

SUMMARY

ECJ 10 July 2025, case C-257/24 (Städteregion Aachen), social insurance

PE – v – Städteregion Aachen, German case

Summary

Applying a residence requirement for the grant of integration aid in the form of school assistance benefits for disabled children constitutes a restriction on the freedom of movement for workers.

Questions

Must Article 3 of Regulation No 883/2004 be interpreted as meaning that a benefit, such as the integration assistance in the form of school assistance benefits for disabled children provided for in the Neuntes Buch Sozialgesetzbuch (Book IX of the Social Code), falls within the material scope of that regulation?

Must Article 7(2) of Regulation No 492/2011 be interpreted as precluding national legislation which makes the grant of integration aid in the form of school assistance benefits to the disabled child of a frontier worker who is a Union national conditional on that child residing in the national territory?

Ruling

Article 3 of Regulation No 883/2004 must be interpreted as meaning that a benefit, such as the integration aid in the form of school assistance benefits for disabled children provided for in the Neuntes Buch Sozialgesetzbuch (Book IX of the Social Code), does not fall within the material scope of Regulation No 883/2004, since the grant of that benefit is not subject to objective criteria, but is based on an individual assessment by the competent national authority of the needs of the person concerned.

Article 7(2) of Regulation No 492/2011 must be interpreted as precluding national legislation which makes the grant of integration aid in the form of school assistance benefits to the disabled child of a frontier worker who is a Union national conditional on that child residing in the national territory, since such a requirement goes beyond what is necessary to attain the objectives pursued by that legislation.

Creator: European Court of Justice (ECJ)

Verdict at: 2025-07-10

Case number: C-257/24