



PRESS RELEASE No 75/26

Luxembourg, 21 May 2026

Judgment of the Court in Case C-717/24 | Sociálna poisťovňa (Underground miner's retirement pension)

Retirement pensions: when calculating retirement pensions, Member States must take into consideration the specific advantages linked to the exercise of certain activities in other Member States

Between 1 July 1976 and 31 August 1995, a Slovak national worked as a miner in an underground mine in Karviná, in the territory of the present-day Czech Republic, before holding various jobs in the Czech Republic and Slovakia.

Czechoslovak legislation classified jobs according to their arduousness. Miners came within category I, which conferred entitlement to an early retirement pension from the age of 55, provided that they had worked for 25 years, including 15 years underground in a deep mine. A reform adopted in 1992 abolished that classification system with effect from 31 December 1992, while preserving acquired rights until 2016. Following the dissolution of the Czechoslovak federation on 31 December 1992, the Czech Republic immediately implemented that abolition, whereas Slovakia deferred its effects until 1999.

In 2013, the person concerned, then aged 55, applied for a pension in Slovakia. His application was rejected on the ground that he did not satisfy the condition requiring him to have worked as an underground miner for 15 years. The Slovak authorities considered that periods of employment completed in the territory of the present-day Czech Republic could be taken into account only if they still came within category I under Czech legislation. However, by 31 December 1992, the date on which that classification was abolished in the Czech Republic, he had not yet completed 15 years of employment in that category.

Proceedings followed concerning the question whether the Slovak administration was required to take into account, in calculating that 15-year period, the period between 1 January 1993 and 31 August 1995, during which the person concerned had continued to work as an underground miner in the Czech Republic.

The Slovak Supreme Administrative Court referred questions to the Court of Justice concerning the interpretation of Regulation No 883/2004 on the coordination of social security systems, ¹ and more specifically of a **rule relating to the aggregation of periods of activity completed in different Member States for the calculation of retirement pensions**. That rule is intended to guarantee that persons who have pursued an activity entitling them to specific advantages do not lose the benefit of those advantages solely because they have exercised their freedom of movement in pursuing that activity in another Member State.

The Court finds that **that rule applies whenever specific rules on the determination of retirement pensions are laid down for certain occupations or activities in the Member State competent for granting the benefit. That is also the case in the absence of a special social security scheme formally distinct from the general scheme.**

As regards the present case, the Court notes that the Slovak legislation laid down, for the period between 1 January 1993 and 31 August 1995, rules on retirement pensions specific to the occupation of underground miner. Since the periods completed by the person concerned in the Czech Republic were completed in that occupation, it appears, subject to the

checks which it is for the Slovak Supreme Administrative Court to make, that those periods must be taken into consideration for the calculation of his retirement pension in Slovakia.

NOTE: A reference for a preliminary ruling allows the courts and tribunals of the Member States, in disputes which have been brought before them, to refer questions to the Court of Justice about the interpretation of European Union law or the validity of a European Union act. The Court of Justice does not decide the dispute itself. It is for the national court or tribunal to dispose of the case in accordance with the Court's decision, which is similarly binding on other national courts or tribunals before which a similar issue is raised.

Unofficial document for media use, not binding on the Court of Justice.

The [full text and, as the case may be, an abstract](#) of the judgment is published on the CURIA website on the day of delivery.

Press contact: Jacques René Zammit ☎ (+352) 4303 3355.

Pictures of the delivery of the judgment are available from "[Europe by Satellite](#)" ☎ (+32) 2 2964106.

Stay Connected!



¹ [Regulation \(EC\) No 883/2004](#) of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (Text with relevant for the EEA and for Switzerland). As regards the applicability of that regulation to the present case, the Court recalls that that regulation provides that any period of insurance, employment, self-employment or residence completed prior to the date of application of that regulation in the territory of the Member State concerned are to be taken into consideration for the determination of rights to benefits. Consequently, the fact that the periods of contribution at issue in the main proceedings pre-dated the entry into force of Regulation No 883/2004 and the accession to the European Union by the Member States concerned, namely the Slovak Republic and the Czech Republic, does not preclude the application of that regulation to a situation such as that at issue in the main proceedings.