

SUMMARY

ECJ 2 September 2021, Case C-350/20 (INPS en de maternité pour les titulaires de permis unique), Social Insurance, Work and Residence Permit

OD and Others - v - Istituto nazionale della previdenza sociale (INPS)

Summary

Third-country nationals with a single work permit obtained in Italy are entitled to childbirth and maternity allowances.

No English translation of the case is available yet. The ECJ's summary can be found [here](#).

Question

Must Article 12(1)(e) of Directive 2011/98 be interpreted as precluding national legislation which excludes the third-country nationals referred to in Article 3(1)(b) and (c) of that directive from entitlement to a childbirth allowance and a maternity allowance provided for by that legislation?

Ruling

Article 12(1)(e) of Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State must be interpreted as precluding national legislation which excludes the third-country nationals referred to in Article 3(1)(b) and (c) of that directive from entitlement to a childbirth allowance and a maternity allowance provided for by that legislation.

Creator: European Court of Justice (ECJ)

Verdict at: 2021-09-02

Case number: C-350/20