

Judgment of the Court (Third Chamber) of 13 September 2017 (request for a preliminary ruling from the Hoge Raad der Nederlanden — Netherlands) — X v Staatssecretaris van Financiën

(Case C-569/15) ⁽¹⁾

(Reference for a preliminary ruling — Application of social security schemes — Migrant workers — Determination of the applicable legislation — Regulation (EEC) No 1408/71 — Article 14(2)(b)(i) — Person normally employed in the territory of two or more Member States — Person employed in one Member State and engaged in paid employment on the territory of another Member State during a period of unpaid leave lasting three months)

(2017/C 382/07)

Language of the case: Dutch

Referring court

Hoge Raad der Nederlanden

Parties to the main proceedings

Applicant: X

Defendant: Staatssecretaris van Financiën

Operative part of the judgment

Article 14(2)(b)(i) of Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, as amended and updated by Council Regulation (EC) No 118/97 of 2 December 1996, as amended by Regulation (EC) No 592/2008 of the European Parliament and of the Council of 17 June 2008, must be interpreted as meaning that a person residing and employed in the territory of one Member State who, for a period of three months, takes unpaid leave and is employed in the territory of another Member State, is to be regarded as normally employed in the territory of two Member States within the meaning of that provision, provided that, during that period of leave, he is considered as normally employed under the social security legislation of the first Member State and that the activity carried out on the territory of the second Member State is habitual and significant in nature, which it is for the referring court to determine.

⁽¹⁾ OJ C 38, 1.2.2016.

Judgment of the Court (Third Chamber) of 13 September 2017 (request for a preliminary ruling from the Hoge Raad der Nederlanden — Netherlands) — X v Staatssecretaris van Financiën

(Case C-570/15) ⁽¹⁾

(Reference for a preliminary ruling — Application of social security schemes — Migrant workers — Determination of the applicable legislation — Regulation (EEC) No 1408/71 — Article 14(2)(b)(i) — Person normally employed in the territory of two or more Member States — Person employed in one Member State and who pursues part of his activities in the Member State of his residence)

(2017/C 382/08)

Language of the case: Dutch

Referring court

Hoge Raad der Nederlanden