

Parties to the main proceedings

Applicant: A

Defendant: B

Operative part of the judgment

Article 3(c) and (d) 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 understood as meaning that, in the event that a court of a Member State is seized of proceedings involving the separation or dissolution of a marital link between the parents of a minor child and a court of another Member State is seized of proceedings in matters of parental responsibility involving that same child, an application relating to maintenance concerning that child is ancillary only to the proceedings concerning parental responsibility, within the meaning of Article 3(d) of that regulation.

⁽¹⁾ OJ C 194, 24.6.2014.

Judgment of the Court (Grand Chamber) of 16 July 2015 (request for a preliminary ruling from the High Court of Ireland — Ireland) — Kuldip Singh, Denzel Njume, Khaled Aly v Minister for Justice and Equality

(Case C-218/14) ⁽¹⁾

(Reference for a preliminary ruling — Directive 2004/38/EC — Article 13(2)(a) — Right of residence of family members of a Union citizen — Marriage between a Union citizen and a third-country national — Retention of the right of residence of a third-country national after the departure of the Union citizen from the host Member State, followed by divorce — Article 7(1)(b) — Sufficient resources — Taking into account the resources of the spouse who is a third-country national — Right of third-country nationals to work in the host Member State in order to contribute to obtaining sufficient resources)

(2015/C 302/11)

Language of the case: English

Referring court

High Court of Ireland

Parties to the main proceedings

Applicants: Kuldip Singh, Denzel Njume, Khaled Aly

Defendant: Minister for Justice and Equality

Intervener: Immigrant Council of Ireland

Operative part of the judgment

1. Article 13(2) of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC must be interpreted as meaning that a third-country national, divorced from an Union citizen, whose marriage lasted for at least three years before the commencement of divorce proceedings, including at least one year in the host Member State, cannot retain a right of residence in that Member State on the basis of that provision where the commencement of the divorce proceedings is preceded by the departure from that Member State of the spouse who is an Union citizen.

2. Article 7(1)(b) of Directive 2004/38 must be interpreted as meaning that an Union citizen has sufficient resources for himself and his family members not to become a burden on the social assistance system of the host Member State during his period of residence even where those resources derive in part from those of his spouse who is a third-country national.

⁽¹⁾ OJ C 223, 14.7.2014.

Judgment of the Court (Fourth Chamber) of 16 July 2015 (request for a preliminary ruling from the Symvoulio tis Epikrateias (Greece)) — Konstantinos Maïstrellis v Ypourgos Dikaiosynis, Diafaneias kai Anthroponon Dikaiomaton

(Case C-222/14) ⁽¹⁾

(References for a preliminary ruling — Social policy — Directive 96/34/EC — Framework agreement on parental leave — Clause 2.1 — Individual right to parental leave on the grounds of the birth of a child — National legislation denying the right to such leave for a staff member whose wife does not work — Directive 2006/54/EC — Equal treatment of men and women in matters of employment and occupation — Articles 2(1)(a) and 14(1)(c) — Working conditions — Direct discrimination)

(2015/C 302/12)

Language of the case: Greek

Referring court

Symvoulio tis Epikrateias

Parties to the main proceedings

Applicant: Konstantinos Maïstrellis

Defendant: Ypourgos Dikaiosynis, Diafaneias kai Anthroponon Dikaiomaton

Operative part of the judgment

The provisions of Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC, as amended by Council Directive 97/75/EC of 15 December 1997, and Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, must be interpreted as precluding national provisions under which a civil servant is not entitled to parental leave in a situation where his wife does not work or exercise any profession, unless it is considered that due to a serious illness or injury the wife is unable to meet the needs related to the upbringing of the child.

⁽¹⁾ OJ C 235, 21.7.2014.

Judgment of the Court (Second Chamber) of 16 July 2015 (request for a preliminary ruling from the Kecskeméti Közigazgatási és Munkaügyi Bíróság — Hungary) — Robert Michal Chmielewski v Nemzeti Adó- és Vámhivatal Dél-alföldi Regionális Vám- és Pénzügyőri Főigazgatósága

(Case C-255/14) ⁽¹⁾

(Reference for a preliminary ruling — Regulation (EC) No 1889/2005 — Controls of cash entering or leaving the European Union — Articles 3 and 9 — Obligation to declare — Infringement — Penalties — Proportionality)

(2015/C 302/13)

Language of the case: Hungarian

Referring court

Kecskeméti Közigazgatási és Munkaügyi Bíróság