

Case 32/75 Cristini [1975]

Facts: A scheme targeting French railways offered people with large families a reduced fare. An Italian widow, working in France with her four infant children whose father had died, applied for the scheme and was rejected. The refusal was based on her nationality and was legally required under national law. The respondent organisation (SCNF) justified the refusal to grant the permit on the basis that the provision of a Regulation providing for non-discrimination in social and tax advantages for workers applied only to advantages connected with the contract of employment. It therefore did not apply when the reason for refusal was based on nationality.

Held: The Court found that the EU provision applied to this situation, as it included all social and tax advantages, regardless of any connection with an employment contract, including fare reductions for large families. This result was required by the equality of treatment aimed at by the provision. In particular, it would be contrary to the purpose and the spirit of the Community rules on freedom of movement for workers to deprive the survivors of such a benefit following the death of the worker whilst granting the same benefit to the survivors of a national.