

Questions referred

1. Does the expression 'the courts of a Member State having jurisdiction as to the substance of the matter' which appears in Article 15 of the Brussels II Regulation ⁽¹⁾ refer equally to courts hearing the case at first instance and to courts of appeal? It is important to know whether the case may be transferred, on the basis of that provision, to a court better placed to hear it if the court having jurisdiction and being asked to transfer the case to a better placed court is a court of appeal, while the better placed court is a court of first instance.
2. If the answer to Question 1 is in the affirmative, how is the court having jurisdiction and transferring the case to a better placed court to deal with the judgment at first instance?

⁽¹⁾ Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000 (OJ 2003 L 338, p. 1).

Reference for a preliminary ruling from Court of Appeal (Ireland) made on 9 August 2017 — Neculai Tarola v Minister for Social Protection

(Case C-483/17)

(2017/C 347/23)

Language of the case: English

Referring court

Court of Appeal

Parties to the main proceedings

Applicant: Neculai Tarola

Defendant: Minister for Social Protection

Question referred

Where a citizen of another EU member state after his first twelve months of exercising his right of free movement arrives in the host state and works (otherwise than for a fixed term contract) for a two week period for which he is remunerated and thereafter becomes involuntarily unemployed, does that citizen thereby retain the status of a worker for no less than a further six months for the purposes of Article 7(3)(c) and Article 7(1)(a) of Directive 2004/38/EC ⁽¹⁾ such as would entitle him to receive social assistance payments or, as the case may be, social security benefits on the same basis as if he were a resident citizen of the host State?

⁽¹⁾ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, p. 77)

Reference for a preliminary ruling from the Supreme Court of the United Kingdom (United Kingdom) made on 14 August 2017 — Hoteles Piñero Canarias, S.L. v Keefe (by his litigation friend Eyton)

(Case C-491/17)

(2017/C 347/24)

Language of the case: English

Referring court

Supreme Court of the United Kingdom