

### Pleas in law and main arguments

The Republic of Poland raises against the judgment under appeal a plea of misinterpretation of Article 11(1) of Regulation No 1257/1999 and Article 23(2) of Regulation No 1698/2005 consisting in the acceptance that a condition of support for early retirement is that the transferor of the farm must have carried on commercial farming before the transfer of that farm, whereas those provisions give rise to a requirement that (commercial or non-commercial) farming has been carried on for 10 years before the transfer of the farm and a prohibition of commercial farming by the transferor of the farm after the transfer of that farm.

According to the Republic of Poland, a requirement that commercial farming has been carried on in the period preceding the transfer of the farm does not follow from EU law. Article 11(1) of Regulation No 1257/1999 and Article 23(2) of Regulation No 1698/2005 lay down a requirement that farming activity has been carried on for 10 years preceding the transfer of the farm, but the activity during that period may be commercial or non-commercial. In addition, those provisions prohibit commercial farming by the transferor of the farm after the transfer of the farm.

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(<sup>1</sup>) OJ 2013 L 67, p. 20.

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### Request for a preliminary ruling from the Varhoven kasatsionen sad (Bulgaria) lodged on 11 May 2015 — Vasilka Ivanova Gogova v Iliya Dimitrov Iliev

(Case C-215/15)

(2015/C 236/39)

*Language of the case: Bulgarian*

### Referring court

Varhoven kasatsionen sad

### Parties to the main proceedings

*Appellant in cassation:* Vasilka Ivanova Gogova

*Respondent in the appeal in cassation:* Iliya Dimitrov Iliev

### Questions referred

1. Does the possibility, provided for by law, for civil courts to resolve a dispute between parents concerning their child's ability to travel abroad and the issue of identity documents, where the applicable substantive law requires that those parental rights be exercised jointly with regard to the child, constitute a matter relating to 'the attribution, exercise, delegation, restriction or termination of parental responsibility' within the meaning of Article 1(1)(b), in conjunction with Article 2(7), of Council Regulation (EC) No 2201/2003 (<sup>1</sup>) concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility to which Article 8(1) of that regulation applies?
2. Do grounds establishing international jurisdiction apply in civil cases concerning parental responsibility where the decision replaces a legal act central to an administrative procedure concerning the child and the applicable law provides that this procedure must take place in a specific EU Member State?

3. Must it be assumed that there is a prorogation of jurisdiction within the meaning of Article 12(1)(b) of Regulation (EC) No 2201/2003 where the respondent's representative has not challenged the jurisdiction of the court but where that representative has not been authorised by the respondent but rather appointed by the court owing to the difficulty in notifying the respondent in order that he might participate in the proceedings in person or through a representative instructed by him?

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<sup>(1)</sup> OJ 2003 L 338, p. 1.

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**Reference for a preliminary ruling from High Court of Ireland (Ireland) made on 22 May 2015 —  
Minister for Justice and Equality v Francis Lanigan**

(Case C-237/15)

(2015/C 236/40)

*Language of the case: English*

**Referring court**

High Court of Ireland

**Parties to the main proceedings**

*Applicant:* Minister for Justice and Equality

*Defendant:* Francis Lanigan

**Questions referred**

1. What is the effect of a failure to observe the time limits stipulated in Article 17 of the Framework Decision of the 13th June, 2002 on the European arrest warrant and the surrender procedures between member States (2002/584/JHA) <sup>(1)</sup> read in conjunction with the provisions of Article 15 of the said Framework decision?
2. Does failure to observe the time limits stipulated in Article 17 of the Framework Decision of the 13th June, 2002 on the European arrest warrant and the surrender procedures between member States (2002/584/JHA) give rise to rights on the part of an individual who has been held in custody pending a decision on his/her surrender for a period in excess of those time periods?

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<sup>(1)</sup> OJ L 190, p. 1.

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**Appeal brought on 27 May 2015 by the Land Hessen against the judgment of the General Court (First Chamber) delivered on 17 March 2015 in Case T-89/09 Pollmeier Massivholz GmbH & Co. KG v European Commission**

(Case C-242/15 P)

(2015/C 236/41)

*Language of the case: German*

**Parties**

*Appellant:* Land Hessen (represented by: U. Soltész, A. Richter, Rechtsanwälte)

*Other parties to the proceedings:* Pollmeier Massivholz GmbH & Co. KG, European Commission

**Form of order sought**

The appellant claims that the Court should:

- set aside the judgment of the General Court (First Chamber) of 17 March 2015 in Case T-89/09 in so far as it annulled Commission Decision C(2008)6017 final of 21 October 2008, State aid No 512/2007 — Germany, Abalon Hardwood Hessen GmbH;