

ORAL QUESTION H-0124/02
for Question Time at the part-session in March 2002
pursuant to Rule 43 of the Rules of Procedure
by Manuel Pérez Álvarez
to the Commission

Subject: Applications for supplementary benefits from the French National Solidarity Fund

Under the transitional provisions set out in Article 2 of Regulation (EEC) 1247/92¹ (Article 95b of Regulation (EEC) 1408/71²), applications for a special non-contributory benefit cannot be refused in cases where the conditions for the grant of that benefit were met before 1 June 1992, with provision being made for a five-year transitional period during which to submit the relevant application.

In France (National Solidarity Fund), four years after the expiry of the transitional period during which various Spanish nationals duly applied for recognition of their rights within the appointed deadline, only a minority of the applicants have received any reply, whether affirmative or negative. The administrative inertia shown by France in this matter is unjustifiable.

Can the Commission say why France has failed to honour its obligations in this instance and whether it has already conducted any inquiries into the matter?

Does it consider that this failure on the part of a Member State to meet its obligations - should this be confirmed - constitutes a breach of Community law, and of Regulation (EEC) 1408/71 in particular?

Can it say what action it intends to take with a view to ensuring that France makes up for the delays, particularly in view of the fact that the people concerned are elderly?

Tabled: 21.02.2002
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¹ OJ L 136, 19.5.1992, p. 1.

² OJ L 149, 5.7.1971, p. 2.