

2. If the answer to the first question is in the affirmative:

Can a situation in which the status of applicant was obtained not with a view to recruitment and employment but for the purpose of claiming compensation be considered as an abuse of rights under EU law?

<sup>(1)</sup> OJ 2000 L 303, p. 16.

<sup>(2)</sup> OJ 2006 L 204, p. 23.

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**Reference for a preliminary ruling from Supreme Court (Ireland) made on 4 August 2015 — Child and Family Agency (CAFA) v J. D.**

**(Case C-428/15)**

(2015/C 320/30)

*Language of the case: English*

**Referring court**

Supreme Court

**Parties to the main proceedings**

*Applicant:* Child and Family Agency (CAFA)

*Defendant:* J. D.

*Other party:* R.P.D

**Questions referred**

1. Does Article 15 of Regulation 2201/2003 <sup>(1)</sup> apply to public law care applications by a local authority in a member state, when if the Court of another member state assumes jurisdiction, it will necessitate the commencement of separate proceedings by a different body pursuant to a different legal code and possibly, if not probably, relating to different factual circumstances?
2. If so, to what extent, if any, should a court consider the likely impact of any request under Article 15 if accepted, upon the right of freedom of movement of the individuals affected?
3. If the 'best interests of the child' in Article 15.1 of Regulation 2201/2003 refers only to the decision as to forum, what factors may a court consider under this heading, which have not already been considered in determining whether another court is 'better placed'?
4. May a court for the purposes of Article 15 of Regulation 2201/2003 have regard to the substantive law, procedural provisions, or practice of the courts of the relevant member state?

5. To what extent should a national court, in considering Article 15 of Regulation 2201/2003, have regard to the specific circumstances of the case, including the desire of a mother to move beyond the reach of the social services of her home state, and thereafter give birth to her child in another jurisdiction with a social services system she considers more favourable?
6. Precisely what matters are to be considered by a national court in determining which court is best placed to determine the matter?

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

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**Reference for a preliminary ruling from Court of Appeal (Ireland) made on 5 August 2015 — Evelyn Danqua v The Minister for Justice and Equality Ireland and the Attorney General**

(Case C-429/15)

(2015/C 320/31)

*Language of the case: English*

**Referring court**

Court of Appeal

**Parties to the main proceedings**

*Applicant:* Evelyn Danqua

*Defendant:* The Minister for Justice and Equality Ireland and the Attorney General

*Other party:* The Refugee Legal Services

**Questions referred**

1. Can an application for asylum, which is governed by domestic legislation which reflects a Member State's obligations under the Qualification Directive, be regarded as an appropriate comparator in respect of an application for subsidiary protection for the purposes of the principle of equivalence?
2. If the answer to the first question is in the affirmative, is it relevant for this purpose that the time limit imposed in respect of applications for subsidiary protection serves the important interest of ensuring that applications for international protection are dealt within a reasonable time?

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**Reference for a preliminary ruling from the Supreme Court of the United Kingdom (United Kingdom) made on 5 August 2015 — Secretary of State for Work and Pensions v Tolley (deceased, acting by her personal representative)**

(Case C-430/15)

(2015/C 320/32)

*Language of the case: English*

**Referring court**

Supreme Court of the United Kingdom