

SUMMARY

ECJ 21 May 2026, Case C-717/24 (BD - v - Sociálna poisťovňa, ústredie)

BD - v - Sociálna poisťovňa, ústredie, Slovak case

Summary

Article 51(1) of Regulation 883/2004 requires Member States to take into account periods of insurance completed in the same occupation in another Member State when assessing entitlement to occupation-specific pension advantages. The provision applies not only where those advantages are granted under a formally separate special social security scheme, but also where they are granted within the general pension system. Workers who have exercised their right to free movement must not lose pension benefits linked to a particular occupation solely because part of their career was completed in another Member State.

Question

Must Article 51(1) of Regulation 883/2004 be interpreted as applying only where the Member State competent for granting a retirement pension has established a special social security scheme for a particular occupation, or does it also apply where occupation-specific pension advantages are granted within the general social security scheme?

Ruling

Article 51(1) of Regulation 883/2004 applies both where a Member State has established a special social security scheme for specific occupations and where occupation-specific pension advantages are granted within the general social security system. Periods of insurance completed in the same occupation in another Member State must be aggregated when determining entitlement to those advantages. A contrary interpretation would undermine the free movement of workers by placing workers who exercised their mobility rights at a disadvantage compared with workers who pursued the same occupation exclusively in one Member State.

Creator: Hof van Justitie van de Europese Unie

Verdict at: 2026-05-21

Case number: C-717/24