

**Question for written answer E-000089/2014
to the Commission**

Rule 117

Jarosław Leszek Wałęsa (PPE)

Subject: Compliance of social insurance legislation in Denmark with EU law

I request the Commission's assistance in interpreting social security legislation in Denmark. It appears that it may constitute grounds for discrimination in the awarding of invalidity benefits and old-age pensions. In light of the above, could the Commission answer the following questions:

1. Who is entitled to exercise the rights set out in Article 50 of Regulation 883/2004 and Article 51(2) of Regulation 1408/71 corresponding to Decision P-1 and the Danish law on invalidity benefits and old-age pensions? (Decision P-1 of 12 June 2009 on the interpretation of **Articles 50(4)**, 58 and 87(5) of Regulation (EC) No 883/2004 of the European Parliament and of the Council for the award of invalidity, old-age and survivors' benefits)?
2. Does the Commission's answer of 20.4.2012 (PE462.649v02-00) only apply to economically inactive EU citizens residing in Denmark or does it also apply to economically active persons and those in receipt of invalidity benefits under Regulations 1401/71 and 883/2004, and persons who, while receiving invalidity benefits in Denmark, were receiving benefits based on flexible employment arrangements and for unemployment due to illness?
3. Would it be possible for EU bodies to make a comparative calculation of pensions in order to identify possible breaches of EU law by the Danish authorities?