

2. Is Article 5(1) of Regulation (EU) No 1215/2012, read in conjunction with Articles 18(1) and 21 TFEU, to be interpreted as permitting national legislation and national case-law under which a court of a State may not refuse to issue an order for payment against a debtor who is a national of that State and in respect of whom there is a reasonable presumption that the court lacks international jurisdiction because the debtor is likely to be domiciled in another EU State, which is apparent from the debtor's declaration to the competent authority that he has a registered address in that State? In such a case, is the date on which that declaration was made relevant?
3. Where the international jurisdiction of the court seised is derived from a provision other than Article 5(1) of Regulation (EU) No 1215/2012, must Article 18(1) TFEU, read in conjunction with Article 47(2) of the Charter of Fundamental Rights, be interpreted as precluding national legislation and national case-law under which an order for payment may be issued only against a natural person who is habitually resident in the forum State, but a finding that the debtor, if a national of that State, has established that he is resident in another State cannot be based solely on the fact that he has given the first State a registered address ('current' address) that is in another State of the European Union, if the debtor is unable to demonstrate that he has entirely moved to that other State and has no address in the territory of the forum State? In this case, is the date on which the declaration concerning the current address was made relevant?
4. If the answer to the first part of the third question is that the issue of an order for payment is permissible, is it permissible under Article 4(1) of Regulation (EU) No 1215/2012, read in conjunction with Article 22(1) and (2) of Regulation (EU) 2020/1784 ⁽²⁾ of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters, as interpreted in the judgment in Case C-325/11, *Alder*, ⁽³⁾ and in conjunction with the principle of effective application of EU law in the exercise of national procedural autonomy, for a national court of a State in which nationals cannot give up their registered addresses in the territory of that State and cannot transfer them to another State, when it receives an application for an order for payment in proceedings in which the debtor is not involved, to obtain information in accordance with Article 7 of Regulation (EU) 2020/1784 from the authorities of the State in which the debtor has a registered address about the debtor's address in that State and the date of registration there, in order to determine the debtor's actual habitual residence before the final decision is given in the case?

⁽¹⁾ OJ 2012 L 351, p. 1.

⁽²⁾ OJ 2020 L 405, p. 40.

⁽³⁾ ECLI:EU:C:2012:824.

Order of the President of the Court of 24 February 2023 (request for a preliminary ruling from the Sozialgericht Nürnberg — Germany) — CK v Familienkasse Bayern Nord

(Case C-284/22, ⁽¹⁾ Familienkasse Bayern Nord)

(2023/C 223/22)

Language of the case: German

The President of the Court has ordered that the case be removed from the register.

⁽¹⁾ OJ C 276, 18.7.2022.

Order of the President of the Court of 27 February 2023 (request for a preliminary ruling from the Verwaltungsgerichtshof — Austria) — AB v Disziplinartrat der Österreichischen Apothekerkammer, interested party: Bundesminister für Soziales, Gesundheit, Pflege und Konsumentenschutz

(Case C-417/22, ⁽¹⁾ Disziplinartrat der Österreichischen Apothekerkammer)

(2023/C 223/23)

Language of the case: German

The President of the Court has ordered that the case be removed from the register.

⁽¹⁾ OJ C 326, 29.8.2022.
