

Thanks to **Union Syndicale, the length of entitlement to the dependent child and education allowances has been extended**

Entitlement to the dependent child allowance and the education allowance ceases once your child has completed his or her education. **But when does that education really come to an end?** Does it end on the final day of teaching, on the day of the last exam, when your child is told that he/she has successfully completed the final year, on the date on which the school or academic year officially ends (5 July for the European Schools), or at the start of the next school or academic year (beginning of September)?

The **PMO considered that studies ended on the day of the final exam**, and it no longer paid allowances from the following month, except where entitlement to the allowances was restored in cases where the child failed to pass his/her exams and had to retake them or even repeat the year.

For many years, **Union Syndicale** has been challenging this practice, believing that a child's education is not over **until the course results are published** and that it would, indeed, be fairer to use the publication of the results of the retake exams (in September) as the cut-off point so as not to disadvantage those colleagues whose children pass the June exams.

The **General Court has recently clarified the issue** in its judgment on an appeal supported by **Union Syndicale** ([Case T-123/23](#)).

In that judgment, dated 5 June 2024, the General Court notes that the dependent child allowance (Article 2 of Annex VII to the Staff Regulations) is granted for '*children [...] who are receiving educational or vocational training*' and that the education allowance (Article 3 of Annex VII) is granted for '*each dependent child, within the meaning of Article 2 [...] who is [...] in regular full-time attendance at a primary or secondary school [...] or at an establishment of higher education.*'

The Court then defines the term 'training' for the purpose of granting the dependent child allowance:

'In that regard, it should be noted that 'training' consists of several stages, such as participation in the courses provided for in the programme of studies and in examinations relating to those courses, the assessment of those examinations and, at the end of the last of those examinations, the provision, by the educational establishment providing the training in question, of the final results certifying that the course has been successfully completed. Those stages are indissociable from each other, since participation in the examinations makes it possible to assess the student's acquisition of the skills and knowledge imparted in connection with the courses provided.'

Thus, it is **only after examination results have been published that a course of studies ends and that entitlement to the dependent child allowance ceases.**

The General Court applies the same reasoning for the education allowance, concluding that the child attends his or her educational establishment until completion of their course of studies, i.e. until the exam results are published.

Unfortunately, the General Court considers that there is no unequal treatment between children completing their studies in June or September and rejects the automatic payment of allowances until September.

However, this is at least excellent news for the majority of colleagues whose children take their final exam in June and who only receive the results in July.

Henceforth, the PMO will have to pay the dependent child allowance and education allowance until the end of the month in which the educational institution in question has transmitted the course results to its students.

Union Syndicale will organise a webinar about this topic. The date will be communicated at a later stage.

Executive Committee

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