The Commission has been informed that Italy introduced a new scheme of universal family benefits for dependent children on 1 March 2022. Based on the available information, it appears that the receipt of the family benefit at stake is conditional to a residence in Italy. Hence, the Commission requested detailed information on the legislation concerned from the Italian authorities and awaits their reaction.

The Commission recalls that, pursuant to Articles 7 and 67 of Regulation (EC) No 883/2004\(^1\), EU nationals covered by this Regulation shall be entitled to family benefits on behalf of the competent Member State regardless the place of their residence or the one of the members of their family in another Member State. In its Judgment of 16 June 2022, in the case Commission v. Austria\(^2\), the Court confirmed that migrant workers must enjoy equal treatment as regards family benefits as national workers.

Therefore, the Commission will examine the Italian legislation on its compatibility with EU law and, if necessary, take the actions to ensure compliance of the Italian legislation with EU law.

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\(^1\) OJ L 166, 30.4.2004, p. 1.

\(^2\) Case C-328 /20, Commission v Austria, C:2022:468.