

EN
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Answer given by Mr Schmit
on behalf of the European Commission
(7.11.2022)

The Commission intends to contact the German authorities and seek clarifications regarding the nature and conditions for the entitlement of the ‘Energiepreispauschale’.

According to Article 7(2) of Regulation (EU) No 492/2011¹ EU workers, who are nationals of one Member State but work in another Member State, are entitled to the same social advantages as national workers. According to settled case law, a condition of residence would have an indirect discriminatory effect which would only be permissible if it is objectively justified.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011R0492>