

during the period between their being placed on reserve and their dismissal due to retirement on a full old-age pension will not apply in most cases, including the present case, as, due to the length of time the employees have spent in the public sector, they have already reached the top pay scale and/or employment grade provided for under the applicable legislation governing promotions.

2. Is the adoption of a measure such as that adopted under Article 34(1)(e) of Law 4024/2011, eliminating, for employees who are dismissed or who retire from their occupation on qualifying for a full old-age pension, all (or a proportion) of the severance pay provided for under Article 8(b) of Law 3198/1955 equal to 40% of the severance pay provided for employees with supplementary insurance (which, in the case of public-sector bodies fulfilling a public service obligation or subsidised by the State, such as the respondent private-law legal entity, is capped at the sum of EUR 15 000), by offsetting it against the reduced salary received during the period on reserve, an appropriate and necessary means of achieving the above aim within the meaning of Article 2(2)(b)(i) and Article 6(1)(a) of the Directive, bearing in mind that the aforesaid staff would otherwise have received that reduced severance pay under the aforesaid applicable labour legislation irrespective of whether they resigned or were dismissed by the body in which they were employed?

## C-517/19 P, Miscellaneous

*Maria Alvarez y Bejarano and Others – v – Commission, Appeal against the judgment of the General Court (Eighth Chamber) delivered on 30 April 2019 in Joined Cases T-516/16 and T-536/16*

The appellants claim that the Court should:

- set aside the judgment under appeal;
- annul the decision no longer to allow the appellants, as of 2014, travelling time or reimbursement of annual travel expenses;
- order the Commission to pay the costs.

## C-518/19 P, Miscellaneous

*Jakov Ardalic and others – v – Council, Appeal against the judgment of the General Court (Eighth Chamber) delivered on 30 April 2019 in Joined Cases T-523/16 and T-542/16*

The appellants claim that the Court should:

- set aside the judgment under appeal;
- annul the decision no longer to allow the appellants, as of 2014, travelling time or reimbursement of annual travel expenses;
- order the Commission to pay the costs.

## Case C-535/19, Free movement, Social insurance

*A – v – Latvijas Republikas Veselības ministrija, reference lodged by the Augstākā tiesa (Latvia) on 12 July 2019*

1. Must publicly-funded health care be regarded as being included in ‘sickness benefits’ within the meaning of Article 3(1)(a) of Regulation No 883/2004?
2. In the event that the first question is answered in the affirmative, are Member States permitted, under Article 4 of Regulation No 883/2004 and Article 24 of Directive 2004/38, to refuse such benefits – which are granted to their nationals and to family members of a Union citizen having worker status who are in the same situation – to Union citizens who do not at that time have worker status, in order to avoid disproportionate requests for social benefits to ensure health care?
3. In the event that the first question is answered in the negative, are Member States permitted, under Articles 18 and 21 of the Treaty on the Functioning of the European Union and Article 24 of Directive 2004/38, to refuse such benefits – which are granted to their nationals and to family members of a Union citizen having worker status who are in the same situation – to Union citizens who do not at that time have worker status, in order to avoid disproportionate requests for social benefits to ensure health care?
4. Is it compatible with Article 11(3)(e) of Regulation (EC) No 883/2004 for a citizen of the European Union who exercises his right to freedom of movement to be placed in a situation in which he is denied the right to receive public health care