

Case C-189/16. Social security

Bogusława Zaniewicz-Dybeck – v – Pensionsmyndigheten, reference lodged by the Swedish Högsta förvaltningsdomstolen on 4 April 2016

Do the provisions in Article 47(1)(d) of Regulation No 1408/71 mean that the insurance periods completed in another Member State, in the calculation of the Swedish guaranteed pension, can be given a pensionable value which corresponds to the average value of the Swedish periods where the competent authority undertakes a pro-rata calculation under Article 46(2) of that regulation?

If question 1 is answered in the negative, may the competent institution, in its calculation of the entitlement to a guaranteed pension take account of pension income which an insured person receives in another Member State without that running counter to the provisions of Regulation No 1408/71?

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Case C-474/16. Social security

The public prosecutor, Belu Dienstleistung GmbH & Co KG, Stefan Nikless, reference lodged by the French Cour d'appel de Colmar on 29 August 2016

Is the legal effect of an A1 certificate issued to a temporary-work agency, in accordance with Article 19 of Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, by the institution designated by the Member State whose social security legislation remains applicable to the employed worker, binding, first, on the institutions and authorities of the host Member State and, secondly, on the courts of that Member State, if it is found that the conditions under which the employee pursues the activity clearly do not fall within the substantive scope of the specific rules set out in Article 12(1) and (2) of Regulation (EC) No 883/2004?