20 May 2011

Proposal for a Directive of the European Parliament and of the Council on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State

TRIALOGUE COUNCIL - EP, 23 MAY 2011

| Initial Commission Proposal | Council text | EP amendments | Compromise suggestions and comments |
|---------------------------------------|---|---|-------------------------------------|
| Proposal for a COUNCIL | Proposal for a DIRECTIVE of the | Proposal for a directive of the European | OK (EP amendment |
| DIRECTIVE on a single application | European Parliament and of the | Parliament and of the Council on a | acceptable to Council) |
| procedure for a single permit for | Council on a single application | single application procedure for a single | - |
| third-country nationals to reside and | procedure for a single permit for | permit for third-country nationals to | |
| work in the territory of a Member | third-country nationals to reside and | reside and work in the territory of a | |
| State and on a common set of rights | work in the territory of a Member | Member State and on a common set of | |
| for third-country workers legally | State and on a common set of rights | rights for third-country workers legally | |
| residing in a Member State | for third-country workers legally | residing in a Member State | |
| | residing in a Member State | | |
| THE COUNCIL OF THE | THE EUROPEAN | THE EUROPEAN PARLIAMENT | OK |
| EUROPEAN UNION, | PARLIAMENT AND THE | AND THE COUNCIL OF THE | |
| | COUNCIL OF THE EUROPEAN | EUROPEAN UNION, | |
| | UNION, | | |
| Having regard to the Treaty | Having regard to the Treaty on the | Having regard to the Treaty on the | OK |
| establishing the European | Functioning of the European | Functioning of the European Union, | |
| Community, and in particular | Union, and in particular | and in particular points (a) and (b) of | |
| Article 63(3)(a) thereof, | Article 79(2)(a-b) thereof, | Article 79(2) thereof, | |
| Having regard to the proposal from | Having regard to the proposal from | Having regard to the proposal from the | OK |
| the Commission, | the Commission, | European Commission, | |
| Having regard to the opinion of the | deleted | deleted | OK |
| European Parliament, | | | |
| Having regard to the opinion of the | Having regard to the opinion of the | Having regard to the opinion of the | OK |

| European Economic and Social | European Economic and Social | European Economic and Social | |
|--|--|---|----|
| Committee, | Committee, | Committee, | |
| Having regard to the opinion of the | Having regard to the opinion of the | Having regard to the opinion of the | OK |
| Committee of the Regions, | Committee of the Regions, | Committee of the Regions, | |
| | Acting in accordance with the | Acting in accordance with the ordinary | OK |
| | ordinary legislative procedure, | legislative procedure, | |
| Whereas: | Whereas: | Whereas: | |
| (1) For the gradual establishment of an area of freedom, security and justice, the Treaty provides for measures to be adopted in the fields of asylum, immigration and protection of the rights of third-country nationals. | (1) For the gradual establishment of an area of freedom, security and justice, the Treaty provides for measures to be adopted in the fields of asylum, immigration and protection of the rights of third-country nationals. | (1) For the gradual establishment of an area of freedom, security and justice, the Treaty provides for measures to be adopted in the fields of asylum, immigration and protection of the rights of third-country nationals. | OK |
| (2) The European Council, at its special meeting in Tampere on 15 and 16 October 1999, acknowledged the need for harmonisation of national legislation governing the conditions for admission and residence of third-country nationals. In this context, it stated in particular that the European Union should ensure fair treatment of third-country nationals residing lawfully on the territory of the Member States and that a more vigorous integration policy should aim to grant them rights and obligations comparable to those of citizens of the European Union. The European Council accordingly asked the Council to rapidly adopt the legal instruments on the basis of Commission proposals. The need for achieving the objectives defined at Tampere | (2) The European Council, at its special meeting in Tampere on 15 and 16 October 1999, acknowledged the need for harmonisation of national law governing the conditions for admission and residence of third-country nationals. In this context, it stated in particular that the European Union should ensure fair treatment of third-country nationals residing lawfully on the territory of the Member States and that a more vigorous integration policy should aim to grant them rights and obligations comparable to those of citizens of the European Union. The European Council accordingly asked the Council to rapidly adopt the legal instruments on the basis of Commission proposals. The need for achieving the objectives defined at Tampere was reaffirmed by the Stockholm | (2) The European Council, at its special meeting in Tampere on 15 and 16 October 1999, acknowledged the need for harmonisation of national legislation governing the conditions for admission and residence of third-country nationals. In this context, it stated in particular that the European Union should ensure fair treatment of third-country nationals residing lawfully on the territory of the Member States and that a more vigorous integration policy should aim to grant them rights and obligations comparable to those of citizens of the European Union. The European Council accordingly asked the Council to rapidly adopt the legal instruments on the basis of Commission proposals. The need for achieving the objectives defined at Tampere was reaffirmed by the <i>Stockholm Programme</i> of <i>10 and 11 December 2009</i> . | OK |

| was reaffirmed by the Hague Program of 4 and 5 November 2004. | Programme of 10 and 11 December 2009. | | |
|---|---|--|----|
| (3) In an increasingly global labour market, the EU should enhance its appeal to attract third-country workers. This should be facilitated by administrative simplification and by facilitating access to relevant information. Provisions for a single application procedure leading to one combined title encompassing both residence and work permit within one administrative act should contribute to simplifying and harmonizing the diverging rules currently applicable in Member States. Such procedural simplification has already been introduced by the majority of Member States and has made for a more efficient procedure both for the migrants and for their employers, and allowed easier controls of the lawfulness of their residence and employment. | (3) [] Provisions for a single application procedure leading to one combined title encompassing both residence and work permit within one administrative act should contribute to simplifying and more harmonizing the rules currently applicable in Member States. Such procedural simplification has already been introduced in several Member States and has made for a more efficient procedure both for the migrants and for their employers, and allowed easier controls of the lawfulness of their residence and employment. | (3) Provisions for a single application procedure leading to one combined title encompassing both residence and work permit within one administrative act should contribute to simplifying and harmonising the rules currently applicable in Member States. Such procedural simplification has already been introduced by <i>several</i> Member States and has made for a more efficient procedure both for the migrants and for their employers, and allowed easier controls of the lawfulness of their residence and employment. | OK |
| (4) In order to allow initial entry into their territory, Member States should be able to issue, in a timely manner, a single permit or, if they issue such permits exclusively on their territory, a visa. | (4) In order to allow initial entry into their territory, Member States should be able to issue, in a timely manner, a single permit or, if they issue such permits exclusively on their territory, a visa. | (4) In order to allow initial entry into their territory, Member States should be able to issue, in a timely manner, a single permit or, if they issue such permits exclusively on their territory, a visa. | OK |

| (5) A set of rules governing the | (5) A set of rules governing the | (5) A set of rules governing the | OK |
|--|---|--|----|
| procedure for examination of the | procedure for examination of the | procedure for examination of the | |
| application for a single permit | application for a single permit | application for a single permit should | |
| should be laid down. Those | should be laid down. Those | be laid down. Those procedures should | |
| procedures should be effective and | procedures should be effective and | be effective and manageable, taking | |
| manageable, taking account of the | manageable, taking account of the | account of the normal workload of the | |
| normal workload of the Member | normal workload of the Member | Member States' administrations, as well | |
| States' administrations, as well as | States' administrations, as well as | as transparent and fair, in order to offer | |
| transparent and fair, in order to | transparent and fair, in order to offer | appropriate legal certainty to those | |
| offer appropriate legal certainty to | appropriate legal certainty to those | concerned. | |
| those concerned. | concerned. | | |
| (6) The conditions and criteria on | (6) The conditions and criteria on the | (6) The conditions and criteria on the | OK |
| the basis of which an application for | basis of which an application for a | basis of which an application for a | |
| a single permit can be rejected is | single permit can be rejected should | single permit can be rejected <i>should be</i> | |
| laid down in national law including | be objective and laid down in | objective and laid down in national law | |
| the obligation to respect the | national law including the obligation | including the obligation to respect the | |
| principle of Community preference | to respect the principle of | principle of Community preference as | |
| as expressed in particular in the | Community preference as expressed | expressed in particular in the relevant | |
| relevant provisions of the Acts of | in particular in the relevant | provisions of the Acts of Accession of | |
| Accession of 16 April 2003 and 25 | provisions of the Acts of Accession | 16 April 2003 and 25 April 2005. <i>Any</i> | |
| April 2005. | of 16 April 2003 and 25 April 2005. | rejection decision should be duly | |
| 11pm 2005. | Any rejection decision should be | reasoned. | |
| | duly reasoned. | reasonea. | |
| (7) The single permit should take | (7) The single permit should take the | (7) The single permit should take the | OK |
| the harmonized format of the | harmonized format of the residence | harmonised format of the residence | |
| residence permit in accordance with | permit in accordance with | permit in accordance with Council | |
| Regulation (EC) No 1030/2002, | Regulation (EC) No 1030/2002, | Regulation (EC) No 1030/2002, of 13 | |
| laying down a uniform format for | laying down a uniform format for | June 2002 laying down a uniform | |
| residence permits for third-country | residence permits for third-country | format for residence permits for third- | |
| nationals ¹ , enabling the Member | nationals, enabling the Member | country nationals ² , enabling the | |
| States to enter information, in | States to enter information, in | Member States to enter <i>further</i> | |
| particular as to whether or not the | particular as to whether or not the | information, in particular as to whether | |

OJ L 157, 15.6.2002, p. 1. OJ L 157, 15.6.2002, p. 1.

| person is permitted to work. | person is permitted to work. Member | or not the person is permitted to work. | |
|---|--|--|------------------------------|
| Member States should indicate – | States should indicate – also for the | Member States should indicate – also | |
| also for the purpose of better | purpose of better control of | for the purpose of better control of | |
| control of migration – not only in | migration – not only in the single | migration – not only in the single | |
| the single permit but also in all the | permit but also in all the issued | permit but also in all the issued | |
| issued residence permits the | residence permits, the information | residence permits the information | |
| information relating to the | relating to the permission to work | relating to the permission to work | |
| permission to work irrespective of | irrespective of the type of the permit | irrespective of the type of the permit or | |
| the type of the permit or the | or the residence title on the basis of | the residence title on the basis of which | |
| residence title on the basis of which the third country national has been | which the third country national has | the third country national has been | |
| admitted to the territory of a | been admitted to the territory of a Member State []. | admitted to the territory of a Member State and has been given access to the | |
| Member State and has been given | Member State []. | labour market of that Member State. | |
| access to the labour market of that | | labout market of that Wember State. | |
| Member State. | | | |
| Titilioti Suite. | (7a) The provisions in this | | Council maintains suggests |
| | Directive on the single permit and | | the following compromise |
| | on the residence permit issued for | | text: |
| | purposes other than work do not | | lexi. |
| | prevent Member States from | | (7a) The manisions in this |
| | • | | (7a) The provisions in this |
| | issuing additional documents, in | | Directive on the single |
| | particular to give more precise | | permit and on the residence |
| | information on the right to work. | | permit issued for purposes |
| | Such additional documents should, | | other than work do not |
| | however, be optional for Member | | prevent Member States from |
| | States and should not serve as a | | having an additional paper |
| | substitute for a work permit | | document in order to be able |
| | thereby compromising the concept | | to give more precise |
| | of the single permit. | | information on the |
| | | | employment relationship |
| | | | for which the format of the |
| | | | residence permit leaves |
| | | | insufficient space. Such |
| | | | documents can serve to |
| | | | prevent the exploitation of |
| | | | third-country nationals and |

| combat illegal employment but should, however, be optional for Member States and should not serve as a substitute for a work permit thereby compromising the concept of the single permit. Technical possibilities offered by Article 4 Regulation (EC) 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in an electronic format. |
|--|
| optional for Member States and should not serve as a substitute for a work permit thereby compromising the concept of the single permit. Technical possibilities offered by Article 4 Regulation (EC) 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in |
| and should not serve as a substitute for a work permit thereby compromising the concept of the single permit. Technical possibilities offered by Article 4 Regulation (EC) 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in |
| substitute for a work permit thereby compromising the concept of the single permit. Technical possibilities offered by Article 4 Regulation (EC) 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in |
| thereby compromising the concept of the single permit. Technical possibilities offered by Article 4 Regulation (EC) 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in |
| concept of the single permit. Technical possibilities offered by Article 4 Regulation (EC) 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in |
| Technical possibilities offered by Article 4 Regulation (EC) 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in |
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| Regulation (EC) 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in |
| 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in |
| Annex I as amended by Regulation (EC) 380/2008, can also be used to store such information in |
| Regulation (EC) 380/2008, can also be used to store such information in |
| can also be used to store such information in |
| such information in |
| |
| an electronic format. |
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| |
| (7b) The obligation of the Member (7a) The obligation on the Member OK |
| States to determine whether the States to determine whether the |
| application is made by a third- application is to be made by a third- |
| country national or by his country national or by his or her |
| employer is without prejudice to employer should be without prejudice |
| any arrangements requiring both to any arrangements requiring both to |
| to be involved in the procedure. be involved in the procedure. The |
| Member States should decide whether |
| the application for a single permit is to |
| be made in the Member State of |
| destination or from a third country. In |
| cases where the third-country national |
| is not allowed to make an application |
| from a third country, Member States |
| լլ տու և տաս Հատան չ, թյաննե |

| | be made by the employer in the | |
|---|--|----|
| | Member State of destination. | |
| (7c) The provisions in this | (7b) The provisions of this Directive | OK |
| Directive on residence permits for | on residence permits for purposes | ON |
| purposes other than work only | other than work should apply only to | |
| concern the format of such | | |
| | the format of such permits and should | |
| permits and are without prejudice | be without prejudice to national or to | |
| to national and/or Union rules on | Union rules on admission procedures | |
| admission procedures and on | and on procedures for issuing such | |
| procedures for issuing such | permits. | |
| permits. | | |
| (7d) The provisions in this | (7c) The provisions of this Directive on | OK |
| Directive on the single application | the single application procedure and | |
| procedure and on the single | on the single permit should not | |
| permit do not concern uniform | concern uniform and long-stay visas. | |
| and long-stay visas. | | |
| (7e) The deadline for adopting a | (7d) The deadline for adopting a | OK |
| decision on the application should | decision on the application should not | |
| not include the time required for | include the time required for the | |
| the recognition of professional | recognition of professional | |
| qualifications nor the time | qualifications or the time required for | |
| required for issuing a visa. This | issuing a visa. This Directive should be | |
| Directive is without prejudice to | without prejudice to national | |
| the national procedures on the | procedures on the recognition of | |
| recognition of diplomas. | diplomas. | |
| (7f) The designation of the | (7e) The designation of the competent | OK |
| competent authority under this | authority under this Directive should | |
| Directive is without prejudice to | be without prejudice to the role and | |
| the role and responsibilities of | responsibilities of other authorities | |
| other authorities and, where | and, where applicable, the social | |
| applicable, the social partners, | partners, with regard to the | |
| with regard to the examination of and the decision on the | examination of, and the decision on, | |
| and the decision on the application. | the application. | |
| | (7f) The provisions of this Directive | OK |
| (7g) The provisions of this | (7f) The provisions of this Directive | UN |
| Directive are without prejudice to | are without prejudice to the | |

| | the competence of the Member | competence of the Member States to | |
|--|---------------------------------------|--|----|
| | States to regulate the admission, | regulate the admission, including | |
| | including volumes of admission for | volumes of admission for third- | |
| | third-country nationals for the | country nationals for the purpose of | |
| | purpose of employment. | employment. | |
| (8) Third-country nationals who are | (8) Third-country nationals who are | (8) Third-country nationals who are in | OK |
| in possession of a valid travel | in possession of a valid travel | possession of a valid travel document | |
| document and a single permit issued | document and a single permit issued | and a single permit issued by a Member | |
| by a Member State applying the | by a Member State applying the | State applying the Schengen acquis in | |
| Schengen acquis in full, should be | Schengen acquis in full, should be | full, should be allowed to enter into and | |
| allowed to enter into and move | allowed to enter into and move | move freely within the territory of the | |
| freely within the territory of the | freely within the territory of the | Member States applying the Schengen | |
| Member States applying the | Member States applying the | acquis in full, for a period up to three | |
| Schengen acquis in full, for a period | Schengen acquis in full, for a period | months in accordance with Regulation | |
| up to three months in accordance | up to three months in accordance | (EC) No 562/2006 of the European | |
| with Regulation (EC) No 562/2006 | with Regulation (EC) No 562/2006 | Parliament and of the Council of 15 | |
| of the European Parliament and of | of the European Parliament and of | March 2006 establishing a Community | |
| the Council of 15 March 2006 | the Council of 15 March 2006 | Code on the rules governing the | |
| establishing a Community Code on | establishing a Community Code on | movement of persons across borders | |
| the rules governing the movement | the rules governing the movement of | (Schengen Borders Code) ⁵ and Article | |
| of persons across borders | persons across borders (Schengen | 21 of the The Schengen acquis - | |
| (Schengen Borders Code) ³ and | Borders Code) and Article 21 of the | Convention implementing the Schengen | |
| Article 21 of the The Schengen | Schengen acquis – Convention | Agreement of 14 June 1985 between | |
| acquis - Convention implementing | implementing the Schengen | the Governments of the States of the | |
| the Schengen Agreement of 14 June | Agreement of 14 June 1985 between | Benelux Economic Union, the Federal | |
| 1985 between the Governments of | the Governments of the States of the | Republic of Germany and the French | |
| the States of the Benelux Economic | Benelux Economic Union, the | Republic on the gradual abolition of | |
| Union, the Federal Republic of | Federal Republic of Germany and | checks at their common borders | |
| Germany and the French Republic | the French Republic on the gradual | (Schengen Implementing Convention). | |
| on the gradual abolition of checks at | abolition of checks at their common | | |

³ OJ L 105, 13.4.2006, p. 1.

| their common borders (Sehengen Implementing Convention). (9) In the absence of horizontal community legislation, the rights of third-country nationals vary, depending on the Member State in which they work and on their nationality. [] With a view to pursuing a further development of a coherent immigration policy, to lower the rights gan between EU citizens. With a view to pursue a further development of a coherent immigration policy, to lower the rights gan between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals is and third-country nationals resulting from possible exploitation or the leuropean economy through their work and tax payments and to serve as a safeguard to reduce unfair competition of the latter. | 1 1 (0.1 | 1 1 (0 1) | T | T |
|--|--|---|--|----|
| (9) In the absence of horizontal community legislation, the rights of third-country nationals vary, depending on the Member State in which they work and on their nationality. [] With a view to pursue a further development of a coherent immigration policy, to lower the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their | ` , | \ | | |
| community legislation, the rights of third-country nationals vary, depending on the Member State in which they work and on their nationality. I'm you not have the same rights as nationals of the Member State, or other EU citizens. With a view to pursue a further development of a coherent immigration policy, to lower the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European Conomy through their work and third-country nationals legally working in a Member States contribute to the European economy through their work and third-country nationals and third-country nationals are safeguard to reduce unfair competition between own nationals are safeguard to reduce unfair competition between own nationals and third-country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | | , | | |
| third-country nationals vary, depending on the Member State in which they work and on their nationality. I] With a view to pursue a further development of a coherent immigration policy, to lower the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their work and on their nationality. I] With a wine the ward on their nationality. I] With a wine to pursuing a further development of a coherent immigration policy and narrowing the rights gap between EU citizens and third-country mationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the Eu, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | | | | OK |
| depending on the Member State in which they work and on their nationality. They do not have the same rights as nationals of the Member State, or other EU citizens. With a view to pursue a further development of a coherent immigration policy, to lower the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their over the same rights as nationals view to pursuing a further development of a coherent immigration policy and narrowing the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the European Union, to recognise that such third-country nationals legally working in a Member States contribute to the European economy through their work and on their nationality. With a view to on therinationality. With a view to pursual a further development of a coherent immi | community legislation, the rights of | 1 2 1 | legislation, the rights of third-country | |
| which they work and on their nationality. They do not have the same rights as nationals of the Member State, or other EU citizens. With a view to pursue a further development of a coherent immigration policy and narrowing the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their | third-country nationals vary, | Member State in which they work | nationals vary, depending on the | |
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| same rights as nationals of the Member State, or other EU citizens. With a view to pursue a further development of a coherent immigration policy, to lower the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | which they work and on their | view to pursu ing a further | on their nationality. With a view to | |
| Member State, or other EU citizens. With a view to pursue a further development of a coherent immigration policy, to lower the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their work as and third-country nationals and third-country nationals and third-country nationals and third-country nationals regular to the country nationals and third-country nationals and third-country nationals regularly admitted in a Member States contribute to the European economy through their work and tax payments and to hird-country nationals legally working in nationals legally working and complementing the existing immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals legally working and complementing the existing immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the EU, to recognize that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals regults working and complementing the existing immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal tre | nationality. They do not have the | development of a coherent | <i>pursuing</i> a further development of a | |
| Member State, or other EU citizens. With a view to pursue a further development of a coherent immigration policy, to lower the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their work as and third-country nationals and third-country nationals and third-country nationals and third-country nationals regular to the country nationals and third-country nationals and third-country nationals regularly admitted in a Member States contribute to the European economy through their work and tax payments and to hird-country nationals legally working in nationals legally working and complementing the existing immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals legally working and complementing the existing immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the EU, to recognize that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals regults working and complementing the existing immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal tre | same rights as nationals of the | immigration policy and narrowing | coherent immigration policy <i>and</i> | |
| development of a coherent immigration policy, to lower the rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States country nationals legally working in a Member States country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | Member State, or other EU citizens. | | <i>narrowing</i> the rights gap between | |
| existing immigration acquis, a set of rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States country nationals legally working in a Member States country nationals legally working in a Member States contribute to the European economy through their with a mationals and third-country nationals and third-country nationals resulting immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the EU, to recognize that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the EU, to recognise that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals country nationals an | With a view to pursue a further | and third-country nationals legally | <i>Union</i> citizens and third-country | |
| rights gap between EU citizens and third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their on a mationals and third-country nationals and third-country nationals and third-country nationals rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their on a mationals and third-country nationals resulting from immigration acquis, a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country mationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the EU, to recognize that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | development of a coherent | working and complementing the | nationals legally working and | |
| third-country nationals legally working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the European economy through their work and tax payments and to serve as a safeguard to reduce unfair country nationals and third-country nationals resulting from | immigration policy, to lower the | existing immigration acquis, a set of | complementing the existing | |
| working and complementing the existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals is provided for third-country workers legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the EU, to recognize that such third-country nationals legally working in and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | rights gap between EU citizens and | rights should be laid down in | immigration acquis, a set of rights | |
| existing immigration acquis a set of rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals is provided for third-country workers legally admitted in a Member State workers legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the European union, to recognise that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals is provided for third-country workers legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the European Union, to recognise that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | third-country nationals legally | particular in the form of specifying | should be laid down in particular in the | |
| rights should be laid down in particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their provised for third-country workers legally admitted in a Member State but not yet long-term residents. Such provisions are intended to establish a minimum level playing field within the EU, to recognise that such third-country nationals legally working in Member States contribute to the European economy through their provisions are intended to establish a minimum level playing field within the EU, to recognise that such third-country nationals legally working in Member States contribute to the European economy through their provisions are intended to establish a minimum level playing field within the EU, to recognise that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | working and complementing the | the policy fields where equal | form of specifying the policy fields | |
| particular in the form of specifying the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a provisions are intended to establish a minimum level playing field within the European Union, to recognise that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals resulting from | existing immigration acquis a set of | treatment with own nationals is | where equal treatment with own | |
| the policy fields where equal treatment with own nationals is provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | rights should be laid down in | provided for third-country workers | nationals is provided for third-country | |
| treatment with own nationals is provisions are intended to establish a provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the European Union, to recognise that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own European economy through their nationals and third-country nationals resulting from | particular in the form of specifying | legally admitted in a Member State | workers legally admitted in a Member | |
| provided for third-country workers legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in Member States contribute to the EU, to recognize that such third-country nationals legally working in Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | the policy fields where equal | but not yet long-term residents. Such | State but not yet long-term residents. | |
| legally admitted in a Member States but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the EU, to recognize that such third-country nationals legally working in though their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | treatment with own nationals is | provisions are intended to establish a | Such provisions are intended to | |
| but not yet long-term residents. Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals legally working in Member States contribute to the European economy through their work and tax payments are safeguard to reduce unfair competition between own nationals resulting from | provided for third-country workers | minimum level playing field within | establish a <i>minimum</i> level playing field | |
| Such provisions are intended to establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | legally admitted in a Member States | the European Union, to recognise | within the EU, to recognise that such | |
| establish a level playing field within the EU, to recognize that such third-country nationals legally working in a Member States contribute to the European economy through their work and tax payments and to serve as a safeguard to reduce unfair competition between own unfair competition between own nationals and third-country nationals resulting from | but not yet long-term residents. | that such third-country nationals | third-country nationals legally working | |
| the EU, to recognize that such third- country nationals legally working in a Member States contribute to the European economy through their through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | Such provisions are intended to | legally working in Member States | in Member States contribute to the | |
| the EU, to recognize that such third- country nationals legally working in a Member States contribute to the European economy through their through their work and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from and tax payments and to serve as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from | establish a level playing field within | contribute to the European economy | European economy through their work | |
| a Member States contribute to the European economy through their unfair competition between own nationals and third-country nationals resulting from | | through their work and tax payments | and tax payments and to serve as a | |
| European economy through their nationals and third-country nationals country nationals resulting from | country nationals legally working in | and to serve as a safeguard to reduce | safeguard to reduce unfair competition | |
| European economy through their nationals and third-country nationals country nationals resulting from | a Member States contribute to the | unfair competition between own | between own nationals and third- | |
| work and tax payments and to serve resulting from possible exploitation possible exploitation of the latter. | European economy through their | | country nationals resulting from | |
| | work and tax payments and to serve | resulting from possible exploitation | possible exploitation of the latter. | |

OJ L 239, 22.9.2000, p. 19. OJ L 105, 13.4.2006, p. 1.

| as a safeguard to reduce unfair competition between own nationals and third-country nationals resulting from possible exploitation of the latter. | of the latter. | Definition of "third country worker" as laid down in Article 2(b) of this Directive means, without prejudice to the interpretation of the concept of employment relationship in other EU legislation, any third-country national who has been admitted to the territory of a Member State, is legally resident and is allowed to work under national law and/or in accordance with national practice in that Member State. | |
|---|---------------------------------------|--|----|
| (10) All third-country nationals who | (10) All third-country nationals who | (10) All third-country nationals who are | OK |
| are lawfully residing and working in | are lawfully residing and working in | lawfully residing and working in | |
| Member States should enjoy at least | Member States should enjoy at least | Member States should enjoy at least the | |
| the same common set of rights in | the same common set of rights in the | same common set of rights in the form | |
| the form of equal treatment with the | form of equal treatment with | of equal treatment with the own | |
| own nationals of their respective | nationals of the respective host | nationals of their respective host | |
| host Member State, irrespective of | Member State, irrespective of the | Member State, irrespective of the initial | |
| the initial purpose of or basis for | initial purpose of or basis for | purpose of or basis for admission. The | |
| admission. The right to equal | admission. The right to equal | right to equal treatment in the fields | |
| treatment in the fields specified by | treatment in the fields specified by | specified by this Directive should be | |
| this Directive should be granted not | this Directive should be granted, not | granted not only to those third-country | |
| only to those third-country nationals | only to those third-country nationals | nationals who have been admitted to | |
| who have been admitted to the | who have been admitted to the | the territory of a Member State to work | |
| territory of a Member State to work | territory of a Member State to work | but also for those who have been | |
| but also for those who have been | but also to those who have been | admitted for other purposes and have | |
| admitted for other purposes and | admitted for other purposes and have | been given access to the labour market | |
| have been given access to the | been given access to the labour | of that Member State in accordance | |
| labour market of that Member State | market of that Member State in | with other Community or national | |
| in accordance with other | accordance with other Union or | legislation including family members of | |
| Community or national legislation | national law including family | a third-country worker who are | |
| including family members of a | members of a third-country worker | admitted to the Member State in | |

| | T | | |
|---|--------------------------------------|---|----|
| third-country worker who are | who are admitted to the Member | accordance with Council Directive | |
| admitted to the Member State in | State in accordance with Council | 2003/86/EC of 22 September 2003 on | |
| accordance with Council Directive | Directive 2003/86/EC of | the right to family reunification, third- | |
| 2003/86/EC of 22 September 2003 | 22 September 2003 on the right to | country nationals who are admitted to | |
| on the right to family reunification ⁶ , | family reunification, third-country | the territory of a Member State in | |
| third-country nationals who are | nationals who are admitted to the | accordance with Council Directive | |
| admitted to the territory of a | territory of a Member State in | 2004/114/EC of 13 December 2004 on | |
| Member State in accordance with | accordance with Council Directive | the conditions of admission of third | |
| Council Directive 2004/114/EC of | 2004/114/EC of 13 December 2004 | country nationals for the purposes of | |
| 13 December 2004 on the | on the conditions of admission of | studies, pupil exchange, unremunerated | |
| conditions of admission of third | third country nationals for the | training or voluntary service ¹⁰ and | |
| country nationals for the purposes | purposes of studies, pupil exchange, | researchers admitted in accordance with | |
| of studies, pupil exchange, | unremunerated training or voluntary | Council Directive 2005/71/EC of 12 | |
| unremunerated training or voluntary | service and researchers admitted in | October 2005 on a specific procedure | |
| service ⁷ and researchers admitted in | accordance with Council Directive | for admitting third-country nationals for | |
| accordance with Council Directive | 2005/71/EC of 12 October 2005 on a | the purposes of scientific research. | |
| 2005/71/EC of 12 October 2005 on | specific procedure for admitting | | |
| a specific procedure for admitting | third-country nationals for the | | |
| third-country nationals for the | purposes of scientific research. | | |
| purposes of scientific research ⁸ . | | | |
| (11) Third-country nationals who | (11) Third-country nationals who | (11) Third-country nationals who have | OK |
| have acquired long-term resident | have acquired long-term resident | acquired long-term resident status in | |
| status in accordance with Council | status in accordance with Council | accordance with Council Directive | |
| Directive 2003/109/EC of 25 | Directive 2003/109/EC of 25 | 2003/109/EC of 25 November 2003 on | |
| November 2003 on the status of | November 2003 on the status of | the status of third-country nationals | |
| third-country nationals who are | third-country nationals who are | who are long-term residents ¹² are not | |
| long-term residents ¹¹ are not | long-term residents are not covered | covered by this Directive given their | |
| covered by this Directive given | by this Directive given their more | more privileged status and their specific | |
| their more privileged status and | privileged status and their specific | type of residence permit "long-term | |

OJ L 251, 3.10.2003, p. 12. OJ L 375, 23.12.2004, p.12. OJ L 289, 3.11.2005, p.15. OJ L 251, 3.10.2003, p. 12.

| | | | T . |
|---|-------------------------------------|---|-----|
| their specific type of residence | type of residence permit "long-term | resident – EC". | |
| permit "long-term resident – EC". | resident – EC". | | |
| (12) Third-country nationals | (12) Third-country nationals who | (12) Posted third-country nationals are | OK |
| covered by Directive 96/71/EC of | are posted should not be covered | not covered by this Directive. This | |
| the European Parliament and of the | by this Directive as they are not | should not prevent third-country | |
| Council of 16 December 1996 | considered part of the labour | nationals who are legally resident and | |
| concerning the posting of workers | market of that Member State. | lawfully employed in a Member State | |
| in the framework of the provision of | However, this should not prevent | and posted to another Member State | |
| services ¹³ as long as they are posted | third-country nationals who are | from continuing to enjoy equal | |
| to a Member State and third-country | legally residing and lawfully | treatment with respect to nationals of | |
| nationals entering a Member State | employed in a Member State and | the Member State of origin for the | |
| under commitments contained in an | posted to another Member State | duration of their posting, in respect of | |
| international agreement facilitating | from continuing to enjoy equal | those terms and conditions of | |
| the entry and temporary stay of | treatment with respect to nationals | employment which are not affected by | |
| certain categories of trade and | of the Member State of origin for | <i>the application of</i> Directive 96/71/EC | |
| investment-related natural persons | the duration of their posting, in | of the European Parliament and of the | |
| should not be covered by this | respect of those terms and | Council of 16 December 1996 | |
| Directive as they are not considered | conditions of employment which | concerning the posting of workers in | |
| part of the labour market of that | are not affected by the application | the framework of the provision of | |
| Member State. | of Directive 96/71/EC of the | services ¹⁴ . | |
| | European Parliament and of the | | |
| | Council of 16 December 1996 | | |
| | concerning the posting of workers | | |
| | in the framework of the provision | | |
| | of services ¹ . | | |

OJ L 375, 23.12.2004, p. 12. OJ L 16, 23.1.2004, p. 44. OJ L 16, 23.1.2004, p. 44. OJ L 18, 21.1.1997, p. 1. OJ L 18, 21.1.1997, p. 1.

| (13) Third-country nationals who have been admitted to the territory of a Member State for a period not exceeding 6 months in any twelvemonth period to work on a seasonal basis should not be covered by the Directive given their temporary status. | (13) Third-country nationals who have been admitted to the territory of a Member State [] to work on a seasonal basis should not be covered by the Directive given their temporary status. | (13) Third-country nationals who have been admitted to the territory of a Member State to work on a seasonal basis should not be covered by the Directive given their temporary status. | OK |
|---|---|---|----|
| (14) The right to equal treatment in specified policy fields should be strictly linked to the third-country national's legal residence and the access given to the labour market in a Member State, which is enshrined in the single permit encompassing the authorization to both reside and work and in residence permits issued for other purposes containing the information on the permission to work. | (14) The right to equal treatment in specified policy fields should be strictly linked to the third-country national's legal residence and to the access given to the labour market in a Member State, which is enshrined in the single permit encompassing the authorization to both reside and work and in residence permits issued for other purposes containing the information on the permission to work. | (14) The right to equal treatment in specified policy fields should be strictly linked to the third-country national's legal residence and the access given to the labour market in a Member State, which is enshrined in the single permit encompassing the authorization to both reside and work and in residence permits issued for other purposes containing the information on the permission to work. | OK |
| | (15) Working conditions in this directive are to be understood to cover at least pay and dismissal, health and safety at the workplace, working time and leave taking into account collective agreements in force. | (14a) Working conditions in this Directive are to be understood to cover at least pay and dismissal, health and safety at the workplace, working time and leave taking into account collective agreements in force. | OK |

| (15) Professional qualifications acquired by a third-country national | (16) Professional qualifications acquired by a third-country national | (15) Professional qualifications acquired by a third-country national in | OK |
|---|---|--|----|
| in another Member States should be | in another Member State should be | another Member State should be | |
| recognised the same way as for | recognised the same way as for | recognised the same way as for Union | |
| Union citizens and qualifications | Union citizens and qualifications | citizens and qualifications acquired in a | |
| acquired in a third country should | acquired in a third country should be | third country should be taken into | |
| be taken into account in conformity | taken into account in conformity | account in conformity with the | |
| with the provisions of Directive | with the provisions of Directive | provisions of Directive 2005/36/EC of | |
| 2005/36/EC of the European | 2005/36/EC of the European | the European Parliament and of the | |
| Parliament and of the Council of 7 | Parliament and of the Council of 7 | Council of 7 September 2005 on the | |
| September 2005 on the recognition | September 2005 on the recognition | recognition of professional | |
| of professional qualifications ¹⁵ . | of professional qualifications. The | qualifications 16. The right to equal | |
| | right to equal treatment accorded | treatment accorded to third-country | |
| | to third-country workers as | workers as regards recognition of | |
| | regards recognition of diplomas, | diplomas, certificates and other | |
| | certificates and other professional | professional qualifications in | |
| | qualifications in accordance with | accordance with the relevant national | |
| | the relevant national procedures is | procedures is without prejudice to the | |
| | without prejudice to the | competence of Member States to admit | |
| | competence of Member States to | these third-country workers to their | |
| | admit these third-country workers | labour market. | |
| | to their labour market. | | |
| (16) Third-country nationals who | (17) Third-country workers should | (16) Third-country <i>workers</i> should | OK |
| work in the territory of a Member | enjoy equal treatment as regards | enjoy equal treatment as regards social | |
| State should enjoy equal treatment | social security. Branches of social | security. Branches of social security are | |
| as regards social security. Branches | security are defined in Regulation | defined in Regulation (EC) | |
| of social security are defined in the | (EC) No 883/2004 of the European | No 883/2004 of the European | |
| Council Regulation (EEC) No | Parliament and of the Council of | Parliament and of the Council of | |
| 1408/71 of 14 June 1971 on the | 29 April 2004 on the coordination | 29 April 2004 on the coordination of | |
| application of social security | of social security systems. The | social security systems 19. The | |
| schemes to employed persons, to | provisions on equal treatment | provisions on equal treatment | |

OJ L 255, 30.9.2005, p. 22. OJ L 255, 30.9.2005, p. 22.

self-employed persons and to concerning social security in this concerning social security in this members of their families moving proposal also apply to workers proposal also apply to workers coming within the Community¹⁷. Council coming to a Member State directly to a Member State directly from a third Regulation (EC) No 859/2003 of 14 from a third country. Nevertheless. country. Nevertheless, this Directive May 2003 extending the provisions this Directive should not confer to should not confer on third-country of Regulation (EEC) No 1408/71 third country workers more rights workers more rights than those already and Regulation (EEC) No 574/72 to than those already provided in the provided in *the* existing *Union* nationals of third countries who are existing Union legislation in the field legislation in the field of social security of social security for third-country for third-country nationals who have not already covered by those provisions solely on the ground of nationals who have cross-border cross-border elements between Member their nationality 18 extends the elements between Member States. States. This Directive, furthermore, provisions of Regulation (EEC) No This Directive furthermore should should not grant rights in relation to 1408/71 to third country nationals situations which lie outside the scope not grant rights in relation to who are legally residing in the situations which lie outside the of Union legislation, for example European Union and who are in a scope of Union legislation like for family members residing in a third cross-border situation. The example family members residing country. This Directive grants rights provisions on equal treatment in a third country. This Directive only in relation to those family concerning social security in this only grants rights in relation to members who join the third-country those family members who join the Directive also apply to persons worker to reside in any Member State coming to a Member State directly third-country worker to reside in on the basis of family reunification or from a third country. Nevertheless. any Member State on the basis of to those family members who already this Directive should not confer family reunification or to those reside legally in the given Member more rights than those already family members who already State. provided in existing Community reside in the given Member State. legislation in the field of social security for third-country nationals who have cross-border elements between Member States. (17a) Member States should at (16b) Member States should at least Council suggests to insert in EP text: "...after a minimum least give equal treatment to those give equal treatment to those third-

OJ L 149, 5.7.1971, p. 2.

¹⁸ OJ L 124, 20.5.2003, p. 1.

¹⁹ OJ L 166, 30.4.2004, p. 1.

| empl mining are restrictions the in the this I prejution ap | -country nationals who are in oyment or who after a mum period of employment egistered as unemployed. Any ictions to the equal treatment e field of social security under Directive should be without adice to the rights conferred plication of Council lation ²⁰ " | country nationals who are in employment or who after a period of employment are registered as unemployed. Any restrictions to the equal treatment in the field of social security under this Directive should be without prejudice to the rights conferred in application of Regulation (UE) n° 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third | period of employment" in order for the recital to be in line with the corresponding Article 12.2.(3) (EP text). |
|--|---|---|---|
| power organischer harm the le State unde | EU law does not limit the or of the Member States to nise their social security mes. In the absence of nonisation at EU level, it is for egislation of each Member to lay down the conditions or which social security | countries who are not already covered by these Regulations solely on the ground of their nationality ²¹ . (16a) Union law does not limit the power of the Member States to organise their social security schemes. In the absence of harmonisation at Union level, it is for the legislation of each Member State to lay down the conditions under which social security benefits are granted, as well as the | OK |
| amou perio Howe | fits are granted, as well as the int of such benefits and the d for which they are granted. ever, when exercising that r, Member States should | amount of such benefits and the period for which they are granted. However, when exercising that power, Member States should comply with Union law. | |

Reference to the following instrument to be updated upon adoption: Council Regulation extending the provisions of Regulation (EC) No 883/2004 and Regulation (EC) No 987/200 to nationals of third countries who are not already covered by these provisions solely on the ground of their nationality.

OJ L 344, 29.12.2010, p. 1.

| | comply with EU law. | | |
|---------------------------------------|---|---|----|
| | (17c) Equal treatment of third | (17c) Equal treatment of third-country | OK |
| | country workers does not cover | workers does not cover measures in | |
| | measures in the field of vocational | the field of vocational training which | |
| | training which are financed under | are financed under social assistance | |
| | social assistance schemes. | schemes. | |
| (17) Since the objectives of the | (18) Since the objectives of the | (17) Since the objectives of <i>this</i> | OK |
| proposed action, namely | proposed action, namely determining | <i>Directive</i> , namely determining a single | |
| determining a single application | a single application procedure for | application procedure for issuing a | |
| procedure for issuing a single | issuing a single permit for third- | single permit for third-country nationals | |
| permit for third-country nationals to | country nationals to work in the | to work in the territory of a Member | |
| work in the territory of a Member | territory of a Member State and | State and securing rights for third- | |
| State and securing rights for third- | securing rights for third-country | country workers legally residing in a | |
| country workers legally residing in | workers legally residing in a | Member State cannot be sufficiently | |
| a Member State - cannot be | Member State cannot be sufficiently | achieved by the Member States and can | |
| sufficiently achieved by the | achieved by the Member States and | therefore, by reason of the scale and | |
| Member States and can therefore, | can therefore, by reason of the scale | effects of the action, be better achieved | |
| by reason of the scale and effects of | and effects of the action, be better | at Union level, the Union may adopt | |
| the action, be better achieved by the | achieved by the Union , the Union | measures, in accordance with the | |
| Community, the Community may | may adopt measures, in accordance | principle of subsidiarity as set out in | |
| adopt measures, in accordance with | with the principle of subsidiarity as | Article 5 of the Treaty <i>on European</i> | |
| the principle of subsidiarity as set | set out in Article 5 of the Treaty on | <i>Union</i> . In accordance with the principle | |
| out in Article 5 of the Treaty. In | the Functioning of the European | of proportionality as set out in that | |
| accordance with the principle of | Union. In accordance with the | Article, this Directive does not go | |
| proportionality as set out in that | principle of proportionality as set out | beyond what is necessary in order to | |
| Article, this Directive does not go | in that Article, this Directive does | achieve those objectives. | |
| beyond what is necessary in order | not go beyond what is necessary in | | |
| to achieve those objectives. | order to achieve those objectives. | | |
| (18) This Directive respects the | (19) This Directive respects the | (18) This Directive respects the | OK |
| fundamental rights and observes the | fundamental rights and observes the | fundamental rights and observes the | |
| principles recognized by the Charter | principles recognized by Article 6 of | principles recognised by Article 6 of | |
| of Fundamental Rights of the | the Treaty on European Union | the Treaty on European Union and | |
| European Union and the European | and reflected by the Charter of | <i>reflected in</i> the Charter of Fundamental | |
| Convention on Human Rights and | Fundamental Rights of the European | Rights of the European Union. | |

| Fundamental Freedoms and has to | Union. | | |
|--|--|--|-------------------------------|
| be implemented accordingly. | | | |
| | (20) This Directive shall apply | (18a) This Directive should be applied | Council suggests to insert in |
| | without prejudice to the rights and | without prejudice to more favourable | EP text: "applicable |
| | principles contained in the | provisions contained in Union law and | international instruments" |
| | European Social Charter of 18 | international instruments. | in order to make it more |
| | October 1961 and the European | | precise. |
| | Convention on the legal status of | | |
| | migrant workers of 24 November | | |
| | 1977. | | |
| (19) Member States should give | (21) Member States should give | (19) Member States should give effect | OK |
| effect to the provisions of this | effect to the provisions of this | to the provisions of this Directive | |
| Directive without discrimination on | Directive without discrimination on | without discrimination on the basis of | |
| the basis of sex, race, colour, ethnic | the basis of sex, race, colour, ethnic | sex, race, colour, ethnic or social origin, | |
| or social origin, genetic | or social origin, genetic | genetic characteristics, language, | |
| characteristics, language, religion or | characteristics, language, religion or | religion or beliefs, political or other | |
| beliefs, political or other opinions, | beliefs, political or other opinions, | opinions, membership of a national | |
| membership of a national minority, | membership of a national minority, | minority, fortune, birth, disabilities, age | |
| fortune, birth, disabilities, age or | fortune, birth, disabilities, age or | or sexual orientation in particular in | |
| sexual orientation in particular in | sexual orientation in particular in | accordance with Council Directive | |
| accordance with Council Directive | accordance with Council Directive | 2000/43/EC of 29 June 2000 | |
| 2000/43/EC of 29 June 2000 | 2000/43/EC of 29 June 2000 | implementing the principle of equal | |
| implementing the principle of equal | implementing the principle of equal | treatment between persons irrespective | |
| treatment between persons | treatment between persons | of racial or ethnic origin ²⁶ Council | |
| irrespective of racial or ethnic | irrespective of racial or ethnic | Directive 2000/78/EC of 27 November | |
| origin ²² Council Directive | origin ²⁴ Council Directive | 2000 establishing a general framework | |
| 2000/78/EC of 27 November 2000 | 2000/78/EC of 27 November 2000 | for equal treatment in employment and | |
| establishing a general framework | establishing a general framework for | occupation. | |
| for equal treatment in employment | equal treatment in employment and | | |

OJ L 180, 19.7.2000, p. 22. OJ L 303,2.12.2000, p. 16 OJ L 180, 19.7.2000, p. 22.

| and occupation ²³ . | occupation ²⁵ . | | |
|---------------------------------------|--|---|--------------------------------|
| and occupation . | (22) In accordance with paragraph | | Council maintains its position |
| | 34 of the Interinstitutional | | (see also Article 16) |
| | agreement on better law making, | | |
| | Member States are encouraged to | | |
| | draw up, for themselves and in the | | |
| | interest of the Union, their own | | |
| | tables, which will, as far as | | |
| | possible, illustrate the correlation | | |
| | between the Directive and the | | |
| | transposition measures and make | | |
| | them public. | | |
| (20) [In accordance with Articles 1 | (23) In accordance with Articles 1 | (20) In accordance with Articles 1 and | OK |
| and 2 of the Protocol on the position | and 2 of the Protocol on the position | 2 of the Protocol (N^{\bullet} 21) on the | ON |
| of the United Kingdom and Ireland, | of the United Kingdom and Ireland, | position of the United Kingdom and | |
| annexed to the Treaty on European | annexed to the Treaty on the | Ireland, annexed to the Treaty on | |
| Union and to the Treaty establishing | Functioning of the European | European Union and to the Treaty <i>on</i> | |
| the European Community and | Union and without prejudice to | the Functioning of the European | |
| without prejudice to Article 4 of the | Article 4 of the said Protocol these | <i>Union</i> and without prejudice to Article | |
| said Protocol these Member States | Member States are not participating | 4 of <i>that</i> Protocol <i>those</i> Member States | |
| are not participating in the adoption | in the adoption of this Directive and | are <i>not taking part</i> in the adoption of | |
| of this Directive and are not bound | are not bound by it or subject to its | this Directive and are not bound by <i>it</i> or | |
| by or subject to its application.] | application. | subject to its application.] | |
| (21) In accordance with Article 1 | (24) In accordance with Article 1 | (21) In accordance with Articles 1 and | OK |
| and 2 of the Protocol on the position | and 2 of the Protocol on the position | 2 of the Protocol (N^{\bullet} 22) on the position | |
| of Denmark, annexed to the Treaty | of Denmark, annexed to the Treaty | of Denmark, annexed to the Treaty on | |
| on European Union and the Treaty | on the Functioning of the | European Union and <i>to</i> the Treaty <i>on</i> | |
| establishing the European | European Union, Denmark is not | the Functioning of the European | |
| Community, Denmark is not | participating in the adoption of this | <i>Union</i> , Denmark is not <i>taking part</i> in | |
| participating in the adoption of this | Directive and is not bound by it or | the adoption of this Directive and is not | |
| Directive and is not bound by it or | subject to its application. | bound by it or subject to its application, | |

OJ L 303,2.12.2000, p. 16 OJ L 180, 19.7.2000, p. 22.

| subject to its application. | | | |
|--|---|---|----|
| HAS ADOPTED THIS IRECTIVE | HAVE ADOPTED THIS DIRECTIVE | HAVE ADOPTED THIS DIRECTIVE | |
| Chapter I | | Chapter I | |
| General provisions | | General provisions | |
| Article 1 | Article 1 | Article 1 | |
| Purpose | Purpose | Purpose | |
| The purpose of this Directive is to | The purpose of this Directive is to | The purpose of this Directive is to | |
| determine: | determine: | determine: | |
| (a) a single application procedure | (a) a single application procedure for | (a) a single application procedure for | OK |
| for issuing a single permit for third | issuing a single permit for third | issuing a single permit for third-country | |
| country nationals to reside and work | country nationals to reside for the | nationals to reside for the purpose of | |
| in the territory of a Member State, | purpose of work in the territory of a | work in the territory of a Member State, | |
| in order to simplify their admission | Member State, in order to simplify | in order to simplify the procedures for | |
| and to facilitate the control of their | the procedures for their admission | their admission and to facilitate the | |
| status and; | and to facilitate the control of their | control of their status; and | |
| | status and; | | |
| (b) a common set of rights to third | (b) a common set of rights to third | (b) a common set of rights to third- | OK |
| country workers legally residing in | country workers legally residing in a | country workers legally residing in a | |
| a Member State. | Member State, based on equal treatment with nationals of this | Member State, irrespective of the | |
| | Member State. | purposes for which they were initially | |
| | Member State. | admitted to the territory of that Member State, based on equal | |
| | | treatment with nationals of that | |
| | | Member State. | |
| | This Directive does not affect the | This Directive is without prejudice to | OK |
| | competence of the Member States | the Member States' powers concerning | ON |
| | with respect to the admission of | the admission of third-country | |
| | third-country nationals to their | nationals to their labour markets. | |
| | labour markets. | | |
| Article 2 | Article 2 | Article 2 | |
| Definition | Definition | Definitions | |
| For the purposes of this Directive: | For the purposes of this Directive: | For the purposes of this Directive: | |

| (a) "third-country national" means any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty; | (a) "third-country national" means any person who is not a citizen of the Union within the meaning of Article 20(1) of the Treaty on the Functioning of the European Union; | (a) "third-country national" means any person who is not a citizen of the Union within the meaning of Article 20(1) of the Treaty on the Functioning of the European Union; | OK |
|--|---|---|--|
| (b) "third-country worker" means any third-country national who has been admitted to the territory of a Member State and is allowed to work legally in that Member State; | (b) "third-country worker" means any third-country national who has been admitted to the territory of a Member State, is legally resident and is allowed to work in the context of a paid relationship under national law and/or in accordance with national practice in that Member State; | (b) "third-country worker" means any third-country national who has been admitted to the territory of a Member State, is legally resident and is allowed to work under national law and/or in accordance with national practice in that Member State; | Council prefers its text as it is more precise |
| (c) "single permit" means any authorisation issued by the authorities of a Member State allowing a third-country national to stay and work legally in its territory; | (c) "single permit" means a residence permit issued by the authorities of a Member State allowing a third-country national to reside legally in its territory for the purpose of work; | (c) "single permit" means <i>a residence permit</i> issued by the authorities of a Member State allowing a third-country national to stay legally in its territory <i>in order to work there</i> ; | OK |
| (d) "single application procedure" means any procedure leading, on the basis of one application for the authorisation of a third-country national's residence and work in the territory of a Member State, to a decision on the single permit for that third-country national. | (d) "single application procedure" means any procedure leading, on the basis of one application for the authorisation of a third-country national's residence and work in the territory of a Member State, to a decision on the application for a single permit for that third-country national. | (d) "single application procedure" means any procedure leading, on the basis of a single application made by a third-country national, or by his or her employer, for the authorisation of residence and work in the territory of a Member State, to a decision ruling on that application for the single permit. | OK |
| Article 3 | Article 3 | Article 3 | |
| Scope 1. This Directive shall apply: | Scope 1. This Directive shall apply: | Scope 1. This Directive shall apply: | |
| (a) to third-country nationals | (a) to third-country nationals who | (a) to third-country nationals seeking to | Council prefers its text as it is |

| seeking to reside and work in the territory of a Member State, and | apply to reside for the purpose of work in the territory of a Member State, | reside in the territory of a Member State in order to work there; | more precise |
|---|--|--|--------------|
| (b) to third-country workers legally residing in a Member State. | (b) to third-country nationals who have been admitted for purposes other than work under national or Union rules, are allowed to work and are issued a residence permit in accordance with Regulation (EC) No 1030/2002; and | (b) to third-country nationals who have been admitted for purposes other than work under national or Union law, are allowed to work and are issued a residence permit in accordance with Regulation (EC) No 1030/2002; and | OK |
| | (c) to third-country nationals who have been admitted for the purpose of work under national or Union rules. | (ba) to third-country nationals who have been admitted for the purpose of work under national or Union law. | OK |
| 2. This Directive shall not apply to third-country nationals: | 2. This Directive shall not apply to third-country nationals: | 2. This Directive shall not apply to third-country nationals: | OK |
| (a) who are family members of Union citizens who have exercised, or are exercising their right to free movement within the Community; | (a) who are family members of Union citizens who have exercised, or are exercising their right to free movement within the Union, in conformity with Directive 2004/38/EC; | (a) who are family members of citizens of the Union who have exercised, or are exercising their right to free movement within the Union in accordance with Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States; | OK |
| | (b) who, as well as their family members and whatever their nationality, enjoy rights of free movement equivalent to those of Union citizens under agreements between the Union and its | (aa) who, together with their family members, and irrespective of their nationality, enjoy rights of free movement equivalent to those of citizens of the Union under agreements either between the Union | OK |

| | Member States, on the one hand, and third-countries, on the other hand; | and the Member States or between the Union and third countries; | |
|--|---|--|----|
| (b) covered by Directive 96/71/EC as long as they are posted; | (c) who are posted as long as they are posted; | (b) who are posted as long as they are posted; | OK |
| (c) entering a Member State under commitments contained in an international agreement facilitating the entry and temporary stay of certain categories of trade and investment-related natural persons in particular to intra-corporate transferees, contractual service suppliers and graduate trainees under the European Community's GATS commitments; | (d) who have applied for admission or have been admitted to the territory of a Member State to work as intra-corporate transferees; | (c) who have applied for admission or have been admitted to the territory of a Member State to work as intracorporate transferees; | OK |
| (d) who have been admitted to the territory of a Member State for a period not exceeding six months in any 12 month period to work on a seasonal basis; | (e) who have applied for admission or have been admitted to the territory of a Member State as a seasonal worker or as an au pair; | (d) who have applied for admission or have been admitted to the territory of a Member State as seasonal workers or au pairs; | OK |
| (e) who have applied for recognition as refugees and whose application has not yet given rise to a final decision; | deleted | (e) deleted | OK |
| | (g) who are authorised to reside in a Member State on the basis of temporary protection or have applied for authorisation to reside on that basis and are awaiting a decision on their status; | (da) who are authorised to reside in a Member State on the basis of temporary protection, or who have applied for authorisation to reside there on that basis and are awaiting a decision on their status; | OK |

| | | | 1 |
|----------------------------------|--|--|----|
| | (f) who are beneficiaries of | (db) who are beneficiaries of | OK |
| | international protection under | international protection under Council | |
| | Council Directive 2004/83/EC of | Directive 2004/83/EC of 29 April 2004 | |
| | 29 April 2004 on minimum | on minimum standards for the | |
| | standards for the qualification and | qualification and status of third- | |
| | status of third-country nationals | country nationals or stateless persons | |
| | or stateless persons as refugees or | as refugees or as persons who | |
| | as persons who otherwise need | otherwise need international | |
| | international protection and the | protection and the content of the | |
| | content of the protection granted ¹ | protection granted ²⁷ or have applied | |
| | or have applied for international | for international protection under that | |
| | protection under that Directive | Directive and whose application has | |
| | and whose application has not yet | not yet given rise to a final decision; | |
| | given rise to a final decision; | | |
| | (h) who are beneficiaries of | (dc) who are beneficiaries of | OK |
| | protection in accordance with | protection in accordance with national | |
| | national law, international | law, international obligations or the | |
| | obligations or practice of the | practice of the Member State or have | |
| | Member State or have applied for | applied for protection in accordance | |
| | protection in accordance with | with national law, international | |
| | national law, international | obligations or the practice of the | |
| | obligations or practice of the | Member State and whose application | |
| | Member State and whose | has not given rise to a final decision; | |
| | application has not given rise to a | | |
| | final decision. | | |
| (f) staying in a Member State as | deleted | deleted | OK |
| applicants for international | | | |
| protection or under temporary | | | |
| protection schemes; | | | |

| (g) who have acquired long-term resident status in accordance with Directive 2003/109/EC; | (i) who are EC long-term residents in accordance with Directive 2003/109/EC; | (g) who have acquired long-term resident status in accordance with Directive 2003/109/EC; | OK |
|---|--|---|---|
| (h) whose expulsion has been suspended for reasons of fact or law. | (j) whose removal has been suspended for reasons of fact or law; | (h) whose <i>removal</i> has been suspended for reasons of fact or law; | OK |
| | (k) who have applied for admission or have been admitted to the territory of a Member State as self-employed; | (ha) who have applied for admission or have been admitted to the territory of a Member State as self-employed workers; | OK |
| | (l) who have applied for admission or have been admitted as seafarer for employment or work in any capacity on board of a ship registered in a Member State and sailing under the flag of a Member State. | (hb) who have applied for admission or have been admitted as seafarers for employment or work in any capacity on board of a ship registered in or sailing under the flag of a Member State. | OK |
| | 3. Member States may decide that Articles 4 to 11 shall not apply to third-country nationals who have been authorised to work on the territory of a Member State for a period not exceeding six months and to third-country nationals who have been admitted for the purpose of study. | 2a. Member States may decide that Chapter II of this Directive does not apply to third-country nationals who have been either authorised to work on the territory of a Member State for a period not exceeding six months or admitted for the purpose of study. | OK |
| | 4. The provisions of Articles 4 to 11 do not apply to third country nationals who are allowed to work on the basis of a visa. | 2b. Chapter II of this Directive shall not apply to third-country nationals who are authorised to work on the basis of a visa. | Council prefers its text as it is more precise. |

| Chapter II Single application procedure and single permit Article 4 | Article 4 | Chapter II Single application procedure and single permit Article 4 | |
|--|---|---|----|
| Single application procedure | Single application procedure | Single application procedure | |
| 1. An application to reside and work in the territory of a Member State shall be submitted in a single application procedure. | 1. An application for a single permit shall be submitted in a single application procedure. Member States shall determine whether applications for a single permit are to be made by the third-country national or by his/her employer. Member States may decide to allow an application from either the third-country national or by his/her employer. If the application is to be submitted by the third-country national, Member States shall allow the application to be introduced from a third country or, if provided for by national law, on the territory of the Member State in which he or she is already legally present. | 1. An application for a single permit shall be submitted in a single application procedure. Member States shall determine whether applications for a single permit are to be made by the third-country national or by his/her employer. Member States may also decide to allow an application from either of the two. If the application is to be submitted by the third-country national, Member States shall allow the application to be introduced from a third country or, if provided for by national law, on the territory of the Member State in which he or she is already legally present. | OK |
| 2. Member States shall examine the application and adopt a decision to grant, to modify or to renew the single permit if the applicant fulfils the requirements specified in national law. The decision granting, modifying or renewing the single permit shall constitute one combined title encompassing both residence and work permit within | 2. Member States shall examine the application and adopt a decision to grant, to modify or to renew the single permit if the applicant fulfils the requirements specified in Union or national law. The decision granting, modifying or renewing the single permit shall constitute one combined title encompassing both residence and work permit within | 2. Member States shall examine the application and adopt a decision to grant, to modify or to renew the single permit if the applicant fulfils the requirements specified by national or Union law. The decision granting, modifying or renewing the single permit shall constitute a single administrative act combining a residence permit and a work permit. | OK |

| one administrative act | one administrative act. | | |
|---|---|--|---------------------------------|
| | 3. The single application | 2a. The single application procedure | OK |
| | procedure is without prejudice to | shall be without prejudice to the visa | |
| | the visa procedure which may be | procedure which may be required for | |
| | required for initial entry. | initial entry. | |
| | 4. Member States shall issue a | 2b. Member States shall issue a single | OK |
| | single permit, when the conditions | permit, where the conditions provided | |
| | provided for are met, to those | for are met, to third-country nationals | |
| | third-country nationals who apply | who apply for admission and to third- | |
| | for admission, and to those third- | country nationals already admitted | |
| | country nationals already | who apply to renew or modify their | |
| | admitted and who apply to renew | residence permit after the entry into | |
| | or modify their residence permit | force of the national implementing | |
| | after the entry into force of the | provisions. | |
| | implementing national provisions. | | |
| Article 5 | Article 5 | Article 5 | |
| Competent authority | Competent authority | Competent authority | |
| 1. Member States shall designate | 1. Member States shall designate the | 1. Member States shall designate the | OK |
| the authority competent to receive | authority competent to receive the | authority competent to receive the | |
| the application and to issue the | application and to issue the single | application and to issue the single | |
| single permit. | permit. | permit. | |
| 2. The designated authority shall | 2. The competent authority shall | 2. The <i>competent</i> authority shall | Council maintains its position. |
| process the application and adopt a | adopt a decision on the complete | process the application and adopt a | |
| decision on the application as soon | application as soon as possible and | decision on the application as soon as | |
| as possible and in any event no later | no later than four months from the | possible and in any event no later than | |
| than three months from the date on | date on which the application was | three months from the date on which | |
| which the application was lodged. | lodged. | the application was lodged. | |
| The time limit referred to in the first | The time limit referred to in the first | The time limit referred to in the first | OK |
| subparagraph may be extended in | subparagraph may be extended in | subparagraph may be extended in | |
| exceptional circumstances, linked to | exceptional circumstances linked to | exceptional circumstances, linked to the | |
| the complexity of the examination | the complexity of the examination of | complexity of the examination of the | |
| of the application. | the application. | application. | |
| | Any consequence of no decision | Any consequence of no decision being | OK |
| | being taken by the end of the | taken by the end of the period provided | |

| | period provided for in this provision shall be determined by national law of the relevant Member State. | for in this provision shall be determined by national law of the relevant Member State. | |
|---|--|--|----|
| 3. The designated authority shall notify shall notify the decision to the applicant in writing in accordance with the notification procedures laid down in the relevant legislation. | 3. The competent authority shall notify the decision to the applicant in writing in accordance with the notification procedures laid down in the relevant national law . | 3. The <i>competent</i> authority shall notify the decision to the applicant in writing in accordance with the notification procedures laid down in the relevant <i>national law</i> . | OK |
| 4. If the information supporting the application is inadequate, the designated authority shall notify the applicant of the additional information that is required. The period referred to in paragraph 2 shall be suspended until the authorities have received the additional information required. | 4. If the information or documents supporting the application are incomplete according to the criteria specified in national law, the competent authority shall notify the applicant in writing of the additional information or documents required and may set a reasonable deadline to provide them. The period referred to in paragraph 2 shall be suspended until the authorities have received the additional information required. If additional information or documents have not been provided within the deadline, the application may be rejected. | 4. If the information or documents supporting the application are incomplete according to the criteria specified in national law, the competent authority shall notify the applicant in writing of the additional information or documents required and may set a reasonable deadline to provide them. The period referred to in paragraph 2 shall be suspended until the authorities have received the additional information required. If additional information or documents have not been provided within the deadline, the application may be rejected. | OK |

| Article 6 | Article 6 | Article 6 | |
|---|---|---|--|
| | | | |
| Single permit 1. Member States shall issue the single permit using the uniform format as laid down in Regulation (EC) No 1030/2002 and shall indicate the information relating to the permission to work in accordance with its Annex, a, 7.5-9. | Single permit 1. Member States shall issue the single permit using the uniform format as laid down in Regulation (EC) No 1030/2002 and shall indicate the information relating to the permission to work in accordance with its Annex, a, 7.5-9. Member States may issue an additional document to the single permit holding all relevant information on the specific right and conditions to work. Such an additional document shall complement the single permit and may be updated or withdrawn when the labour market position of the holder of the residence permit changes. | Single permit 1. Member States shall issue the single permit using the uniform format as laid down in Regulation (EC) No 1030/2002 and shall indicate the information relating to the permission to work in accordance with its Annex, a, 7.5-9. | Council suggests the following compromise text: 1. Member States shall issue the single permit using the uniform format as laid down in Regulation (EC) No 1030/2002 and shall indicate the information relating to the permission to work in accordance with its Annex, a, 7.5-9. Member States may indicate additional information related to the employment relationship of the third-country national (such as the name and address of the employer, place of work, type of work, working hours, remuneration) in paper format, or store such data in electronic format as referred to in Article 4 of Regulation (EC) 1030/2002 and point 16 of its Annex I as amended by Regulation (EC) 380/2008. |
| 2. Member States shall not issue | 2. When issuing the single permit | 2. When issuing the single permit | OK |

| 111111111111111111111111111111111111111 | Tag 1 (2) 1 11 11 | Tax 1 0 1 11 11 | 1 |
|---|--------------------------------------|--|--------------------------------|
| any additional permits, in particular | Member States shall not issue any | Member States shall not issue any | |
| work permits of any kind as proof | additional permits [] as proof of | additional permits as proof of the | |
| of the access given to the labour | the access given to the labour | access given to the labour market. | |
| market. | market. | | |
| Article 7 | Article 7 | Article 7 | |
| Residence permit issued for | Residence permits issued for | Residence permits issued for purposes | |
| purposes other than work | purposes other than work | other than work | |
| 1. When issuing residence permits | 1. When issuing residence permits in | 1. When issuing residence permits in | Council suggests the following |
| in accordance with Regulation (EC) | accordance with Regulation (EC) No | accordance with Regulation (EC) No | compromise text: |
| No 1030/2002 Member States shall | 1030/2002 Member States shall | 1030/2002 Member States shall | 1 |
| indicate the information relating to | indicate the information relating to | indicate the information relating to the | 1. When issuing residence |
| the permission to work irrespective | the permission to work irrespective | permission to work irrespective of the | permits in accordance with |
| of the type of the permit. | of the type of the permit. | type of the permit. | Regulation (EC) No |
| | | | 1030/2002 Member States |
| | Member States may issue an | | shall indicate the information |
| | additional document to the | | relating to the permission to |
| | residence permit holding all | | work irrespective of the type |
| | relevant information on the | | of the permit. |
| | specific right and conditions to | | |
| | work. | | |
| | Such an additional document shall | | Member States may indicate |
| | complement the residence permit | | additional information |
| | and may be updated or withdrawn | | related to the employment |
| | when the labour market position | | relationship of the third- |
| | of the holder of the residence | | country national (such as the |
| | | | name and address of the |
| | permit changes. | | employer, place of work, |
| | | | type of work, working hours, |
| | | | remuneration) in paper |
| | | | format, or store such data in |
| | | | electronic format as referred |
| | | | to in Article 4 of Regulation |
| | | | (EC) 1030/2002 and point 16 |
| | | | of its Annex I as amended by |
| | | | of its Afflex 1 as affended by |

| | | | Regulation (EC) 380/2008. |
|---|---|---|---|
| 2. Member States shall not issue any additional permits, in particular work permits of any kind as proof of the access given to the labour market. | 2. When issuing residence permits in accordance with Regulation (EC) No 1030/2002, Member States shall not issue any additional permits as proof of the access given to the labour market. | 2. When issuing residence permits in accordance with Regulation (EC) No 1030/2002, Member States shall not issue any additional permits as proof of authorisation to access the labour market. | OK |
| Article 8 Remedies | Article 8 Procedural guarantees | Article 8 Remedies | The heading of the Article should be changed to correspond to the content |
| 1. Reasons shall be given in the written notification for a decision rejecting the application, not granting, not modifying or not renewing, suspending or withdrawing the single permit on the basis of criteria specified in national or community law. | 1. Reasons shall be given in the written notification for a decision rejecting an application for a single permit, not granting, not modifying or not renewing [] or withdrawing the single permit on the basis of criteria specified in national or Union law. | 1. Reasons shall be given in the written notification for a decision rejecting the application <i>for a single permit</i> , not modifying or not renewing <i>the single permit</i> , or withdrawing the single permit on the basis of criteria <i>provided for by</i> national or <i>Union</i> law. | OK |
| 2. Any decision rejecting the application, not granting, modifying or renewing, suspending or withdrawing a single permit shall be open to challenge before the courts of the Member State concerned. The written notification shall specify the possible redress procedures available and the timelimit for taking action. | Any decision rejecting the application, not granting, not modifying or not renewing [] or withdrawing a single permit shall be open to a legal challenge in the Member State concerned, in accordance with national law. The written notification shall specify the court or administrative authority where the person concerned may lodge an appeal and the time-limit for the appeal. | 2. Any decision rejecting the application, not modifying or <i>not</i> renewing or withdrawing a single permit shall be open to <i>a legal</i> challenge <i>in</i> the Member State concerned, <i>in accordance with national law</i> . The written notification shall specify the <i>court or administrative authority where the person concerned may lodge an appeal</i> and the time-limit for <i>the appeal</i> . | OK |
| | 2. An application may be considered as inadmissible on the grounds of volumes of admission | 2a. An application may be considered as inadmissible on the grounds of volumes of admission of third-country | OK |

| | of third-country nationals coming for employment and therefore has not to be processed. | nationals coming for employment and therefore has not to be processed. | |
|---|---|--|----|
| Article 9 | Article 9 | Article 9 | |
| Access to information | Information | Access to information | |
| Member States shall take the | Member States shall provide upon | Member States shall provide, upon | OK |
| necessary measures to inform the | request adequate information to | request, adequate information to the | |
| third-country national and the future | the third-country national and the | third-country national and the future | |
| employer on all the documentary | future employer on the documents | employer on the documents required to | |
| evidence they need in order to | required to complete the | make a complete application. | |
| complete the application. | application. | | |
| Article 10 | Article 10 | Article 10 | |
| Fees | Fees | Fees | |
| Member States may request applicants to pay fees for handling | Member States may request applicants to pay fees []. Where | Member States may request applicants to pay fees . Where appropriate, | OK |
| applications in accordance with this | appropriate, these fees are | these fees are collected for handling | |
| Directive. The level of fees must be | collected for handling applications in accordance with this Directive. In | applications in accordance with this | |
| proportionate and may be based on | | Directive. <i>In such cases</i> , the level of | |
| the principle of the service actually | such cases, the level of fees shall be | fees <i>shall</i> be proportionate and <i>may</i> be | |
| provided. | proportionate and may be based on | based on the principle of the services | |
| | the principle of the services actually provided for the processing of | actually provided for the processing of applications and issuing of permits. | |
| | applications and issuing of | applications and issuing of permus. | |
| | permits. | | |
| Article 11 | Article 11 | Article 11 | |
| Rights on the basis of the single | Rights on the basis of the single | Rights on the basis of the single permit | |
| permit | permit | | |
| During the period of its validity, the | Where a single permit has been | Where a single permit has been issued | OK |
| single permit shall entitle its holder | issued under national law and | in accordance with national law and | |
| as a minimum to: | during its period of validity, it | during its period of validity, it shall | |
| | shall entitle its holder as a minimum to: | authorise its holder as a minimum to: | |
| (a) enter, re-enter and stay in the | (a) enter [] and stay in the territory | (a) enter and stay in the territory of the | OK |
| territory of the Member State | of the Member State issuing the | Member State issuing the single permit, | |

| issuing the single permit; | single permit provided that he/she meets all admission requirements in accordance with national law; | provided that he or she meets all admission requirements in accordance with national law; | |
|--|---|---|---|
| (b) passage through other Member States in order to exercise the rights under point (a); | deleted | deleted | OK |
| (c) have free access to the entire territory of the Member State issuing the single permit within the limits provided for by national legislation for reasons of security; | (b) have free access to the entire territory of the Member State issuing the single permit within the limits provided for by national law []; | (c) have free access to the entire territory of the Member State issuing the single permit within the limits provided for by national legislation; | OK |
| (d) exercise of the activities authorised under the single permit; | (c) exercise the concrete employment activity authorised under the single permit in accordance with national law; | (d) exercise of the <i>specific professional activity</i> authorised under the single permit <i>in accordance with national law</i> ; | Council prefers its text as it is more precise. |
| (e) be informed about his/her own rights linked to the permit conferred by this Directive or by national legislation. | (d) be informed about his/her own rights linked to the permit conferred by this Directive and /or by national law. | (e) be informed about his/her own rights linked to the permit conferred by this Directive <i>and</i> /or by national legislation. | OK |
| Chapter III | | Chapter III | |
| Right to equal treatment Article 12 | Article 12 | Right to equal treatment Article 12 | |
| Afficie 12 | Right to equal treatment | Afficie 12 | |
| 1. Third-country workers shall enjoy equal treatment with nationals at least with regard to: | 1. Third-country workers as referred to in paragraph 1(b) and (c) of Article 3 shall enjoy equal treatment with nationals of the Member State where they reside with regard to: | 1. Third-country workers as referred to in paragraph 1(b) and (c) of Article 3 shall enjoy equal treatment with nationals of the Member State where they reside with regard to: | OK |
| (a) working conditions, including pay and dismissal as well as health and safety at the workplace; | (a) working conditions, including pay and dismissal as well as health and safety at the workplace; | (a) working conditions, including pay and dismissal as well as health and safety at the workplace; | OK |
| (b) freedom of association and affiliation and membership of an | (b) freedom of association and affiliation and membership of an | (b) freedom of association and affiliation and membership of an | OK |

| organization representing workers | organization representing workers or | organization representing workers or | |
|---------------------------------------|---------------------------------------|---|----|
| or employers or of any organization | employers or of any organization | employers or of any organization whose | |
| whose members are engaged in a | whose members are engaged in a | members are engaged in a specific | |
| specific occupation, including the | specific occupation, including the | occupation, including the benefits | |
| benefits conferred by such | benefits conferred by such | conferred by such organizations, | |
| organizations, without prejudice to | organizations, without prejudice to | without prejudice to the national | |
| the national provisions on public | the national provisions on public | provisions on public policy and public | |
| policy and public security; | policy and public security; | security; | |
| (c) education and vocational | (c) education and vocational | (c) education and vocational training; | OK |
| training; | training; | | |
| (d) recognition of diplomas, | (d) recognition of diplomas, | (d) recognition of diplomas, certificates | OK |
| certificates and other professional | certificates and other professional | and other professional qualifications in | |
| qualifications in accordance with | qualifications in accordance with the | accordance with the relevant national | |
| the relevant national procedures; | relevant national procedures; | procedures; | |
| (e) branches of social security, as | (e) branches of social security, as | (e) branches of social security, as | OK |
| defined in Council Regulation | defined in Regulation (EC) No | defined in Regulation (EC) No | |
| (EEC) No 1408/71 of 14 June 1971 | 883/2004 of the European | 883/2004; | |
| on the application of social security | Parliament and of the Council; | | |
| schemes to employed persons, to | | | |
| self-employed persons and to | | | |
| members of their families moving | | | |
| within the Community. Regulation | | | |
| (EEC) No 859/2003, extending the | | | |
| provisions of Regulation (EEC) No | | | |
| 1408/71 and its implementing | | | |
| Regulation (EEC) No 574/72 to | | | |
| nationals of third countries who are | | | |
| not already covered by these | | | |
| provisions solely on the ground of | | | |
| their nationality shall apply | | | |
| accordingly; | | | |
| (f) payment of acquired pensions | deleted | deleted | OK |
| when moving to a third country; | | | |
| (g) tax benefits; | (f) tax benefits, in so far as the | (g) tax benefits, in so far as the worker | OK |

| (h) access to goods and services and the supply of goods and services made available to the public including procedures for obtaining housing and the assistance afforded by employment offices | worker is deemed to be resident for tax purposes in the Member State concerned; (g) access to goods and services and the supply of goods and services made available to the public including procedures for obtaining housing [] as provided by national law. This paragraph is without prejudice to the freedom of contract in accordance with Union and national law; | is deemed to be resident for tax purposes in the Member State concerned; (h) access to goods and services and the supply of goods and services made available to the public including procedures for obtaining housing and the assistance and advice services afforded by employment offices as provided by national law. This paragraph is without prejudice to the freedom of contract in accordance with Union and national law; | Council maintains its position as it would like: 1) to replace, for the sake of clarity, assistance services by advice services afforded by employment offices and 2) to refer to advice services in a separate point so that the limitation in Article 12.2 (c) (only third-country workers |
|--|--|--|--|
| 2. Member States may restrict equal | (h) advice services afforded by employment offices. 2. Member States may restrict equal | 2. Member States may restrict equal | who are in employment) would not apply to these services. Council maintains its position (see explanation above). |
| treatment with nationals: (a) by requiring proof of appropriate language proficiency for access to education and training. Access to university may be subject to the fulfilment of specific educational prerequisites; | treatment with nationals: (a) under paragraph 1 (c): - In respect to those third-country workers who have been admitted to their territory in conformity with Council Directive 2004/114/EC; - To those third-country workers who are in employment; - In respect to study and maintenance grants and loans or | treatment with nationals: (a) under paragraph 1(c): - by limiting its application to those third-country workers who are in employment or have been employed; - by excluding those third-country workers who have been admitted to their territory in conformity with Council Directive 2004/114/EC; - by excluding study and | OK although Council maintains its position regarding the first subparagraph in the EP amendment thus wishing to limit access to education and vocational training only to those who are in employment. |

| | - Access to university and post- secondary education and to vocational training which is not directly linked to the concrete employment activity, may be subject to the fulfilment of specific prerequisites including language proficiency and the payment of tuition fees, according to national law; | maintenance grants and loans or other grants and loans; - by laying down specific prerequisites including language proficiency and the payment of tuition fees, in accordance with national law, with respect to access to university and post-secondary education and to vocational training which is not directly linked to the concrete employment activity; | |
|---|---|--|----|
| (b) by restricting the rights conferred under paragraphs 1(c) in respect to study grants; | moved to point a) | (b) deleted | OK |
| (c) by restricting the rights conferred under paragraphs 1(h) in respect to public housing to cases where the third-country national has been staying or who has the right to stay in its territory for at least three years; | (b) under paragraph 1 (g): to those third-country workers who are in employment and in respect to housing. | (c) under paragraph 1(h): by limiting its application to those third-country workers who are in employment; by restricting access to housing; | OK |
| (d) by restricting the rights conferred under paragraphs 1(a), (b) and (g) to those third-country workers who are in employment; | deleted | (d) deleted | OK |
| (e) by restricting the rights conferred under paragraphs 1(e) to third-country workers who are in employment except for unemployment benefits. | (c) as regards the rights conferred under paragraph 1 (e) for third-country workers, but shall not restrict such rights for third-country workers who are in employment or who have been | (e) by limiting the rights conferred under <i>paragraph</i> 1(e) <i>for</i> third-country workers, <i>but shall not restrict such rights for third-country workers</i> who are in employment <i>or who have been employed for a minimum period of 6</i> | OK |

| employed for a minimum period of 6 months and who are registered as unemployed. In addition, Member States may decide that paragraph 1 (e) with regard to family benefits shall not apply to third-country nationals who have been authorised to work on the territory of a Member State for a period not exceeding six months, to third-country nationals who have been admitted for the purpose of study or to third-country nationals who are allowed to work on the basis of a visa. | months and who are registered as unemployed. In addition, Member States may decide that paragraph 1 (e) with regard to family benefits shall not apply to third-country nationals who have been authorised to work on the territory of a Member State for a period not exceeding six months, to third-country nationals who have been admitted for the purpose of study or to third-country nationals who are allowed to work on the basis of a visa. | |
|--|--|----|
| (d) under paragraph 1 (f) in respect to tax benefits to cases where the registered or usual place of residence of the family members of the third-country worker for whom he/she claims benefits, lies within the territory of the Member State concerned. | (ea) under paragraph 1 (g) with respect to tax benefits by limiting its application to cases where the registered or usual place of residence of the family members of the third-country worker for whom he/she claims benefits, lies within the territory of the Member State concerned. | OK |
| 3. The right to equal treatment as laid down in paragraph 1 is without prejudice to the right of the Member State to withdraw or to refuse to renew the residence permit issued under this Directive, the residence permit issued for purposes other than work, or any other authorisation to work in a | 2a. The right to equal treatment as laid down in paragraph 1 is without prejudice to the right of the Member State to withdraw or to refuse to renew the residence permit issued under this Directive, the residence permit issued for purposes other than work, or any other authorisation to work in a Member State. | OK |

| | WIGHTOUR STOTA | 1 | |
|----------------------------|--|--|---|
| | 4. Third-country workers moving to a third-country, or the survivors of such a worker residing in third-countries as they derive their rights from the worker, shall receive, in relation to old-age, invalidity and death, statutory pensions based on the worker's previous employment and acquired in accordance with the legislation set out in Article 3 of Regulation (EC) No 883/2004, under the same conditions and at the same rates as the nationals of the Member States concerned when they move to a third-country. Member States may make the application of this provision conditional to the existence of bilateral agreements in which the reciprocal export of pensions is acknowledged and a technical cooperation established. | 2b. Third-country workers moving to a third country, or the survivors of such workers residing in a third-country deriving rights from the worker, shall receive, in relation to old-age, invalidity and death, statutory pensions based on the workers' previous employment and acquired in accordance with the legislation set out in Article 3 of Regulation (EC) No 883/2004, under the same conditions and at the same rates as the nationals of the Member States concerned when they move to a third country. | Council maintains its position but suggests the following technical modification: Third-country workers moving to a third-country, or the survivors of such a worker residing in third-countries as they derive their rights from the worker, shall receive, in relation to acquired old-age, invalidity and death, statutory pensions based on the worker's previous employment in accordance with Article 3 of Regulation (EC) No 883/2004, under the same conditions and at the same rates as the nationals of the Member States concerned when they move to a third-country. Member States may make the application of this provision conditional to the existence of bilateral agreements in which the reciprocal export of pensions is acknowledged and a technical cooperation established. |
| Article 13 | Article 13 | Article 13 | |
| More favourable provisions | More favourable provisions | More favourable provisions | |

| 1. This Directive shall apply | 1. This Directive shall apply without | 1. This Directive shall apply without | |
|---|--|--|----|
| without prejudice to more | prejudice to more favourable | prejudice to more favourable provisions | |
| favourable provisions of: | provisions of: | of: | |
| (a) Community legislation, | (a) Union legislation, including | (a) <i>Union</i> legislation, including | OK |
| including bilateral and multilateral | bilateral and multilateral agreements | bilateral and multilateral agreements | |
| agreements between the | between the Union , or the Union | between the <i>Union</i> , or the <i>Union</i> and | |
| Community, or the Community and | and its Member States, on the one | its Member States, on the one hand and | |
| its Member States, on the one hand | hand and one or more third countries | one or more third countries on the | |
| and one or more third countries on | on the other. | other. | |
| the other. | | | |
| (b) bilateral or multilateral | (b) bilateral or multilateral | (b) bilateral or multilateral agreements | OK |
| agreements between one or more | agreements between one or more | between one or more Member States | |
| Member States and one or more | Member States and one or more | and one or more third countries; | |
| third countries; | third countries; | | |
| 2. This Directive shall be without | 2. This Directive shall be without | 2. This Directive shall be without | OK |
| prejudice to the right of Member | prejudice to the right of Member | prejudice to the right of Member States | |
| States to adopt or maintain | States to adopt or maintain | to adopt or maintain provisions that are | |
| provisions that are more favourable | provisions that are more favourable | more favourable to the persons to | |
| to the persons to whom it applies. | to the persons to whom it applies. | whom it applies. | |
| Chapter IV | | Chapter IV | |
| Final provisions | | Final provisions | |
| Article 14 | Article 14 | Article 14 | |
| | Information to the general public | Information to the general public | |
| Each Member State shall ensure | Each Member State shall make | Each Member State shall <i>make</i> | OK |
| that a regularly updated set of | available to the general public a | available to the general public a | |
| information, concerning the | regularly updated set of information, | regularly updated set of information | |
| conditions of third-country | concerning the conditions of third- | concerning the conditions of third- | |
| nationals' entry into and stay in its | country nationals' entry into and stay | country nationals' entry into and stay in | |
| territory for the purpose of work, is | in its territory for the purpose of | its territory in order to work there. | |
| made available to the general | work. | | |
| public. | | | |
| Article 15 | Article 15 | Article 15 | |
| Reporting | Reporting | Reporting | |
| 1. Periodically, and for the first time | 1. Periodically, and for the first time | 1. Periodically, and for the first time no | OK |

| | | T | |
|---|---|---|--------------------------------|
| no later than three years after the | no later than three years after the | later than three years after the date | |
| date specified in Article 16, the | date specified in Article 16, the | specified in Article 16, the Commission | |
| Commission shall report to the | Commission shall report to the | shall <i>present a</i> report to the European | |
| European Parliament and the | European Parliament and the | Parliament and the Council on the | |
| Council on the application of this | Council on the application of this | application of this Directive in the | |
| Directive in the Member States and | Directive in the Member States and | Member States and shall propose any | |
| shall propose any amendments | shall propose any amendments | amendments <i>it deems</i> necessary. | |
| deemed necessary. | deemed necessary. | | |
| 2. Annually, and for the first time | 2. Annually, and for the first time no | 2. Annually, and for the first time no | OK |
| no later than 1 April of [one year | later than 1 July of [one year after | later than 1 July *, Member States | |
| after the date of transposition of this | the date of transposition of this | shall communicate to the Commission | |
| Directive], Member States shall | Directive], Member States shall | statistics on the volumes of third- | |
| communicate to the Commission | communicate to the Commission | country nationals who have been | |
| and the other Member States | [] statistics on the volumes of | granted a single permit during the | |
| through the network established by | third-country nationals who have | previous calendar year, <i>in accordance</i> | |
| Decision 2006/688/EC statistics on | been granted [] a single permit | with Regulation (EC) No 862/2007 of | |
| the volumes of third-country | during the previous calendar year, in | the European Parliament and of the | |
| nationals who have been granted, | accordance with Regulation (EC) | Council of 11 July 2007 on | |
| renewed or withdrawn a single | No 862/2007 of the European | Community statistics on migration and | |
| permit during the previous calendar | Parliament and of the Council on | international protection. | |
| year, indicating their nationality and | Community statistics on migration | | |
| their occupation. Statistics on | and international protection. | * One year after the deadline for | |
| admitted family members shall be | _ | transposition of this Directive. | |
| communicated likewise. | | | |
| Article 16 | Article 16 | Article 16 | |
| Transposition | Transposition | Transposition | |
| 1. Member States shall bring into | 1. Member States shall bring into | 1. Member States shall bring into force | Council maintains its position |
| force the laws, regulations and | force the laws, regulations and | the laws, regulations and administrative | regarding correlation tables |
| administrative provisions necessary | administrative provisions necessary | provisions necessary to comply with | and insists on the |
| to comply with this Directive by | to comply with this Directive by | this Directive by at the latest. They | transposition deadline of two |
| at the latest. They shall | {two years after the entry into | shall forthwith communicate to the | years. |
| forthwith communicate to the | force } at the latest. They shall | Commission the text of those | |

_

^{*} One year after the deadline for transposition of this Directive.

| Commission the text of those provisions and a correlation table | forthwith communicate to the Commission the text of those | provisions and a correlation table between those provisions and this | |
|---|---|---|----|
| between those provisions and this Directive. | provisions []. | Directive. | |
| When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference | When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on | When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the | OK |
| on the occasion of their official publication. The methods of making such reference shall be laid down by Member States. | the occasion of their official publication. The methods of making such reference shall be laid down by Member States. | occasion of their official publication. The methods of making such reference shall be laid down by Member States. | |
| 2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive. | 2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive. | 2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive. | OK |
| Article 17 Entry into force | Article 17 Entry into force | Article 17 Entry into force | |
| This Directive shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> . | This Directive shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> . | This Directive shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> . | OK |
| Article 18 Addressees | Article 18 Addressees | Article 18 Addressees | |
| This Directive is addressed to the Member States. | This Directive is addressed to the Member States | This Directive is addressed to the Member States in accordance with the Treaties. | OK |
| Done at Brussels, | Done at Brussels, | Done at | |
| For the Council The President | For the Council The President | For the European Parliament For the Council The President President | |