördis Hein v Condor Flugdienst GmbH

(Case C-353/13)

(2013/C 274/08)

Language of the case: German

Referring court

Amtsgericht Rüsselsheim

Parties to the main proceedings

Applicants: Jürgen Hein, Hjördis Hein

Defendant: Condor Flugdienst GmbH

Questions referred

1. Are adverse actions by third parties acting on their own responsibility and to whom certain tasks that constitute part of the operation of an air carrier have been entrusted to be deemed to be extraordinary circumstances within the meaning of Article 5(3) of Regulation No 261/2004? ([1])