

**Judgment of the Court (Fourth Chamber) of 24 May 2016 (request for a preliminary ruling from the Rechtbank Amsterdam — Netherlands) — Execution of a European arrest warrant issued against Pawel Dworzecki**

(Case C-108/16 PPU) <sup>(1)</sup>

*(Request for a preliminary ruling — Urgent preliminary ruling procedure — Police and judicial cooperation in criminal matters — Framework Decision 2002/584/JHA — European arrest warrant — Article 4a(1) — Surrender procedures between Member States — Conditions of execution — Reasons for optional non-execution — Exceptions — Mandatory execution — Sentence handed down in absentia — Concepts of ‘summons in person’ and ‘official notification by other means’ — Autonomous concepts of EU law)*

(2016/C 260/16)

Language of the case: Dutch

**Referring court**

Rechtbank Amsterdam

**Party to the main proceedings**

Pawel Dworzecki

**Operative part of the judgment**

1. Article 4a(1)(a)(i) of Council Framework Directive 2002/584/JHA of 13 February 2002 on the European arrest warrant and the surrender procedures between Member States, as amended by Council Framework Decision 2009/299/JHA of 26 February 2009, must be interpreted as meaning that the expressions ‘summoned in person’ and ‘by other means actually received official information of the scheduled date and place of that trial in such a manner that it was unequivocally established that he or she was aware of the scheduled trial’ in that provision constitute autonomous concepts of EU law and must be interpreted uniformly throughout the European Union.
2. Article 4a(1)(a)(i) of Framework Decision 2002/584, as amended by Framework Decision 2009/299, must be interpreted as meaning that a summons, such as that at issue in the main proceedings, which was not served directly on the person concerned but was handed over, at the latter’s address, to an adult belonging to that household who undertook to pass it on to him, when it cannot be ascertained from the European arrest warrant whether and, if so, when that adult actually passed that summons on to the person concerned, does not in itself satisfy the conditions set out in that provision.

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<sup>(1)</sup> OJ C 156, 2.5.2016.

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**Order of the Court (Second Chamber) of 23 March 2016 (request for a preliminary ruling from the Cour administrative d’appel de Paris — France) — Overseas Financial Limited, Oaktree Finance Limited v Ministre de l’Économie, de l’Industrie et du Numérique**

(Case C-319/15) <sup>(1)</sup>

*(Reference for a preliminary ruling — No need to adjudicate)*

(2016/C 260/17)

Language of the case: French

**Referring court**

Cour administrative d’appel de Paris

**Parties to the main proceedings**

*Applicant:* Overseas Financial Limited, Oaktree Finance Limited

*Defendant:* Ministre de l'Économie, de l'Industrie et du Numérique

**Re:**

*There is no need to adjudicate on the request for a preliminary ruling made by the Cour administrative d'appel de Paris (France) by decision of 22 June 2015.*

<sup>(1)</sup> OJ C 279, 24.8.2015.

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**Order of the Court (Eighth Chamber) of 25 February 2016 (request for a preliminary ruling from the Consiglio di Stato — Italy) — Associazione Italiana delle Unità Dedicate Autonome Private di Day Surgery e dei Centri di Chirurgia Ambulatoriale (Aiudapds) v Agenzia Italiana del Farmaco (AIFA), Ministero della Salute**

**(Case C-520/15) <sup>(1)</sup>**

*(Reference for a preliminary ruling — Rules of Procedure of the Court — Article 53(2) — Charter of Fundamental Rights of the European Union — Second paragraph of Article 47 and Article 54 — European Convention for the Protection of Human Rights and Fundamental Freedoms — Article 6(1) — Extraordinary petition the President of the Italian Republic — Opposition to the petition by a party to the dispute — Modification of that extraordinary petition into judicial proceedings — Implementation of EU law — Absence — Manifest lack of jurisdiction of the Court of Justice)*

(2016/C 260/18)

*Language of the case: Italian*

**Referring court**

Consiglio di Stato — Italy

**Parties to the main proceedings**

*Applicant:* Associazione Italiana delle Unità Dedicate Autonome Private di Day Surgery e dei Centri di Chirurgia Ambulatoriale (Aiudapds)

*Defendant:* Agenzia Italiana del Farmaco (AIFA), Ministero della Salute

*Other party:* Roche SpA, Novartis Farma SpA, and Regione Marche

**Re:**

*The Court of Justice of the European Union clearly has no jurisdiction to answer the question referred by the Consiglio di Stato (Council of State, Italy) by decision of 15 July 2015 (Case C-520/15).*

<sup>(1)</sup> OJ C 398, 30.11.2015.

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