

**Operative part of the judgment**

Article 5(3) of Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91, must be interpreted as meaning that strike action which is entered into upon a call by a trade union of the staff of an operating air carrier, in compliance with the conditions laid down by national legislation, in particular the notice period imposed by it, which is intended to assert the demands of that carrier's workers and which is followed by a category of staff essential for operating a flight does not fall within the concept of an 'extraordinary circumstance' within the meaning of that provision.

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<sup>(1)</sup> OJ C 85, 23.3.2020.

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**Judgment of the Court (Fifth Chamber) of 24 March 2021 (request for a preliminary ruling from the High Court of Justice) (England & Wales), Family Division — United Kingdom) — SS v MCP**

(Case C-603/20 PPU) <sup>(1)</sup>

*(Reference for a preliminary ruling — Urgent preliminary ruling procedure — Area of freedom, security and justice — Judicial cooperation in civil matters — Regulation (EC) No 2201/2003 — Article 10 — Jurisdiction in matters of parental responsibility — Abduction of a child — Jurisdiction of the courts of a Member State — Territorial scope — Removal of a child to a third State — Habitual residence acquired in that third State)*

(2021/C 189/06)

Language of the case: English

**Referring court**

High Court of Justice (England & Wales), Family Division

**Parties to the main proceedings**

*Applicant:* SS

*Defendant:* MCP

**Operative part of the judgment**

Article 10 of 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, as amended by Council Regulation (EC) No 2116/2004 of 2 December 2004, must be interpreted as meaning that it is not applicable to a situation where a finding is made that a child has, at the time when an application relating to parental responsibility is brought, acquired his or her habitual residence in a third State following abduction to that State. In that situation, the jurisdiction of the court seised will have to be determined in accordance with the applicable international conventions, or, in the absence of any such international convention, in accordance with Article 14 of that regulation.

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<sup>(1)</sup> OJ C 28, 25.1.2021.

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**Request for a preliminary ruling from the Juzgado de lo Mercantil No 2 de Madrid (Spain) lodged on 15 January 2021 — ZA, AZ, BX, CV, DU and ET v Repsol Comercial de Productos Petrolíferos, S.A.**

(Case C-25/21)

(2021/C 189/07)

Language of the case: Spanish

**Referring court**

Juzgado de lo Mercantil No 2 de Madrid