

**Judgment of the Court (Seventh Chamber) of 19 May 2022 (request for a preliminary ruling from the Corte suprema di cassazione — Italy) — Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (INAIL), Istituto nazionale della previdenza sociale (INPS) v Ryanair DAC**

(Case C-33/21) <sup>(1)</sup>

*(Reference for a preliminary ruling — Migrant workers — Social security — Legislation applicable — Regulation (EEC) No 1408/71 — Article 14(2)(a)(i) and (ii) — Regulation (EC) No 883/2004 — Article 11(5) — Article 13(1)(a) and (b) — Concept of ‘operating base’ — Flight and cabin crew — Workers employed in the territory of two or more Member States — Connecting factors)*

(2022/C 266/08)

Language of the case: Italian

**Referring court**

Corte suprema di cassazione

**Parties to the main proceedings**

*Applicants:* Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (INAIL), Istituto nazionale della previdenza sociale (INPS)

*Defendant:* Ryanair DAC

**Operative part of the judgment**

Article 14(2)(a)(i) of Regulation (EEC) No 1408/71 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, in the version amended and updated by Council Regulation (EC) No 118/97 of 2 December 1996, as amended by Regulation (EC) No 631/2004 of the European Parliament and of the Council of 31 March 2004, Article 13(1)(a) and Article 87(8) 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, as amended by Regulation (EC) No 988/2009 of the European Parliament and of the Council of 16 September 2009, and subsequently by Regulation (EU) No 465/2012 of the European Parliament and of the Council of 22 May 2012, and Article 11(5) of Regulation No 883/2004, as amended by Regulation No 465/2012 must be interpreted as meaning that the social security legislation applicable to the flight and cabin crew of an airline, established in a Member State, which crew is not covered by E101 certificates and which work for 45 minutes per day in premises intended to be used by staff, known as the ‘crew room’, which that airline has in the territory of another Member State in which that flight and cabin crew reside and, which for the remaining working time, are on board that airline’s aircraft is the legislation of the latter Member State.

<sup>(1)</sup> OJ C 110, 29.3.2021.

**Order of the Court (Ninth Chamber) of 15 March 2022 (request for a preliminary ruling from the Landesverwaltungsgericht Steiermark — Austria) — WY v Steiermärkische Landesregierung**

(Case C-85/21) <sup>(1)</sup>

*(Reference for a preliminary ruling — Article 53(2) of the Rules of Procedure of the Court of Justice — Citizenship of the Union — Articles 20 and 21 TFEU — Scope — Automatic loss of nationality of a Member State before the accession of that State to the European Union — Clear lack of jurisdiction of the Court)*

(2022/C 266/09)

Language of the case: German

**Referring court**

Landesverwaltungsgericht Steiermark