

European Commission Issues Letter of Formal Notice to Italy for Failure to Comply with EU Rules on Social Security Coordination

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On 15 February 2023, the European Commission announced that it had decided to open an infringement procedure by sending a letter of formal notice to Italy for failing to comply with the EU rules on social security coordination provided by the [Social Security Regulation \(2004/883\)](#) and the free movement of workers under article 45 of the [Treaty on the Functioning of the European Union \(TFEU\)](#) and the [Regulation on freedom of movement for workers \(2011/492\)](#).

According to the European Commission, legislation granting family allowances for dependent children only to people residing for at least 2 years in Italy and living in the same household as their children breaches EU law and qualifies as a discrimination, as it does not treat EU citizens equally. In addition, the European Commission noted that the [Social Security Regulation \(2004/883\)](#) prohibits any residence requirements for receiving social security benefits such as family allowances.

Italy has 2 months to address the comments raised by the European Commission. Otherwise, the European Commission may decide to send a reasoned opinion.