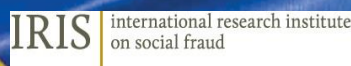




# Recovery procedures

Statistical data applicable to reference year 2023

Frederic De Wispelaere, Lynn De Smedt & Jozef Pacolet – HIVA-KU Leuven  
November 2024





# **Recovery procedures**

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5

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## Table of Contents

<b>List of Tables.....</b>	<b>6</b>
<b>List of Figures.....</b>	<b>7</b>
<b>Glossary .....</b>	<b>8</b>
<b>Introduction.....</b>	<b>9</b>
<b>1. Requests for information .....</b>	<b>10</b>
<b>2. Recovery of outstanding contributions .....</b>	<b>11</b>
2.1 Number of requests for recovery of outstanding contributions .....	11
2.2 Outcome of the requests for recovery of outstanding contributions .....	12
<b>3. Recovery of unduly paid benefits.....</b>	<b>13</b>
3.1 Number of requests for recovery of unduly paid benefits.....	14
3.2 Outcome of the requests for recovery of unduly paid benefits .....	17
<b>4. Error.....</b>	<b>19</b>
<b>Annex I Questionnaire.....</b>	<b>20</b>

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## List of Tables

Table 1 – Number of requests for information <i>submitted</i> and <i>received</i> , 2023.....	10
Table 2 – Number of requests for recovery of outstanding contributions <i>submitted</i> and <i>received</i> , 2022 and 2023 .....	12
Table 3 – The outcome today of the requests for recovery of outstanding contributions, 2023 .....	13
Table 4 – Number of requests for recovery of unduly paid benefits <i>submitted</i> and <i>received</i> , 2023 .....	14
Table 5 – The outcome today of the requests for recovery of unduly paid benefits, 2023 .....	17
Table 6 – Cases of error regarding the application of recovery procedures, 2023.....	19

## List of Figures

Figure 1 – Requests for recovery of unduly paid benefits submitted, breakdown by branch of social security, 2023 .....	16
Figure 2 – Requests for recovery of unduly paid benefits received, breakdown by branch of social security, 2023 .....	16
Figure 3 – Requests for recovery of unduly paid family benefits submitted compared to the total number of family benefits exported abroad, 2023 .....	18

## Glossary

**Basic Regulation:** Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems.

**Implementing Regulation:** 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.

**Competent Member State:** The Member State in which the institution with which the person concerned is insured or from which the person is entitled to benefits is situated.

**EU-27:** Belgium (BE), Bulgaria (BG), Czechia (CZ), Denmark (DK), Germany (DE), Estonia (EE), Ireland (IE), Greece (EL), Spain (ES), France (FR), Croatia (HR), Italy (IT), Cyprus (CY), Latvia (LV), Lithuania (LT), Luxembourg (LU), Hungary (HU), Malta (MT), the Netherlands (NL), Austria (AT), Poland (PL), Portugal (PT), Romania (RO), Slovenia (SI), Slovakia (SK), Finland (FI), and Sweden (SE).

**EU-14:** Belgium (BE), Denmark (DK), Germany (DE), Ireland (IE), Greece (EL), Spain (ES), France (FR), Italy (IT), Luxembourg (LU), the Netherlands (NL), Austria (AT), Portugal (PT), Finland (FI), and Sweden (SE).

**EU-13:** Bulgaria (BG), Czechia (CZ), Estonia (EE), Croatia (HR), Cyprus (CY), Latvia (LV), Lithuania (LT), Hungary (HU), Malta (MT), Poland (PL), Romania (RO), Slovenia (SI), and Slovakia (SK).

**EFTA countries:** Iceland (IS), Liechtenstein (LI), Norway (NO), and Switzerland (CH).



## Introduction

In a cross-border situation, at least two Member States are involved. In such situations, the risk exists that social security contributions are not paid for/by mobile persons to the public authority in the competent Member State. Furthermore, there is a risk that benefits are unduly paid to mobile persons due to fraud or error. Chapter III of Title IV of the Implementing Regulation defines the procedures and rules on mutual assistance for the recovery of such claims. These provisions are of high importance, seeing that an effective recovery considerably helps to tackle the risk of fraud and error.

The Basic Regulation provides that, in accordance with the principle of good administration, the institutions of the Member States have a duty of *mutual information and cooperation* to ensure the correct implementation of this Regulation.<sup>1</sup>

According to the Implementing Regulation, a Member State (*the applicant party*) may request another Member State (*the requested party*) to provide any information which would be useful in the recovery of its claims relating to contributions or to benefits unduly paid or provided.<sup>2</sup> Furthermore, a request by the *applicant party* for the collection of contributions and the recovery of unduly paid benefits can be submitted to the *requested party*.<sup>3</sup>

Statistical data on the recovery procedures offer a valuable insight into the practical functioning of the social security coordination in the EU/EFTA/UK and into the mutual administrative cooperation between the Member States. The statistical data in this report provide more information on the number of requests for information and recovery of outstanding contributions and unduly paid benefits for the reference year 2023. The outcome of these requests (i.e., refused, successful, unsuccessful, or still pending) is described as well. A distinction in reporting has been made between the number of requests for information submitted/received (*section 1*), the number of requests for recovery of outstanding contributions submitted/received (*section 2*), and the number of requests for recovery of unduly paid benefits submitted/received (*section 3*).

In total, 27 Member States<sup>4</sup> provided a response to the questionnaire for reference year 2023. However, the response rate strongly differs across the questions. Moreover, the response rate of the competent public authorities in the Member State concerned sometimes varies over the years. Consequently, the figures reported by Member States may show strong fluctuations. This is the main reason why figures on the evolution of requests for recovery of unduly paid benefits are not included in this report.<sup>5</sup>

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<sup>1</sup> Article 76 (4) of the Basic Regulation.

<sup>2</sup> Article 76 of the Implementing Regulation.

<sup>3</sup> Article 84 of the Basic Regulation and Articles 78 to 85 of the Implementing Regulation.

<sup>4</sup> No response was received from IT, CY, SI, IS, and UK.

<sup>5</sup> As opposed to other thematic statistical reports for reference year 2023.

## 1. Requests for information

*Table 1* shows the number of requests for information submitted and received, as well as the percentage of these requests that were refused in 2023. A high number of requests for information were **submitted** by Slovakia, Germany, Austria, Poland, and Switzerland, namely more than 1 400. Additionally, more than 250 requests were submitted by Lithuania, the Netherlands, and France. The other reporting Member States submitted (almost) no requests. For almost all reporting Member States, all requests for information were accepted. The only exceptions are Greece, where all requests were refused (although it concerned less than five requests), Finland where 90 % of 81 requests were refused, and France where 52 % of 269 requests were refused.

The right-hand side of *Table 1* shows the number of requests for information from the perspective of the **receiving** Member State. More than 1 000 requests for information were received by Slovakia, Romania, Poland, and Germany. Furthermore, over 400 requests were received by Spain (507), Portugal (414), and Switzerland (404) in 2023. Almost all reporting Member States accepted the majority of requests for information. Only Spain (80 %), Norway (41 %), and Ireland (35 %) rejected a substantial percentage of incoming requests for information in 2023.

Member States were also asked to specify the main reason for which information was requested, both when requests are submitted and received. Almost all Member States mentioned a request for an address as main reason. Requests for information about the income, the assets for recovery, the identity of a person, and the benefits received were other often-mentioned reasons.

**Table 1 – Number of requests for information *submitted* and *received*, 2023**

	Requests for information <i>submitted</i>		Requests for information <i>received</i>	
	Number	% refused	Number	% refused
BE	59		17	0 %
BG			359	0 %
CZ	8	13 %	152	0 %
DK			213	0 %
DE	6 996	0 %	1 297	
EE				
IE			171	35 %
EL	<5	100 %	141	9 %
ES	0		507	80 %
FR	269	52 %	0	
HR				
IT				
CY				
LV			67	0 %
LT	412	33 %	45	7 %
LU	8	0 %	31	0 %
HU			52	
MT	17	0 %	<5	0 %
NL	379			
AT	5 113	0 %	206	13 %
PL	2 305	0 %	1 779	3 %
PT	0		414	0 %
RO	61	0 %	4 973	0 %
SI				
SK	10 786	0 %	26 619	0 %
FI	81	90 %	26	0 %
SE	<5		152	0 %
IS				
LI	0		5	0 %
NO	11	18 %	145	41 %
CH	1 415		404	
UK				

Source: Questionnaire on recovery procedures 2024

## 2. Recovery of outstanding contributions

### 2.1 Number of requests for recovery of outstanding contributions

An overview of the number of requests for recovery of outstanding contributions submitted and received in 2023 is presented in *Table 2*. The number of requests for recovery depends on several factors such as the extent of cross-border mobility as well as the national procedures of Member States.

Most of the requests for recovery were **submitted** by Switzerland (6 048), Germany (1 839), and Austria (1 689). The other reporting Member States reported less than 280 requests. Some Member States such as Spain, Malta, Portugal, and Norway did not even submit a single request for the recovery of outstanding contributions. The most remarkable growth can be seen in Finland (100 %) although it concerns less than five requests both in 2022 and 2023. In France (-86 %) and Slovakia (-69 %) declines of more than 50 % are noted.

Member States which **received** the highest number of requests for recovery of outstanding contributions are Germany (3 717), France (2 702), and Romania (1 998). Other Member States which received more than 100 requests are Slovakia, Lithuania, Poland, Switzerland, Austria, Portugal, and Belgium. Meanwhile, less than ten requests for recovery of outstanding contributions were received by Liechtenstein (5) and Malta (0). From the receiving perspective, the evolutions in Portugal (1 119 %), Finland (900 %), Ireland (280%), Spain (275 %), Luxembourg (133 %), France (130 %), and Germany (113 %) stand out. However, in Ireland, Spain, Luxembourg, Portugal, and Finland it concerned less than 20 received requests in 2022.

Belgium, Czechia, Germany, Spain, France, Lithuania, Poland, Portugal, Romania, Slovakia, Finland, Sweden, and Norway received more questions for recovery of outstanding contributions than they sent to other Member States. This contrasts with Luxembourg, Austria, Liechtenstein, and Switzerland which have sent more requests in net terms.

**Table 2 – Number of requests for recovery of outstanding contributions *submitted* and *received*, 2022 and 2023**

	Requests for recovery of outstanding contributions <i>submitted</i>				Requests for recovery of outstanding contributions <i>received</i>				Net 2023 ( <i>submitted</i> – <i>received</i> )
	2022	2023	Change Number	%	2022	2023	Change Number	%	
BE	38	33	-5	-13 %	74	125	51	69 %	-92
BG	<5				186				
CZ	24	24	0	0 %	91	88	-3	-3 %	-64
DK					15	23	8	53 %	
DE	1 434	1 839	405	28 %	1 749	3 717	1 968	113 %	-1 878
EE	9				6				
IE					5	19	14	280 %	
EL									
ES	0	0	0		12	45	33	275 %	-45
FR	106	15	-91	-86 %	1 173	2 702	1 529	130 %	-2 687
HR									
IT	13				281				
CY									
LV									
LT		73				625			-552
LU	61	42	-19	-31 %	12	28	16	133 %	14
HU	<5				132				
MT		0				0			0
NL	25				152				
AT	1 870	1 689	-181	-10 %	392	426	34	9 %	1 263
PL	249	248	-1	0 %	544	516	-28	-5 %	-268
PT	0	0	0		16	195	179	1 119 %	-195
RO	184	271	87	47 %	1 384	1 998	614	44 %	-1 727
SI									
SK	285	87	-198	-69 %	540	840	300	56 %	-753
FI	<5	<5	2	100 %	<5	20	18	900 %	-16
SE	14	14	0	0 %	22	29	7	32 %	-15
IS									
LI	23	12	-11	-48 %	7	5	-2	-29 %	7
NO	0	0	0		38	29	-9	-24 %	-29
CH*		6 048			230	434	204	89 %	5 614
UK									

\* CH cannot differentiate between outstanding contributions and unduly paid benefits. The figures given refer to the total of all requests relating to outstanding contributions AND unduly paid benefits.

Source: Questionnaire on recovery procedures 2023 and 2024

## 2.2 Outcome of the requests for recovery of outstanding contributions

Member States were asked to indicate the outcome of the requests for recovery of outstanding contributions submitted or received in 2023. On average, most of the requests submitted/received in 2023 are still pending. This does not come as a surprise as processing these requests is a time-consuming exercise. Below figures also indicate that a substantial number of requests for recovery are refused by the receiving Member States. For instance, over one third of the requests received by Spain (49 %), Ireland (42 %), and Austria (35 %) are refused. Furthermore, more than one in ten requests received by Poland and Slovakia are refused as well.

In several Member States, the number of unsuccessfully closed claims exceeds the number of successfully (i.e., the claim was not recovered in full or partially) closed claims. This is the case from a sending perspective in Czechia, France, Poland, Romania, Finland, and Liechtenstein. From a receiving perspective the share of unsuccessfully closed claims surpasses the number of successfully closed claims in Spain, Lithuania, Austria, Romania, Sweden, Liechtenstein, and Norway. This reflects how challenging it is for competent authorities to recover outstanding contributions.

**Table 3 – The outcome today of the requests for recovery of outstanding contributions, 2023**

	Number of outstanding contribution cases submitted					Number of outstanding contribution cases received				
	Total*	Refused	Successful**	Unsuccessful	Still pending	Total*	Refused	Successful**	Unsuccessful	Still pending
BE	33	0.0 %	12.1 %	3.0 %	84.8 %	125	0.0 %	3.2 %	9.6 %	87.2 %
BG										
CZ	46	0.0 %	0.0 %	52.2 %	47.8 %	91	3.3 %	16.5 %	38.5 %	41.8 %
DK						23	0.0 %	0.0 %	0.0 %	100.0 %
DE	91	0.0 %	29.7 %	22.0 %	48.4 %	3 717				
EE										
IE						19	42.1 %	21.1 %	36.8 %	0.0 %
EL										
ES	0					45	48.9 %	51.1 %	0.0 %	0.0 %
FR	7	42.9 %	14.3 %	28.6 %	14.3 %	2 702				
HR										
IT										
CY										
LV										
LT	73	9.6 %	17.8 %	0.0 %	72.6 %	684	9.6 %	33.3 %	0.0 %	57.0 %
LU	42	0.0 %	28.6 %	23.8 %	47.6 %	30	0.0 %	26.7 %	60.0 %	13.3 %
HU										
MT	0					0				
NL										
AT	1 689	5.1 %	28.4 %	5.4 %	61.1 %	426	35.0 %	26.8 %	12.9 %	25.4 %
PL	248	7.3 %	9.3 %	44.4 %	39.1 %	516	16.1 %	8.1 %	27.7 %	48.1 %
PT	0					195	0.0 %	10.8 %	57.4 %	31.8 %
RO	271	0.0 %	2.6 %	11.1 %	86.3 %	1 998	1.2 %	22.9 %	0.5 %	75.5 %
SI										
SK	87	3.4 %	8.0 %	0.0 %	88.5 %	840	15.2 %	3.8 %	5.4 %	75.6 %
FI	<5	0.0 %	0.0 %	25.0 %	75.0 %	20	0.0 %	20.0 %	75.0 %	5.0 %
SE	14	28.6 %	7.1 %	0.0 %	64.3 %	29	6.9 %	34.5 %	0.0 %	58.6 %
IS										
LI	29	0.0 %	10.3 %	13.8 %	75.9 %	7	0.0 %	42.9 %	28.6 %	28.6 %
NO	0					29	6.9 %	13.8 %	10.3 %	69.0 %
CH****	6 048					434				
UK										
Weighted average***	2 634	4.6 %	21.9 %	11.1 %	62.3 %	5 077	9.6 %	19.1 %	3.8 %	62.3 %
Unweighted average		7.4 %	12.9 %	17.6 %	62.0 %		11.6 %	21.0 %	22.7 %	44.8 %

\* The total in *Table 3* might differ from the total reported in *Table 2*. The total in *Table 3* concerns the sum of the breakdown by outcome of the cases, whereas the total in *Table 2* represented the total reported by the Member States.

\*\* The requests for recovery can be regarded as 'successful' when the claim was recovered in full or partially.

\*\*\* The total only includes the number of outstanding contribution cases for which a breakdown by outcome is available. This means that the submitted requests by CH are excluded, and the received requests by DE, FR, and CH are excluded.

\*\*\*\* CH cannot differentiate between outstanding contributions and unduly paid benefits. The figures given refer to the total of all requests relating to outstanding contributions AND unduly paid benefits.

Source: Questionnaire on recovery procedures 2024

### 3. Recovery of unduly paid benefits

In this section, figures on the number of requests for recovery of unduly paid benefits and the outcome of these requests are reported. In addition, a more detailed analysis by branch of social security is made and the share of requests for recovery of unduly paid benefits in the total number of paid benefits (i.e., persons entitled) is calculated for the export of family benefits.

### 3.1 Number of requests for recovery of unduly paid benefits

As already mentioned in the introduction, it is important to keep in mind that the data provided by the reporting Member States are sometimes incomplete given that the competent institutions were unable to provide data for all branches of social security. This might result in a very fragmented picture for some reporting Member States.

Table 4 shows the total number of requests for recovery of unduly paid benefits, both as a submitting and receiving Member State. Especially Switzerland (6 048), Luxembourg (5 890), Romania (2 997), Norway (1 256), and Belgium (1 055) **submitted** a high number of requests. However, as Switzerland cannot differentiate between outstanding contributions and unduly paid benefits, this is the sum of both. In Luxembourg, Romania, and Belgium, almost all their requests for recovery concern unduly paid family benefits, as can be seen in Figure 1. Furthermore, more than 500 requests were submitted by Slovakia, France, Ireland, and Germany.

Most requests for recovery of unduly paid benefits were **received** by Belgium (3 492) and Poland (2 599). On the contrary, Luxembourg, the Netherlands, and Austria received less than 15 requests for the recovery of unduly paid benefits.

Belgium, Czechia, Estonia, Greece, Spain, France, Latvia, Lithuania, Hungary, Poland, Portugal, and Sweden received more requests for recovery of unduly paid benefits than they sent to other Member States. This contrasts with Germany, Ireland, Luxembourg, Malta, the Netherlands, Austria, Romania, Slovakia, Finland, Norway, and Switzerland which have sent more requests in net terms in 2023.

**Table 4 – Number of requests for recovery of unduly paid benefits *submitted* and *received*, 2023**

	Requests for recovery of unduly paid benefits <i>submitted</i>	Requests for recovery of unduly paid benefits <i>received</i>	Net (submitted – received)
BE	1 055	3 492	-2 437
BG		409	
CZ	18	134	-116
DK		81	
DE	523	226	297
EE	26	138	-112
IE	530	167	363
EL	<5	147	-144
ES	<5	443	-441
FR	577	1 825	-1 248
HR			
IT			
CY			
LV	7	83	-76
LT	0	134	-134
LU	5 890	5	5 885
HU	10	115	-105
MT	39	20	19
NL	121	<5	119
AT	43	13	30
PL	366	2 599	-2 233
PT	186	418	-232
RO	2 997	692	2 305
SI			
SK	659	249	410
FI	258	46	212
SE	<5	186	-185
IS			
LI			
NO	1 256	32	1 224
CH*	6 048	434	5 614
UK			

\* CH cannot differentiate between outstanding contributions and unduly paid benefits. The figures given refer to the total of all requests relating to outstanding contributions AND unduly paid benefits.

Source: Questionnaire on recovery procedures 2024

Member States were asked to provide a breakdown of the requests for unduly paid benefits by type of benefit. *Figure 1* shows this breakdown from the point of view of the **submitting** Member State, whereas *Figure 2* does the same from the point of view of the **receiving** Member State. Certain Member States were unable to provide data on all branches of social security. For instance, several Member States only provided information on the number of requests for recovery of unduly paid family benefits, causing the figures below to show 100 %-columns. This might give a skewed image of the true breakdown by branch of social security. Nevertheless, certain Member States did provide information concerning the different branches of social security, which gives us an initial idea about the 'real' breakdown.

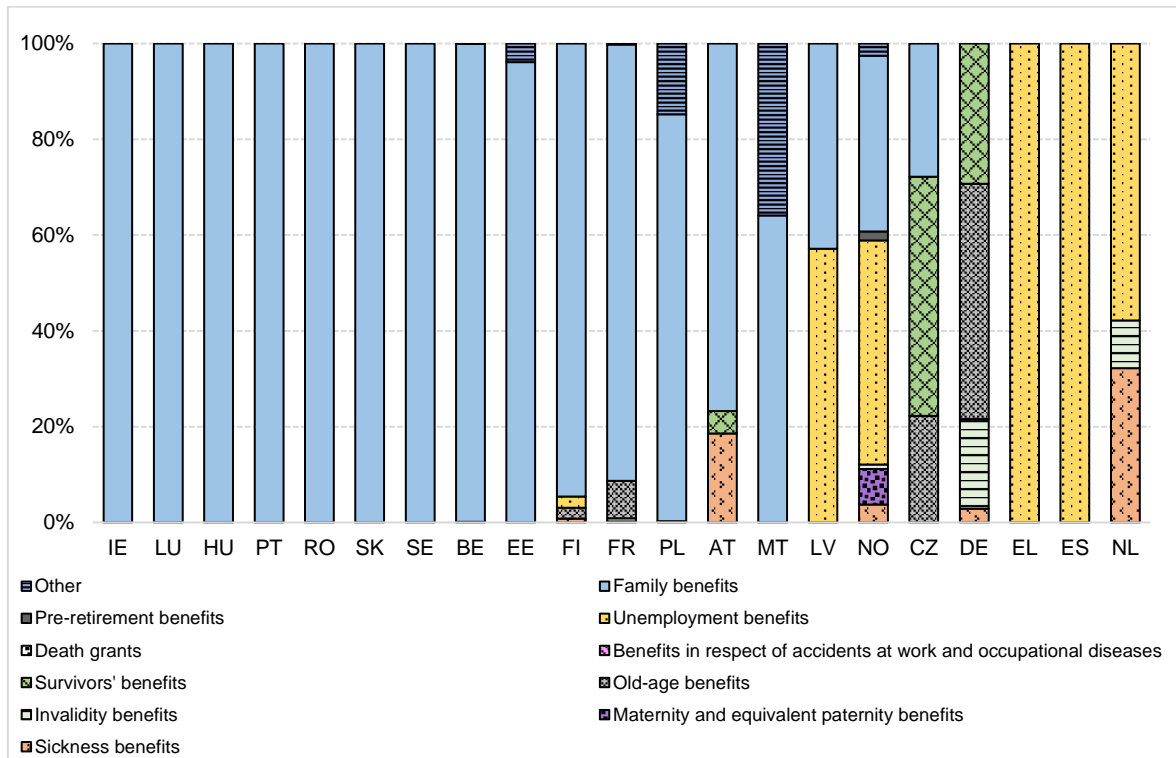
Both figures show that in general, most of the requests for recovery concern unduly paid family benefits. For instance, all or most of the requests for recovery submitted by Ireland, Luxembourg, Hungary, Portugal, Romania, Slovakia, Sweden, Belgium, Estonia, Finland, France, Poland, Austria, and Malta concern unduly paid family benefits (*Figure 1*). The same holds true for all or most of the requests for recovery received by Bulgaria, France, Slovakia, Belgium, Romania, Finland, Greece, Czechia, Ireland, Poland, Latvia, Estonia, Hungary, Norway, Denmark, Sweden, and Portugal (*Figure 2*).

The requests submitted by Latvia, Norway, Greece, Spain, and the Netherlands mainly concern unemployment benefits (*Figure 1*). In Czechia, half of the submitted requests concern survivors' benefits, while in Germany 49 % of requests relate to old-age benefits.

From a receiving perspective, in Austria, Spain, Lithuania, and the Netherlands, the majority of requests were received for sickness benefits (*Figure 2*). In Luxembourg, it primarily concerns survivors' benefits, while in Germany one third of received requests concern old-age benefits, and in Malta most requests are for unemployment benefits.

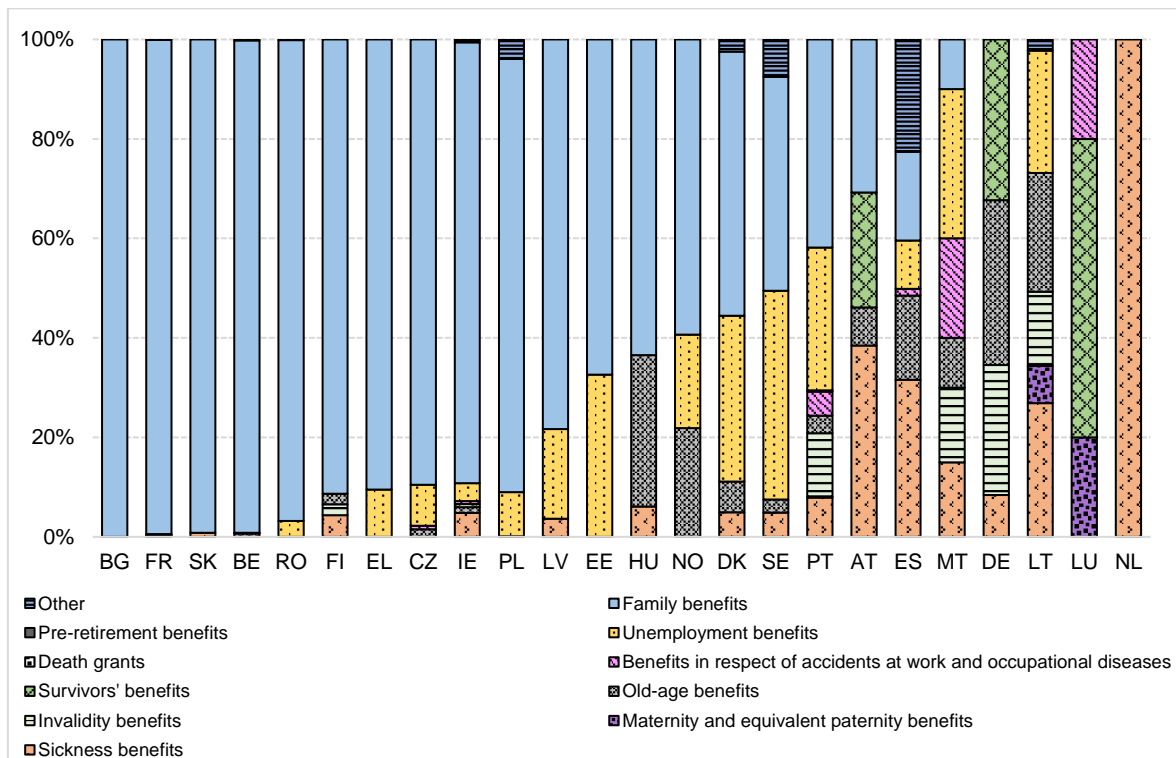
To sum up, more than 85 % of requests submitted or received by the reporting Member States apply to the recovery of unduly paid family benefits. In addition, a relatively high number of requests to recover unduly paid unemployment benefits, sickness benefits, and old-age benefits were received/submitted in 2023.

**Figure 1 – Requests for recovery of unduly paid benefits submitted, breakdown by branch of social security, 2023**



Source: Questionnaire on recovery procedures 2024

**Figure 2 – Requests for recovery of unduly paid benefits received, breakdown by branch of social security, 2023**



Source: Questionnaire on recovery procedures 2024



## 3.2 Outcome of the requests for recovery of unduly paid benefits

In most of the cases, requests for recovery of unduly paid benefits submitted/received in 2023 have already been settled successfully or are still pending. For 12 out of 20 reporting 'submitting' Member States<sup>6</sup> and for 12 out of 24 reporting 'receiving' Member States<sup>7</sup>, most of the requests for recovery are still pending. Nonetheless, in general, a lower percentage of pending claims of unduly paid benefits can be observed compared to the claims of outstanding contributions (*Tables 5 versus Table 3*). The figures reported in *Tables 3 and 5* seem to indicate that the likelihood of a successful recovery of unduly paid benefits is higher than that of a successful recovery of outstanding contributions. The outcome of the request might also differ depending on the type of benefit.

**Table 5 – The outcome today of the requests for recovery of unduly paid benefits, 2023**

	Number of requests for recovery <i>submitted</i>					Number of requests for recovery <i>received</i>				
	Total*	Refused	Success-ful**	Unsuccessful	Still pending	Total*	Refused	Success-ful**	Unsuccessful	Still pending
BE	1 055	0 %	86 %	7 %	7 %	3 492	1 %	96 %	2 %	2 %
BG						409	0 %	0 %	48 %	52 %
CZ	18	0 %	17 %	39 %	44 %	134	0 %	15 %	23 %	62 %
DK						80	1 %	0 %	0 %	99 %
DE	508	0 %	22 %	19 %	59 %	207	0 %	3 %	0 %	97 %
EE	25	32 %	16 %	0 %	52 %	135	8 %	44 %	11 %	36 %
IE	530	0 %	5 %	46 %	49 %	167	8 %	50 %	28 %	14 %
EL	<5	0 %	0 %	100 %	0 %	147	11 %	11 %	56 %	22 %
ES	<5	0 %	0 %	100 %	0 %	443	38 %	3 %	33 %	26 %
FR	55	71 %	2 %	2 %	25 %	1 825	0 %	98 %	1 %	1 %
HR										
IT										
CY										
LV	7	0 %	0 %	0 %	100 %	83	20 %	13 %	0 %	66 %
LT	0					134	20 %	25 %	11 %	43 %
LU	5 890	0 %	92 %	0 %	8 %	5	0 %	20 %	80 %	0 %
HU	10	0 %	40 %	30 %	30 %	115	13 %	33 %	4 %	50 %
MT	39	0 %	13 %	3 %	85 %	20	0 %	0 %	5 %	95 %
NL	121					<5	0 %	50 %	50 %	0 %
AT	43	0 %	26 %	14 %	60 %	13	0 %	46 %	8 %	46 %
PL	366	3 %	25 %	22 %	50 %	2 599	14 %	19 %	11 %	56 %
PT	186	0 %	25 %	4 %	71 %	418	6 %	6 %	61 %	27 %
RO	2 997	15 %	80 %	4 %	0 %	692	31 %	21 %	26 %	23 %
SI										
SK	663	9 %	56 %	0 %	35 %	261	21 %	50 %	1 %	28 %
FI	258	0 %	8 %	13 %	79 %	46	22 %	28 %	28 %	22 %
SE	<5	0 %	0 %	0 %	100 %	186	0 %	31 %	7 %	62 %
IS										
LI										
NO	1 256	19 %	14 %	8 %	59 %	32	3 %	13 %	19 %	66 %
CH***	6 048					434				
UK										
Weighted average****	13 912	6 %	69 %	6 %	19 %	11 645	8 %	54 %	12 %	26 %
Unweighted average		7 %	26 %	21 %	46 %		9 %	28 %	21 %	41 %

\* The total in *Table 5* might differ from the total reported in *Table 4*. The total in *Table 5* concerns the sum of the breakdown by outcome of the cases, whereas the total in *Table 4* represents the total reported by the Member States.

\*\* The requests for recovery can be regarded as 'successful' when the claim was recovered in full or partially.

\*\*\* CH cannot differentiate between outstanding contributions and unduly paid benefits. The figures given refer to the total of all requests relating to outstanding contributions AND unduly paid benefits.

\*\*\*\* The total only includes the number of requests for which a breakdown by outcome is available. This means that the submitted requests by NL and CH are excluded, and the received requests by CH are excluded.

Source: Questionnaire on recovery procedures 2024

<sup>6</sup> CZ, DE, EE, IE, LV, MT, AT, PL, PT, FI, SE, and NO.

<sup>7</sup> BG, CZ, DK, DE, LV, LT, HU, MT, AT, PL, SE, and NO.

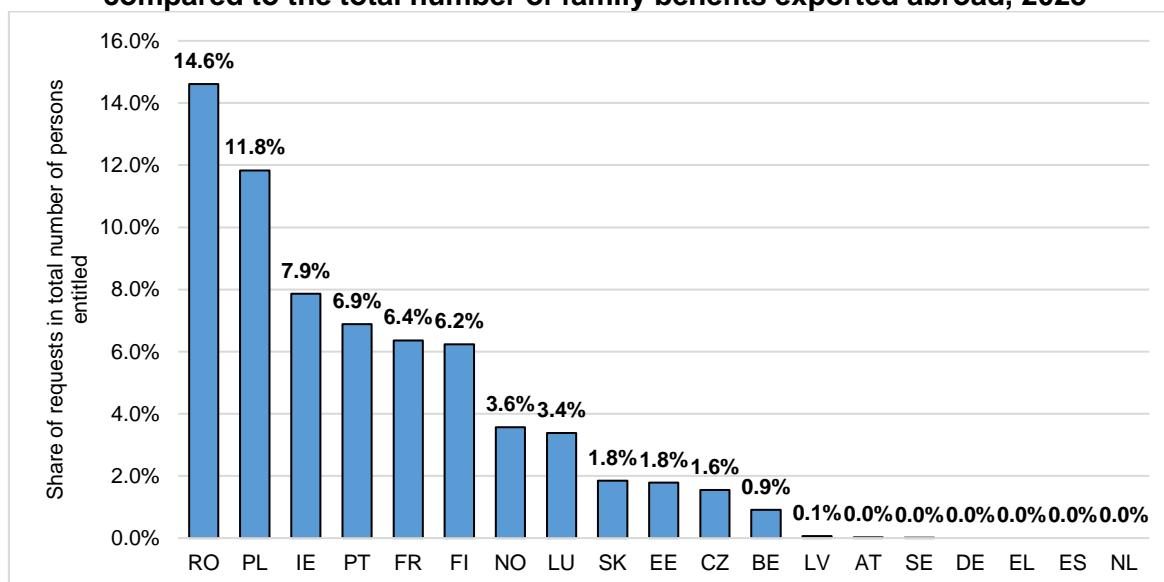
Since it became obvious from *Figure 1* and *Figure 2* that family benefits are an important branch of social security regarding the requests for recovery of unduly paid benefits, they are looked at in more detail below. The number of requests for recovery of unduly paid benefits can be compared to the total number of benefits paid within the context of the application of the EU rules on social security coordination. The latter number can be found in the thematic questionnaire on the export of family benefits.

In *Figure 3*, data collected by the questionnaire on recovery are compared to data collected by the questionnaire on the export of family benefits. More specifically, the number of requests for recovery of unduly paid family benefits submitted in 2023 are divided by the total number of entitled persons for the export of family benefits. However, this indicator is calculated only for a limited number of Member States, for which data were available.

In relative terms (as a percentage of the total number of persons entitled to a family benefit), Romania, Poland, Ireland, Portugal, France, Finland, Norway, Luxembourg, Slovakia, Estonia, and Czechia asked to recover a relatively high percentage of exported family benefits, namely over 1 % of benefits. This appears to be less the case for Belgium, Latvia, Austria, Sweden, Germany, Greece, Spain, and the Netherlands.

However, the reported figures should be considered as an overestimation as typically an eligible person is entitled to more than one family benefit per year (probably 12 if the family benefit is paid monthly). On the other hand, the request for recovery may also relate to several months. Some caution is therefore required when drawing conclusions. Nonetheless, these figures, together with the observation that most of the requests for recovery of unduly paid benefits concern this branch of social security, show that the EU provisions on the coordination of family benefits might be the most sensitive to fraud and error.

**Figure 3 – Requests for recovery of unduly paid family benefits submitted compared to the total number of family benefits exported abroad, 2023**



\* Data on total number of family benefits exported abroad concern 2022 for SE.

\*\* Although MT reported the number of requests for recovery of unduly paid family benefits submitted (25) and the number of family members involved in the export of family benefits (12), the latter only concerns one family benefit (child allowance – flat rate) and this would lead to a share of 208 % which does not seem correct to include. Therefore, MT is excluded from this figure.

Source: Questionnaire on recovery procedures and Questionnaire on the export of family benefits 2024

## 4. Error

The final question in the questionnaire asked Member States whether they are aware of cases of error with regard to the application of the recovery procedures. Of the 27 responding Member States, 21 Member States<sup>8</sup> left this question blank or did not have any information available, while Estonia and Malta mentioned no cases of error were found in 2023. Only Greece, France, Poland, and Sweden indicated cases of error were found and were able to quantify the number of cases (*Table 6*).

The number of error cases reported by these four Member States remains limited, with most being reported by Greece (43) and Sweden (40). The main reason in Greece is that it is not the competent institution, and in Sweden, that the payment reference is missing. In France, the highest amount is noted, with almost EUR 329 000 for 24 error cases with a bad formulary of the rights. However, it should be noted that this amount is detected but not yet recovered. Finally, in Poland, three cases for EUR 2 164 are reported where the format of the official or the certified copy is not correct.

In terms of methodology, France reported that four audits or investigations took place, and two human resources are allocated to uncover error. The cases are detected because the amount is rightly contested by the Member State of affiliation. In Sweden, no audits or investigations took place; the error cases are found by manual calculating.

**Table 6 – Cases of error regarding the application of recovery procedures, 2023**

	Cases	Amount involved (in €)	Reasons
EL	40		Greece is not the competent institution.
	1		The debt was paid by the debtor.
	2		The benefit was either legally received or has never been received and as a result it was not an unduly received benefit.
	<b>43</b>		<b>Total</b>
FR*	24	328 909	Bad formulary of rights.
PL	3	2 164	Format of official or certified copy
SE	15		Incorrect exchange rate
	20		Payment reference missing
	5		Execution title missing
	<b>40</b>		<b>Total</b>

\* FR reported 24 error cases, but a total of 16 error cases, which is most likely a mistake.

Source: Questionnaire on recovery procedures 2024

<sup>8</sup> BE, BG, CZ, DK, DE, IE, ES, HR, LV, LT, LU, HU, NL, AT, PT, RO, SK, FI, LI, NO, and CH.

## Annex I Questionnaire

Requests for information								
	Requests for information <i>submitted in reference year</i>			Requests for information <i>received in reference year</i>				
	Number of requests for information submitted	Main areas for which information is requested*	Number refused	Number of requests for information received	Main areas for which information is requested*	Number refused		
Total								
Requests for recovery of <i>outstanding contributions</i>								
	Requests for recovery <i>submitted in reference year</i>				Requests for recovery <i>received in reference year</i>			
	Number of outstanding contribution cases submitted	Outcome of requests as of today			Number of outstanding contribution cases received	Outcome of requests as of today		
		Refused	Successful**	Still pending		Refused	Successful**	Still pending
Total								
Requests for recovery of <i>unduly paid benefits</i>								
By branches of social security and/or total	Requests for recovery <i>submitted in reference year</i>				Requests for recovery <i>received in reference year</i>			
	Number of unduly paid benefit cases submitted	Outcome of requests as of today			Number of unduly paid benefit cases received	Outcome of requests as of today		
		Refused	Successful**	Still pending		Refused	Successful**	Still pending
Sickness benefits								
Maternity and equivalent paternity benefits								
Invalidity benefits								
Old-age benefits								
Survivors' benefits								
Benefits in respect of accidents at work and occupational diseases								
Death grants								
Unemployment benefits								
Pre-retirement benefits								
Family benefits								
Other								
Total								

\* E.g. identity of the person concerned, address, income, benefits received, assets for recovery, ... If main areas could be qualified please add additional rows by area  
 \*\* Request for recovery can be regarded as 'successful' when claim was recovered in full or partially

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