

SUMMARY

ECJ 20 May 2021, Case C-879/19 (Format), Social Insurance

FORMAT Urządzenia i Montaż Przemysłowe – v – Zakład Ubezpieczeń Społecznych I Oddział w Warszawie, Polish case

Summary

Article 14(2) Regulation 1408/71 does not apply to a person who, under a single employment contract concluded with a single employer providing for the pursuit of professional activity in several Member States, works, for several successive months, solely in the territory of each of those Member States, where the duration of the uninterrupted periods of work completed by that person in each of those Member States exceeds 12 months.

Question

Must Article 14(2) of Regulation No 1408/71 be interpreted as applying to a person who, under a single employment contract concluded with a single employer providing for the pursuit of professional activity in several Member States, works, for several successive months, solely in the territory of each of those Member States?

Ruling

Article 14(2) of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, as amended and updated by Council Regulation (EC) No 118/97 of 2 December 1996, as amended by Council Regulation (EC) No 1606/98 of 29 June 1998, must be interpreted as not applying to a person who, under a single employment contract concluded with a single employer providing for the pursuit of professional activity in several Member States, works, for several successive months, solely in the territory of each of those Member States, where the duration of the uninterrupted periods of work completed by that person in each of those Member States exceeds 12 months, which it is for the referring

court to verify.

Creator: European Court of Justice (ECJ)

Verdict at: 2021-05-20

Case number: C-879/19