

SUMMARY

## **ECJ 14 March 2019, case C-372/18 (Dreyer), Social insurance**

### ***Ministre de l'Action et des Comptes publics – v – Mr and Mrs Raymond Dreyer, French case***

#### **Question**

Must Article 3 of Regulation No 883/2004 be interpreted as meaning that benefits, such as the APA and the PCH, may, for the purposes of their classification as 'social security contributions' within the meaning of that provision, be regarded as granted without any individual assessment of a recipient's personal needs despite the fact that the calculation of their amount depends on the recipients' level of resources or varies according to their resources?

#### **Ruling**

Article 3 of Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems must be interpreted as meaning that benefits, such as the personal independence allowance and the disability compensation allowance, must, for the purposes of their classification as 'social security contributions' within the meaning of that provision, be regarded as granted without any individual assessment of a recipient's personal needs, since the recipient's resources are taken into account for the sole purpose of calculating the actual amount of those benefits on the basis of legally defined, objective criteria.

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**Creator:** European Court of Justice (ECJ)

**Verdict at:** 2019-03-14

**Case number:** C-372/18