



Judgment of the Court (Sixth Chamber) of 22 January 2026 (request for a preliminary ruling from the Corte suprema di cassazione – Italy) – F.F. v Istituto nazionale della previdenza sociale (INPS)

(Case C-633/24, ⁽¹⁾ Sovisso ⁽²⁾)

(Reference for a preliminary ruling – Social security – Migrant workers – Regulation (EC) No 883/2004 – Equal treatment – Aggregation of periods – Article 58 – Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons – Invalidity benefits – Supplement in order to guarantee receipt of the statutory minimum invalidity benefit – Stricter conditions relating to the contribution period for workers who have exercised their right to freedom of movement)

(C/2026/1321)

Language of the case: Italian

Referring court

Corte suprema di cassazione

Parties to the main proceedings

Applicant: F.F.

Defendant: Istituto nazionale della previdenza sociale (INPS)

Operative part of the judgment

Article 58 of Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, read in conjunction with Articles 4 and 6 of that regulation,

must be interpreted as precluding the legislation of a Member State under which the payment of a supplement intended to guarantee receipt of the minimum amount of an invalidity allowance is subject, for insured persons who paid contributions in other Member States, to a ten-year contribution period in that Member State whereas, for those who paid contributions exclusively in that Member State, payment of that supplement is subject to a contribution period of five years in that country, three of which must have been in the preceding five years.

⁽¹⁾ OJ C, C/2025/144.

⁽²⁾ The name of the present case is a fictitious name. It does not correspond to the real name of any party to the proceedings.