

SUMMARY

## **ECJ 7 December 2023, case C-518/22 (AP Assistenzprofis), Age discrimination**

### ***J.M.P. – v – AP Assistenzprofis GmbH, German case***

#### **Summary**

The hiring of a personal assistant to help a disabled person in everyday life may be limited to persons within the same age range. The ECJ's summary of the case can be found [here](#).

#### **Question**

Must Article 2(5), Article 4(1), Article 6(1) and/or Article 7 of Directive 2000/78, read in the light of the provisions of the Charter and Article 19 of the UN Convention, be interpreted as precluding the recruitment of a person providing personal assistance from being subject to an age requirement pursuant to national legislation under which account is to be taken of the individual wishes of persons who are entitled to personal assistance services as a result of their disability?

#### **Ruling**

Article 2(5) of Directive 2000/78, read in the light of Article 26 of the Charter and Article 19 of the UN Convention, must be interpreted as not precluding the recruitment of a person providing personal assistance from being subject to an age requirement pursuant to national legislation under which account is to be taken of the individual wishes of persons who are entitled to personal assistance services as a result of their disability, if such a measure is necessary for the protection of the rights and freedoms of others.

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

**Verdict at:** 2023-12-07

**Case number:** C-518/22