

EFTA COURT

Request for an Advisory Opinion from the EFTA Court by the Fürstliches Obergericht dated 28 April 2022 in the case of Christian Maitz v AHV-IV-FAK

(Case E-5/22)

A request has been made to the EFTA Court, dated 28 April 2022, from the Fürstliches Obergericht (Princely Court of Appeal), which was received at the Court Registry on 3 May 2022, for an Advisory Opinion in the case of Christian Maitz v AHV-IV-FAK on the following questions:

- 1. Is it necessary for the scope *ratione personae* of Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 (OJ 2004 L 166, p. 1), incorporated in the EEA Agreement by Decision of the EEA Joint Committee of 1 July 2011 (LGBI. 2012 No 202), that the Member State national who is subject to the legislation of one or more Member States within the meaning of Article 2(1) of that Regulation is resident in one of the Member States?**

If the answer to that question is in the negative:

Can an agreement concluded by the EU or an EEA Member State with a third country by which the scope of application of the Regulation mentioned was extended to the third country change the answer to this question?

- 2. Must an attestation within the meaning of Article 19(2) of Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ 2009 L 284, p. 1), incorporated into the EEA Agreement by Decision of the Joint Committee of 1 July 2011 (LGBI. 2012 No 202), be issued necessarily by means of a form (PD A1) laid down by the Administrative Commission for the Coordination of Social Security Systems in order to produce the legal effects specified in Article 5(1) of that Regulation?**