Basic information

2001/0154(CNS) CNS - Consultation procedure Directive	Procedure lapsed or withdrawn
Third-country nationals: entry and residence for the purpose of paid employment and self-employed activities **Subject** 7.10 Free movement and integration of third-country nationals	

Key players

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Justice and Home Affairs (JHA)	2548	2003-11-27
European Commission	**Commission DG**	**Commissioner**	
	Justice and Consumers		

Key events

Date	Event	Reference	Summary
11/07/2001	Legislative proposal published	COM(2001)0386	Summary
01/10/2001	Committee referral announced in Parliament		
21/01/2003	Vote in committee		Summary
21/01/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0010/2003	
11/02/2003	Debate in Parliament		
12/02/2003	Decision by Parliament	T5-0050/2003	Summary
27/11/2003	Debate in Council		
17/03/2006	Additional information		Summary

Technical information

Procedure reference	2001/0154(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 063

Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/5/15099

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0010/2003	21/01/2003	
Text adopted by Parliament, 1st reading/single reading		T5-0050/2003 OJ C 043 19.02.2004, p. 0070-0230 E	12/02/2003	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2001)0386 OJ C 332 27.11.2001, p. 0248 E	11/07/2001	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0028/2002 OJ C 080 03.04.2002, p. 0037	16/01/2002	
CofR	Committee of the Regions: opinion	CDR0386/2001 OJ C 192 12.08.2002, p. 0020	13/03/2002	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Third-country nationals: entry and residence for the purpose of paid employment and self-employed activities

2001/0154(CNS) - 12/02/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Anna TERRON I CUSI (PES, Spain) and made some amendments to the Commission's proposal. (Please refer to the document dated 21/01/03.) Parliament also made the following amendments: - Member States may establish a dedicated website with job vacancies, so as to provide up-to-date information to applicants, and make the job vacancies available on the website of the European Employment Services (EURES); - Member States may impose national conditions for the issue of the 'residence permit-worker' relating to consultation between the social partners and cooperation with the country of origin; - a late application for renewable will not constitute grounds for refusing a permit; - a residence permit-worker may not be revoked before the end of the period of entitlement to unemployment benefit; - there are special provisions for a "residence permit-intra corporate transferee" and a "residence permit-contractual service supplier"; - applicants will be entitled to receive information on the progress of their application fifteen working days after the end of the average time it takes to process applications; - any applicant will be informed immediately if the authorities stop processing the application.

Third-country nationals: entry and residence for the purpose of paid employment and self-employed activities

2001/0154(CNS) - 11/07/2001 - Legislative proposal

PURPOSE: to create EU harmonised rules concerning the conditions of entry and residence of third-country nationals for the purpose of paid employment and self-employed economic activity. CONTENT: A comparative study, commissioned by the EU in 2000, on the admission of third-country nationals for paid employment and self-employed economic activities, illustrated that the rules on admission of third-country nationals to work in the EU differs considerable from Member State to Member State. Only a few common rules and principles applicable to all Member States actually exist. Thus, in accordance with the conclusions of the Tampere European Council in 1999 in which is was agreed to create enhanced "freedom, security and justice" in the European Union, the Commission is proposing a draft harmonising Directive. This proposal has been designed to be fully compatible with and complementary to the recently proposed draft Directive on long-term resident third-county nationals. Similarly, it has also been prepared in such a way so as to be compatible with the WTO Agreement on Trade in Services (GATS). The Directive is based on Article 63 (3) of the EC Treaty which provides that the Council should adopt "measures on immigration policy within the following area: conditions of entry and residence, and standards on procedures for the issue by member States of long-term visas and residence permits." Given the divergence of national procedures, and based on the principle of subsidiarity, it is felt that the proposed "one-stop shop procedure" should greatly benefit not only those seeking entry to the EU for work but also national governments and local authorities. The objective of the proposed Directive are as follows: - to lay down common definitions, criteria and procedures regarding the conditions of entry and residence of third-country nationals for the purpose of paid employment and self-employed economic activities, based on concepts, which have already been successfully applied in Member States; - to lay down common criteria for admitting third-country nationals to employed activities and self-employed economic activities and opening different options for demonstrating compliance with these criteria; - to provide procedural and transparency safeguards in order to assure a high level of legal certainty and information for all interested actors on Member State rules and administrative practice in the field of entry and residence of third-country nationals for the purpose of paid employment and self-employed economic activities; - to provide a single national application procedure leading to a combined title, encompassing both residence and work permit within one administrative act, in order to simplify and harmonise the diverging rules currently applicable in Member States; - to provide rights to third-country national whilstrespecting Member States discretion to limit economic migration; - to provide a flexible framework allowing all interested parties, including Member States to react quickly to changing economic and demographic circumstances; - to add real meaning to the commitments that the EC and its Member States have entered into in the context of the WTO GATS Agreement; - to acknowledge Member States' right to limit admission of third-country national under the terms of this proposal, if a Member State considers that it is necessary to apply horizontal measures. This proposal is based on Title IV of the EC Treaty, which does not apply to the United Kingdom and Ireland unless those Member States decide to do otherwise in accordance with the Protocol. Likewise, Title IV does not apply to Denmark by virtue of the Protocol on the position of Denmark.