

Judgment of the Court (Fifth Chamber) of 18 September 2014 (request for a preliminary ruling from the Juzgado de lo Contencioso-Administrativo — Spain) — Vueling Airlines SA v Instituto Galego de Consumo de la Xunta de Galicia

(Case C-487/12) ⁽¹⁾

(Reference for a preliminary ruling — Air Transport — Common rules for the operation of air services in the European Union — Regulation (EC) No 1008/2008 — Pricing freedom — Checking in baggage — Price supplement — Concept of ‘air fares’ — Consumer protection — Imposition of a fine on an air carrier for an unfair contract term — National law requiring the carriage of passenger and checked-in baggage to be included in the base price of a plane ticket — Whether compatible with EU law)

(2014/C 421/06)

Language of the case: Spanish

Referring court

Juzgado de lo Contencioso-Administrativo

Parties to the main proceedings

Applicant: Vueling Airlines SA

Defendant: Instituto Galego de Consumo de la Xunta de Galicia

Operative part of the judgment

Article 22(1) of Regulation No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community must be interpreted as precluding a national law, such as that at issue in the main proceedings, that requires air carriers to carry, in all circumstances, not only the passenger, but also baggage checked in by him, provided that the baggage complies with certain requirements as regards, in particular, its weight, for the price of the plane ticket and without it being possible to charge any price supplement to carry such baggage.

⁽¹⁾ OJ C 26, 26.1.2013.

Judgment of the Court (Fourth Chamber) of 17 September 2014 (request for a preliminary ruling from the Tartu Ringkonnakohus — Estonia) — Liivimaa Lihaveis MTÜ v Eesti-Läti programmi 2007-2013 Seirekomitee

(Case C-562/12) ⁽¹⁾

(Reference for a preliminary ruling — Structural funds — Regulations (EC) No 1083/2006 and No 1080/2006 — European Regional Development Fund (ERDF) — Operational programme aiming to promote European territorial cooperation between the Republic of Estonia and the Republic of Latvia — Decision of the monitoring committee rejecting a subsidy — Provision that the decisions of that committee cannot be subject to legal review — Article 267 TFEU — Act adopted by an institution, organ or body of the European Union — Charter of Fundamental Rights of the European Union — Implementation of EU law — Article 47 — Right to effective judicial protection — Right of access to the courts — Determination of which Member State’s courts have jurisdiction to rule on an action)

(2014/C 421/07)

Language of the case: Estonian

Referring court

Tartu Ringkonnakohus