

### Operative part of the judgment

Article 8(1) 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, read in conjunction with Article 61(a) of that regulation, must be interpreted as meaning that a court of a Member State that is hearing a dispute relating to parental responsibility does not retain jurisdiction to rule on that dispute under Article 8(1) of that regulation where the habitual residence of the child in question has been lawfully transferred, during the proceedings, to the territory of a third State that is a party to the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children, signed at The Hague on 19 October 1996.

<sup>(1)</sup> OJ C 481, 29.11.2021.

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### Judgment of the Court (First Chamber) of 1 August 2022 (request for a preliminary ruling from the Tribunal da Relação de Évora — Portugal) — Criminal proceedings against TL

(Case C-242/22 PPU) <sup>(1)</sup>

*(Reference for a preliminary ruling — Urgent preliminary ruling procedure — Judicial cooperation in criminal matters — Directive 2010/64/EU — Right to interpretation and translation — Article 2(1) and Article 3(1) — Concept of an ‘essential document’ — Directive 2012/13/EU — Right to information in criminal proceedings — Article 3(1)(d) — Scope — Not implemented in domestic law — Direct effect — Charter of Fundamental Rights of the European Union — Article 47 and Article 48(2) — European Convention for the Protection of Human Rights and Fundamental Freedoms — Article 6 — Suspended prison sentence with probation — Breach of the probation conditions — Failure to translate an essential document and absence of an interpreter when that document was being drawn up — Revocation of the suspension of the prison sentence — Failure to translate the procedural acts relating to that revocation — Consequences for the validity of that revocation — Procedural defect resulting in relative nullity)*

(2022/C 359/13)

Language of the case: Portuguese

### Referring court

Tribunal da Relação de Évora

### Party in the main proceedings

TL

*Intervening parties:* Ministério Público

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Article 2(1) and Article 3(1) of Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings and Article 3(1)(d) of Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings, read in the light of Article 47 and Article 48(2) of the Charter of Fundamental Rights of the European Union and the principle of effectiveness, must be interpreted as precluding national legislation under which the infringement of the rights provided for by those provisions of those directives must be invoked by the beneficiary of those rights within a prescribed period, failing which that challenge will be time-barred, where that period begins to run before the person concerned has been informed, in a language which he or she speaks or understands, first, of the existence and scope of his or her right to interpretation and translation and, secondly, of the existence and content of the essential document in question and the effects thereof.

<sup>(1)</sup> OJ C 257, 4.7.2022.