

**Case C-427/06 Bartsch [2008] ECR I-7245**

**Facts:** A company provident fund refused to pay the applicant a survivor's pension. The pension scheme provided that a survivor's pension would not be granted to the spouse in the event that the survivor is more than 15 years younger than the deceased.

**Held:** The application of the prohibition of discrimination on the ground of age is not mandatory when the alleged discriminatory treatment contains no link with Community law. National courts must determine whether the rules in question are compatible with the general principles of Community law. As the guidelines in question were not a measure implementing a Directive or adopted on the basis of a Treaty principle, there was no link.