

SUMMARY

# **ECJ 13 October 2022, case C-713/20 (Raad van bestuur van de Sociale verzekeringsbank), Temporary agency work**

***Raad van bestuur van de Sociale verzekeringsbank – v – X & Y.,  
Dutch case***

## **Summary**

A person residing in a Member State who carries out, through a temporary employment agency established in another Member State, temporary work assignments in the territory of that other Member State, is during the intervening periods between those temporary work assignments subject to the national legislation of the Member State in which he or she resides, providing that, by reason of the temporary contract, the employment relationship ceases during those periods.

## **Question**

Must Article 11(3)(a) and (e) of Regulation No 883/2004 be interpreted as meaning that a person residing in a Member State who carries out, through a temporary employment agency established in another Member State, temporary work assignments in the territory of that other Member State is subject, during the intervening periods between those temporary work assignments, to the national legislation of his or her Member State of employment, or to the national legislation of his or her Member State of residence?

## **Ruling**

Article (11)(3)(a) and (e) of Regulation No 883/2004 must be interpreted as meaning that a person residing in a Member State who carries out, through a temporary employment agency

established in another Member State, temporary work assignments in the territory of that other Member State is to be subject, during the intervening periods between those temporary work assignments, to the national legislation of the Member State in which he or she resides, provided that, by reason of the temporary contract, the employment relationship ceases during those periods.

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

**Verdict at:** 2022-10-13

**Case number:** C-713/20