Basic information

1998/0230(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure lapsed or withdrawn
Free movement for workers and their families: movement and residence within the Community **Subject** 2.30 Free movement of workers	

Key players

Council of the European Union	
European Commission	Commission DG: Employment, Social Affairs and Inclusion Commissioner:

Key events

Date	Event	Reference	Summary
14/10/1998	Legislative proposal published	COM(1998)0394	Summary
23/10/1998	Committee referral announced in Parliament, 1st reading		
22/04/1999	Vote in committee, 1st reading		
22/04/1999	Committee report tabled for plenary, 1st reading	A4-0252/1999	
06/08/2004	Additional information		Summary

Technical information

Procedure reference	1998/0230(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 040
Stage reached in procedure	Procedure lapsed or withdrawn

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, 1st reading/single reading		A4-0252/1999 OJ C 279 01.10.1999, p. 0008	22/04/1999	
Text adopted by Parliament, 1st reading/single reading		T4-0360/1999 OJ C 279 01.10.1999, p. 0021-0062	04/05/1999	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1998)0394	14/10/1998	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0453/1999 OJ C 169 16.06.1999, p. 0024	28/04/1999	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Free movement for workers and their families: movement and residence within the Community

1998/0230(COD) - 04/05/1999 - Text adopted by Parliament, 1st reading/single reading

At first reading under codecision procedure, the European Parliament adopted the report by Marie-Thérèse Hermange (FR,UPE), which approves the Commission proposal for a European Parliament and Council directive amending directive 68/360/EEC on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families, subject to amendments in the following areas: - adding atypical employment to the activities which nationals of one Member State may leave their territory to pursue in another Member State; - with regard to the 3 consecutive years' residence period which must be fulfilled in order for non-EU members of a Community worker's family involved in divorce to be entitled to the right of residence in a Member State, providing that absences of no more than 6 consecutive months shall not constitute an interruption of this period if they are for family reasons or for training (as well as for completion of military service, health reasons or maternity, as proposed by the Commission); - making the same provision with regard to the validity of residence permits.

Free movement for workers and their families: movement and residence within the Community

1998/0230(COD) - 14/10/1998 - Legislative proposal

PURPOSE: to amend Directive 68/360/EEC on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families in order to facilitate jobseekers' right of entry and residence. CONTENT: the Commission proposes amending Directive 68/360/EEC as follows: - the proposal adds jobseeking and vocational training to those activities which a national of one Member State may be allowed to leave that State to pursue in another Member State. Member States shall acknowledge a jobseeker's right of residence without the need for a residence permit for a period of six months. The right of residence is maintained after that period in so far as the jobseeker is actively seeking employment and has reasonable prospects of finding a job. In order to allow for initial job instability when beginning working life in a Member State, the Community worker who already has a temporary residence permit is entitled to have it automatically renewed even if he is unemployed, provided that he continues to look for work. It is proposed that the paragraph of the existing Directive, which limits the duration of the renewal of a residence permit in the case of a worker with a five-year residence permit who has become unemployed, be repealed; - with regard to family reunification, the proposal entitles all direct ascendants and descendants to residence with a Community national who is employed in another Member State, irrespective of

whether they are dependants or not and irrespective of their age. Moreover, the members of the family who were dependant on or were living under the same roof as the worker in the country whence he comes are granted the right to family reunification. In order to facilitate family reunification for the members of families from third countries who are already normally and permanently resident in a Member State, provision is made for the members of such families to obtain visas. In the event of dissolution of the marriage, the proposal also grants an independent right of residence to family members who do not have the nationality of a Member State and have resided with the worker under the conditions outlined above. In order for this right to be recognised in the event of divorce, the proposal lays down a condition of sufficient financial resources and health insurance for family members who are not economically active. For family members who are economically active, the residence conditions are the same as for Community workers; - with a view to the reinforcement of the right of residence and streamlining of administrative procedures, the proposal stipulates that the residence permit valid for at least five years is automatically renewable and provision is made for renewable for periods of ten years. An addition has also been made to the existing directive, laying down for both social and legal reasons that breaks in residence for medical reasons or for reasons of maternity, study or posting do not affect the rights of residence. The proposal further proposes that member States shall bring the administrative procedures for the granting of residence permits in line with the existing procedures for national identity documents. In order to raise the profile of European citizenship, it is proposed to amend the title of the residence permit by introducing the phrase "residence permit of a European Union Citizen". A final addition has been made to theexisting directive, with the aim of limiting the application of expulsion measures in cases where the person concerned is fully integrated in the host Member State and has special social, cultural and family ties with the Member State of residence.