Basic information

2004/0201(AVC) AVC - Assent procedure (historic)	Procedure completed
EC/Switzerland agreement: protocol to the agreement on the free movement of persons following the 2004 enlargement **Subject** 2.20 Free movement of persons 6.40.01 Relations with EEA/EFTA countries **Geographical area** Switzerland	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	KIRKHOPE Timothy (PPE-DE)	25/11/2004

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2711	2006-02-27

European Commission

Commission DG	Commissioner
External Relations	

Key events

Date	Event	Reference	Summary
16/09/2004	Initial legislative proposal published	COM(2004)0596	
10/12/2004	Legislative proposal published	12585/2004	Summary
10/01/2005	Committee referral announced in Parliament		
16/03/2005	Vote in committee		Summary
18/03/2005	Committee report tabled for plenary, 1st reading/single reading	A6-0058/2005	

28/04/2005	Decision by Parliament	T6-0143/2005	Summary
28/04/2005	Results of vote in Parliament		
27/02/2006	Act adopted by Council after consultation of Parliament		
27/02/2006	End of procedure in Parliament		
28/03/2006	Final act published in Official Journal		

Technical information

Procedure reference	2004/0201(AVC)
Procedure type	AVC - Assent procedure (historic)
Procedure subtype	International agreement
Legal basis	EC Treaty (after Amsterdam) EC 310 EC Treaty (after Amsterdam) EC 300-p2 EC Treaty (after Amsterdam) EC 300-p3-a1 2003 Act of Accession (10 countries) T 6-p2 2003 Accession Treaty (10 countries) TTE 002-p3
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/23893

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0058/2005	18/03/2005	
Text adopted by Parliament, 1st reading/single reading		T6-0143/2005 OJ C 045 23.02.2006, p. 0014-0070 E	28/04/2005	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary legislative basic document	12582/2004	25/10/2004	Summary
Legislative proposal	12585/2004	10/12/2004	Summary

European Commission

Document type	Reference	Date	Summary
Initial legislative proposal	COM(2004)0596	16/09/2004	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act
Decision 2006/0245 OJ L 089 28.03.2006, p. 0028-0044 Summary

EC/Switzerland agreement: protocol to the agreement on the free movement of persons following the 2004 enlargement

2004/0201(AVC) - 27/02/2006 - Final act

PURPOSE : to conclude a Protocol Agreement between the European Union and Switzerland on the free movement of persons following enlargement.

LEGISLATIVE ACT : Council Decision 2006/245/EC on the conclusion, on behalf of the European Community and its Member States, of a Protocol to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, regarding the participation, as contracting parties, of the 10 new Member States.

CONTENT : the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons entered into force on 1 June 2002 (see procedure reference AVC/1999/0103). It should be amended to allow the new Member States to be Contracting Parties to this Agreement.

The Council has adopted this Decision which concludes the protocol to the agreement with Switzerland on free movement of persons, regarding the participation of the EU's ten new Member States. The protocol provides for transition periods for employed workers, and service providers in certain sectors, who are nationals of the Czech Republic, Hungary, Estonia, Latvia, Lithuania, Poland, Slovenia and Slovakia. The transition periods will end on 30 April 2011 at the latest.

The protocol also introduces adaptations concerning real estate acquisitions, as well as technical adaptations, in particular with respect to coordination of social security schemes (Annex II) and mutual recognition of professional qualifications (Annex III).

ENTRY INTO FORCE : 1 April 2006.

EC/Switzerland agreement: protocol to the agreement on the free movement of persons following the 2004 enlargement

2004/0201(AVC) - 28/04/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Timothy KIRKHOPE (EPP-ED, UK) and gave its assent to the conclusion of the protocol.

EC/Switzerland agreement: protocol to the agreement on the free movement of persons following the 2004 enlargement

2004/0201(AVC) - 10/12/2004 - Legislative proposal

PURPOSE : to conclude a Protocol Agreement between the European Union and Switzerland on the free movement of persons following enlargement.

PROPOSED ACT : Council Decision.

CONTENT : the Agreement between the the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons entered into force on 1 June 2002. It should be amended to allow the new Member States to be Contracting Parties to this Agreement.

Switzerland may maintain until 31 May 2007 quantitative limits in respect of access by workers employed in Switzerland and for self-employed persons who are nationals of the new Member States for the following two categories of residence: residence for a period of more than four months and less than one year and residence for a period equal to, or exceeding, one year. There shall be no quantitative restriction on residence for less than four months.

Before the end of the transitional period mentioned above, the Joint Committee shall review the functioning of the transitional period applied to nationals of the new Member States on the basis of a report from Switzerland. Upon completion of the review, and no later than at the end of the period mentioned above, Switzerland shall notify the Joint Committee whether it will continue applying quantitative limits to workers employed in Switzerland. Switzerland may continue to apply such measures until 31 May 2009. In the absence of such notification, the transitional period shall expire on 31 May 2007. At the end of the transitional period, all quantitative limits applicable to nationals of the new Member States shall be abolished. These Member States are entitled to introduce the same quantitative limitations for Swiss nationals for the same periods.

Switzerland and the new Member States may maintain, until 31 May 2007, for workers of one of these

Contracting Parties employed in their own territory the controls on the priority of workers integrated into the regular labour market and wage and working conditions applicable to nationals of the Contracting Party concerned. The same controls may be maintained for persons providing services in the following four sectors: Horticultural service activities; Construction, including related branches; Security activities; Industrial cleaning.

In case of serious disturbances of its labour market or threat thereof, Switzerland and any of the new Member States which has implemented transitional measures, shall notify such circumstances to the Joint Committee by 31 May 2009. In this case, the notifying country may continue to apply to workers employed on its own territory, the transition measures until 30 April 2011.

Amendments are also made to Annex I on the transitional measures on the purchase of land and secondary residency, Annex II on the coordination of security systems and to Annex III on mutual recognition of professional qualifications.

This Protocol shall be ratified or approved by the Council of the European Union, on behalf of the Member States and the European Community, and by the Swiss Confederation in accordance with their own procedures.

EC/Switzerland agreement: protocol to the agreement on the free movement of persons following the 2004 enlargement

2004/0201(AVC) - 25/10/2004 - Supplementary legislative basic document

This document comprises of the protocol to the Agreement between the European Union and Switzerland on the free movement of persons negotiated between the parties and includes the elements already contained in the Commission’s initial proposal (please refer to summary dated 10/12/2004).