

2. The opening of a securities account by a resident of a Member State with a banking institution outside the European Union, such as that at issue in the main proceedings, comes within the concept of a movement of capital involving the provision of financial services, within the meaning of Article 64(1) TFEU.
3. The possibility, provided for in Article 64(1) TFEU, for Member States to apply restrictions on capital movements involving the provision of financial services also applies to restrictions which, like the extended recovery period at issue in the main proceedings, are not related to either the provider of the services or the conditions and mechanisms of the provision of services.

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<sup>(1)</sup> OJ C 311, 21.9.2015.

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**Judgment of the Court (First Chamber) of 15 February 2017 (request for a preliminary ruling from the Vilniaus miesto apylinkės teismas — Lithuania) — W, V v X**

**(Case C-499/15) <sup>(1)</sup>**

**(Reference for a preliminary ruling — Judicial cooperation in civil matters — Jurisdiction in matters of parental responsibility — Regulation (EC) No 2201/2003 — Articles 8 to 15 — Jurisdiction concerning maintenance obligations — Regulation (EC) No 4/2009 — Article 3(d) — Conflicting judgments given in the courts of different Member States — Child habitually resident in the Member State of residence of his mother — The courts of the father’s Member State of residence without jurisdiction to vary a decision that has become final which they adopted earlier concerning the residence of the child, maintenance obligations and contact arrangements)**

(2017/C 112/10)

Language of the case: Lithuanian

**Referring court**

Vilniaus miesto apylinkės teismas

**Parties to the main proceedings**

Applicants: W, V

Defendant: X

**Operative part of the judgment**

Article 8 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, and Article 3 of Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations, must be interpreted as meaning that, in a case such as that in the main proceedings, the courts of the Member State which made a decision that has become final concerning parental responsibility and maintenance obligations with regard to a minor child no longer have jurisdiction to decide on an application for variation of the provisions ordered in that decision, inasmuch as the habitual residence of the child is in another Member State. It is the courts of the Member State of habitual residence that have jurisdiction to decide on that application.

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<sup>(1)</sup> OJ C 414, 14.12.2015.