

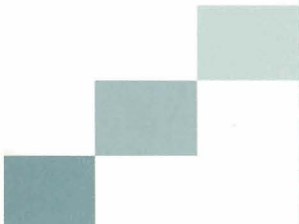
# THE EUROPEAN UNION — WHAT'S IN IT FOR ME?



Europe ...  
questions and answers



Europe  
on the move



This publication appears in the following official Community languages — Danish, German, Greek, English, French, Italian, Dutch and Swedish.

A great deal of additional information on the European Union is available on the Internet. It can be accessed through the Europa server (<http://europa.eu.int>)

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EUROPE ... QUESTIONS AND ANSWERS

THE EUROPEAN UNION —  
WHAT'S IN IT FOR ME?





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*The terms 'European Community' and 'European Union' are used in this text to speak of that political entity which was born as the European Economic Community (or Common Market) through the Treaty of Rome in 1957 and subsequently evolved first into the European Community and finally to the European Union through the Maastricht Treaty of 1991, or the 'Treaty on European Union' as it is formally known. The legal construction of the latter treaty, in so-called 'pillars', stipulates that most policy matters fall legally under the scope of the still existing European Community (e.g. everything relating to the single market and the common agricultural policy), but two important areas, the common foreign and security policy and justice and home affairs form the second and third pillars. They have a different legal framework under the 'roof' of the European Union.*

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The EU means many things to many people. For some it has been at the core of efforts to help maintain peace over the past 50 years in a continent which in the past has been riven by rivalry and suspicion. Others, however, talk of its political impotency. Why, they wonder, as a supposed political union, has it not been able to intervene effectively in the former Yugoslavia?

For many the EU is primarily about the single market and the opportunities and benefits this presents to businesses, students, pensioners and holidaymakers.

A number of people feel that it is becoming increasingly difficult to see the wood through the trees. They look back and ask whether the EU's current responsibilities really are fulfilling the visions of its founders, or whether those visions have themselves become lost in the ambiguities of post cold-war Europe? A fair question would be: What exactly is the EU for now?

Likewise, you may want to know how the EU benefits you directly, in practical terms.

The EU's institutions are inundated daily with enquiries by people hoping to get to the root of many such questions. This booklet, in a series of several, seeks to give brief but concise answers to the most frequent of these questions.

Ultimately, the EU is more than just the sum of its parts. Its Member States created it to help solve problems that cannot now be effectively tackled by countries acting alone. The point is that the EU offers opportunities, not restrictions.

# 1 Citizenship and democracy in the European Union

## What does European citizenship mean?

Citizenship of the EU is one of the most important features brought in by the Treaty on European Union, or Maastricht Treaty as it is commonly known. However, citizenship in this case is not concerned with nationality, rather it refers to the rights and privileges you are entitled to as a member of the Community. In this way, EU citizenship complements national citizenship; it does not replace it. The civic rights granted are simply extra rights.

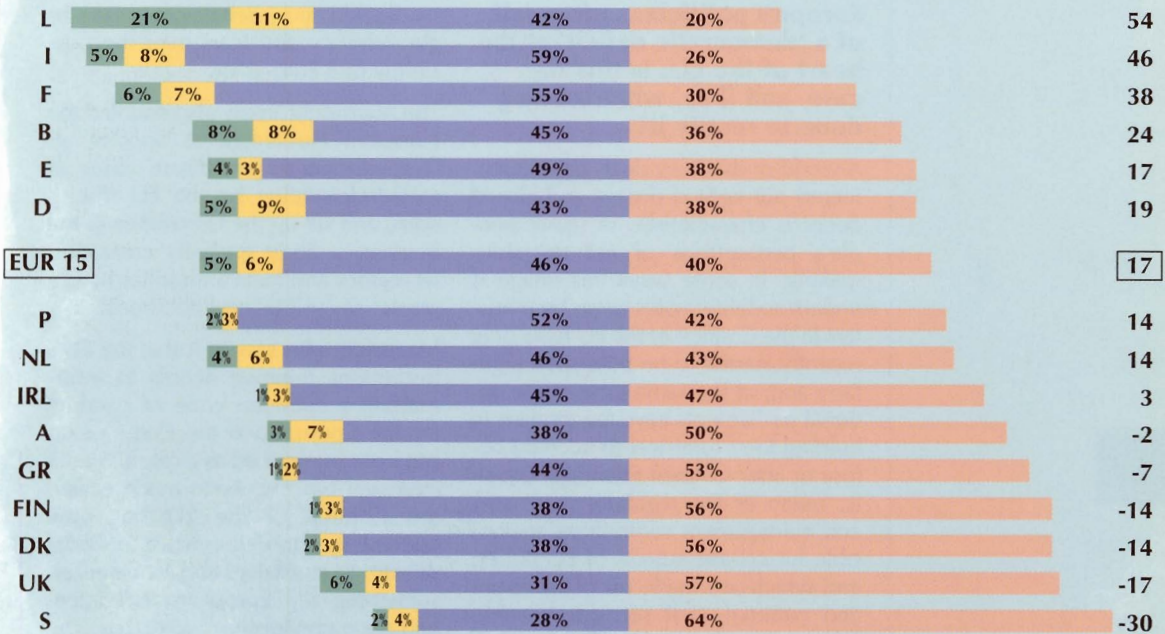
## What are my rights as a citizen of the European Union?

The number of rights conferred upon Europe's citizens are small at present, although the potential for enhancing them in the future is strong. What are they? Firstly, EU citizens are given the right to travel, work or live freely in any Member State, although there is still some way to go before this is fully accomplished. The opening up of the football transfer system is one example of this process in action; equally, everyone, not just workers, students,



## With what do Europe's citizens identify themselves — their nation or the EU?

A recent Eurobarometer opinion poll demonstrates that while comparatively few European citizens feel themselves to be primarily European, around half, on average, feel some sense of dual loyalty. This notion is most prevalent in France and Italy, and is least true of Sweden, Denmark and the United Kingdom.



Source: Survey No 44.1  
Fieldwork Nov-Dec 95  
Standard Eurobarometer 44 — Fig 2.13.

European only
  European and nationality
  Nationality and European
  Nationality only
 Percentage 'don't know' not shown

pensioners and those looking for work should yet have easy access to social security in Member States other than their own. Similarly common immigration, visa and asylum controls must be agreed so that internal borders really can be passport-free.

Secondly, as an EU citizen you can reside in a Member State other than your own and vote in that country's local/municipal and European Parliamentary elections. You can also stand as a candidate in both local and European elections in that country, under the same conditions as its nationals.



Thirdly, all EU citizens are entitled to consular or diplomatic protection when visiting a country outside the EU. They can use the facilities of other Member States when their own country is not represented there.

### **Europe's politicians often talk of a 'democratic deficit' at the heart of the EU. Is this the case, and if so, what is being done to rectify it?**

A world of shadowy deals being hammered out behind distant and closed doors is characteristic of many people's perceptions of EU decision-making. In some ways this image is understandable; votes taken by ministers in the Council of the EU have only recently started to be published regularly and, at the same time, some national parliaments have few powers in holding their ministers to account before or after Council meetings. Equally, many of the regulatory, advisory and management committees responsible for certain aspects of EU policy, and which are made up of European and national civil servants together with technical experts in the appropriate fields, are also largely unseen, although the same could be said of many national equivalents.

Critics argue that it was only after the problems in ratifying Maastricht that this message was finally hammered home to Europe's leaders. In fact the Maastricht Treaty itself sought to address this very issue. For instance, it introduced the concept of European citizenship, although this fact was swallowed up by debates over the single currency and fears over the possibility of a Euro-army.

The Maastricht Treaty also enabled the European Parliament to appoint an Ombudsman to investigate cases of maladministration by the EU institutions, and set up the Committee of the Regions, a body specially created to let regions and local authorities have a greater say in EU-level decisions.

Maastricht also saw to it that the EU's institutions improve access to information; a common code of conduct for the Council and the Commission has been introduced as a result. Media coverage has also been made easier: the Council of the EU has now opened its more important political debates to journalists and TV cameras, something the European Parliament had done previously.

**The Committee of the Regions** gives local and regional authorities a say in how Europe is run, albeit in an advisory capacity, and gives elected deputies the chance to get their messages to the heart of Europe.

The other EU institutions must consult the Committee on regional or cultural matters, or those affecting economic and social cohesion. It can also produce opinions on other areas if it is so inclined.

Moves towards greater openness have been further reinforced by the European Court of First Instance which, in October 1995, ruled that the Council of the EU should oppose the principle of access to information on the votes taken by national ministers only in exceptional circumstances, such as on security matters.

### **Does the European Parliament have any real powers in influencing European law? How has its role developed?**

The European Parliament (EP) is gradually taking a more central role in Community business, both in terms of its day-to-day running and planning, and in terms of its very legitimacy.

Initially Members of the European Parliament were drawn from national parliaments, but since 1979 they have been elected directly, anchoring the Parliament more firmly with Europe's citizens and giving it more authority in the European decision-making process. One of the most important and unsung justifications for parliamentarians at the European level is that they can afford to be specialized, able to dedicate their time solely to European issues. In parallel with this, transnational political parties and groupings have sprung up, the first real signs of cross-frontier accountability and allegiances forming.

Elections to the Parliament are held every five years, with each Member State allocated a share of the total number of 626 seats according to the respective national populations. At present, Germany has 99 seats, France, Italy and the United Kingdom 87 seats each, Spain 64, the Netherlands 31, Belgium, Greece and Portugal 25 each, Sweden 22, Austria 21, Denmark and Finland 16 each, Ireland 15 and Luxembourg 6.



**The European Parliament** usually meets in plenary session in Strasbourg, with Brussels generally chosen for committee meetings and the gatherings of political groups. As in the case of other parliaments, the executive, in this case the Commission, is responsible to it and must reply orally or in writing to questions laid down by MEPs.

The EP's initial powers were very limited; it did not have to be consulted on legislation, although it was soon granted advisory and some supervisory powers. On the other hand, the Parliament's budgetary powers have been considerable since the 1970s and have been strengthened further as the number of policies directly financed by the Community budget, rather than via Member States' contributions, has increased.

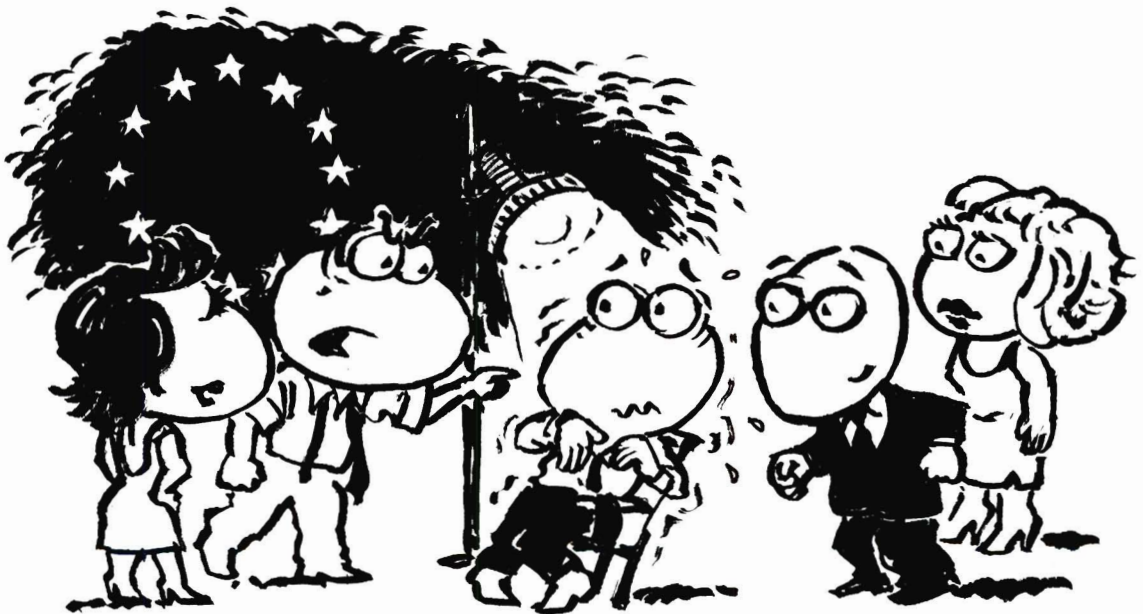
Under the 1987 Single European Act the EP's powers were substantially widened, notably by giving it the right to scrutinize a wider range of policy areas under the so-called 'cooperation procedure', whereby European Commission proposals have two readings in Parliament and two in the Council.

This includes all single market measures. On average, roughly half of the amendments proposed by the EP are accepted and included in the final legislation. The Act also ensured that all international cooperation and association agreements, and all subsequent enlargements of the Union, in the main negotiated by the Commission, are subject to Parliament's assent.

The 1992 Maastricht Treaty further strengthens the Parliament's position, expanding the cooperation procedure into new areas, such as the European Social Fund and aid to developing countries. Maastricht also gave the EP the power of co-decision with the Council of the EU, effectively giving the EP a third reading in certain areas, notably single market issues, with the eventual right to reject proposals definitively.

The EP can also now ask the European Commission to draft new legislation, and is able to dismiss the Commission *en masse* by a vote of censure supported by a two-thirds' majority.

The start of the new Parliament in January 1995 saw the various Parliamentary committees subjecting each Commissioner to a formal cross-questioning, after which the Parliament voted on the new Commission as a whole. In this instance it came out in favour of the Commission and its policy priorities; there is always the possibility it might not do so in the future.



## Where do I go to make a formal complaint about the Community itself or a matter of Community concern?

There are a number of options available. If, for instance, you want to raise a particular issue, you may consider petitioning the European Parliament by writing directly to: The President of the European Parliament, L-2929, Luxembourg. A Parliamentary Committee will then consider your petition, take whatever action it deems necessary, and inform you of its decision. Successful petitions in the past have, for example, persuaded certain Member States to alter their domestic legislation to bring it into line with Community law.

If you want to complain about suspected maladministration within any EU institution, you can contact the European Ombudsman. In July 1995 the European Parliament elected its first Ombudsman. He is Jacob Magnus Soderman, who was previously Parliamentary Ombudsman in Finland.

## What is the difference between the European Court of Justice and the European Court of Human Rights?

The European Court of Justice (ECJ) is based in Luxembourg and is the judicial institution of the EU. Its task is to ensure that in the interpretation and application of the EU treaties the law is respected. To that end the ECJ ensures that Member States fulfil their obligations under the treaties, that the EU's institutions do not exceed the powers conferred upon them and, in cooperation with national courts, that European Community law is uniformly interpreted and applied in all Member States.

Any EU citizen can contact the **European Ombudsman**, either directly or through their local MEP. He can be contacted on: Tel: (33) 88 17 23 83, Fax: (33) 88 17 90 62, or at the following address:  
European Parliament, Avenue Robert Schuman,  
BP 1024, F-67070 Strasbourg Cedex.

You can also **file a complaint** directly to the European Commission in the case of a suspected breach of Community law. For example, you may feel that a law has not been implemented in full, or at all. The Commission will look into it, and if it feels you are correct, may take a case directly to the European Court of Justice.

For more information please write to:  
M. Villedieu, Central Mailing,  
Secretariat-General, European Commission,  
Rue de la Loi 200, B-1049, Brussels.

The ECJ therefore carries out tasks which, in the legal systems of the Member States, are those of the constitutional courts, the courts of general jurisdiction or the administrative courts.

The ECJ may hear cases arising between Community institutions, between Member States and a Community institution or cases referred to it by courts or tribunals in the Member States for a ruling on the interpretation of any aspect of European Community law. Companies and individuals may bring cases directly before the Court of First Instance (CFI), which was created in 1988 to improve the judicial protection of individual interests and to enable the ECJ to concentrate on its fundamental task of ensuring the uniform interpretation of Community law. Decisions of the CFI are subject

to a right of appeal to the ECJ on points of law only. There is no right of appeal from a judgment of the ECJ.

The European Court of Human Rights (ECHR), on the other hand, is part of the Council of Europe and is based in Strasbourg. Founded in 1949, the Council of Europe is quite separate from the EU and consists of 40 States from the whole continent, including all the Member States of the EU.

The role of the ECHR is to make sure that the principles laid down in the Convention on the Protection of Human Rights and Fundamental Freedoms are respected. This international guarantee is not a substitute for national guarantees of fundamental rights, but is supplementary to them. Cases may be brought by States or individuals who feel that their human rights have been infringed by the authorities of a State. However, in order to bring a case before the ECHR, all possible judicial and administrative remedies in the State concerned must have been exhausted. Reforms are currently underway to make the protection machinery more accessible to individuals, to speed up the procedure and improve efficiency. Judgments of the ECHR must be respected by the country concerned.

## 2 Border controls and the free movement of people in the European Union

### **Why do I still have to prove my identity when travelling to other parts of the European Union?**

The 1987 Single European Act established an internal market in which the free movement of people is assured; it truly came into effect seven years later in January 1993. From then on Community citizens and those of the European Economic Area (EEA — currently Norway, Iceland and Liechtenstein) have had the right to travel throughout Europe without bureaucratic interference. Much progress has been made in this area. Waits at border crossings have been virtually eliminated and journey times reduced. This is as true both of road and rail crossings as it is of procedures at most airports.

Nevertheless some technical and political obstacles have made it hard to accomplish this goal fully. National sensitivities about borders remain, with some national governments preferring to keep their controls in place. This is true especially of those countries outside the 'Schengen' area. Random identity card checks also continue as Europe's governments worry about international crime, drug smuggling and terrorism. Therefore Community/EEA travellers are still obliged to carry some sort of proof of national identity on them — whether it be an identity card or a passport.

At the same time, some border crossings, especially airports, have kept controls in place. This is largely because some airports have not yet modified their infrastructure and layout to separate passengers on intra-Community flights from those on international flights. This takes time and money.

### **Why do border controls remain stricter in some EU Member States than in others?**

Member States' attitudes towards border controls reflect their differing political priorities and historical and cultural relationships, often built up over the years with non-member third countries, especially through old colonial ties. Some Member States are reluctant to lift their controls as they feel that the scrapping of internal borders will make both internal and external cross-border crime all the easier. For this reason cooperation between national customs officials and police forces have been stepped up, and a European police force (Europol) set up.

Some difficult technical questions have to be addressed before Member States fully open their borders to the rest of the Community. How, for instance, to best deal with nationals, who are by right citizens of a Member State, but not of the Community itself? This is true of Commonwealth nationals in the United Kingdom, for instance. Similarly, some see problems in allowing non-Community/EEA citizens, legally visiting one Member State, to pass into another as of right. Others are concerned about immigra-

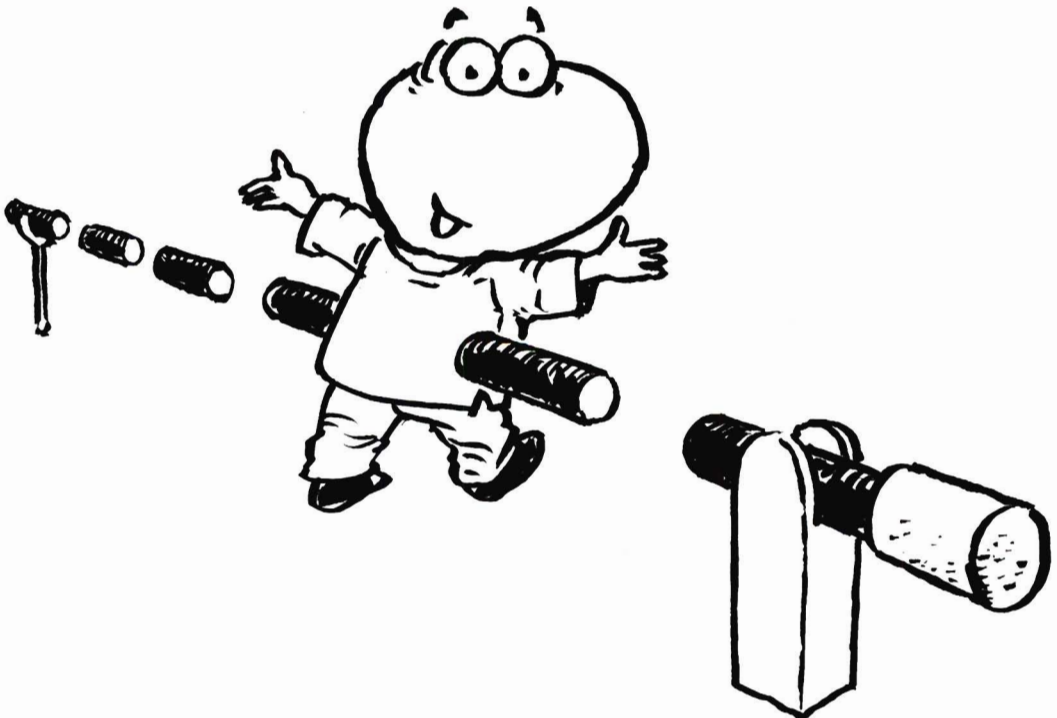
tion, especially illegal immigration, thinking that this could increase once internal border controls have been fully swept away. These types of questions are going to have to be answered to everyone's satisfaction.

To combat the inertia that had crept into the freeing-up of the movement of people, five Member States (Belgium, France, Germany, Luxembourg and the Netherlands), later followed by Italy, Spain, Portugal, Greece and Austria, signed the so-called 'Schengen' Agreement in 1985. These ten countries have since adopted some far-reaching regulations of their own, one of the primary goals being for the Schengen area to be entirely passport-free.

However it is the Community which remains responsible for establishing a common system for issuing visas and agreeing a common list of third countries whose nationals require visas in order to enter. This is now a priority.

## **What is the Community doing to guarantee the free movement of people across the whole Community?**

As 'guardian' of the Community Treaties, the European Commission is obliged to bring forward proposals to guarantee the genuine free movement of people. In July 1995 it put forward proposals to abolish the present system of approved border crossing points, end checks on ID documents by sea and air carriers and give visitors from outside the Community who were lawfully in one Member State the right to travel freely to any other Community country provided they have a residents' permit or visa.





Photostories

No Member State government can be forced to eliminate its frontier controls on people against its will, so governments can veto these proposals if they so wish. It is possible that this may yet happen. Why? Because certain parts of the jigsaw, such as the tightening up of external border controls, a pre-condition for revising internal border controls, are still being discussed. The removal of all internal frontiers in the Community must also mean the adoption of the same standards on immigration, asylum rights and visas. Work is at an advanced stage, but the final details have yet to be fully worked out.

**Will the eventual dismantling of all internal borders lead to an increase in levels of immigration to my country, from both inside and outside the Community?**

No, it should not. The fundamental point about dismantling the Community's internal borders is that this process must be accompanied by the synchronized tightening of all external borders.

Of course, moves to tighten all external borders are themselves highly complex, and in some cases contentious. The priorities for agreement include the need to make sure that foreigners declared undesirable in one Member State cannot simply move to another, and that illegal aliens are returned to the Member State where they first entered the Community.

*Integrating foreign residents EU-wide should be made easier, but illegal immigration is tackled by the entire European Union and its Member States together.*



Asylum seekers must also be considered, and need to be stopped from shopping around among different Member States. A uniform EU visa format, a common list of third countries whose nationals need a visa and the exact details on the sharing of information on criminals also need to be agreed.

The issue of internal immigration is therefore, in part, solved by this dual action approach, although there have also been fears expressed about benefit tourism — or immigrants and others purely seeking out and taking advantage of those Member States offering the best social welfare benefits in the Community.

In fact Member States are able, and some have actively sought, to limit the potential risk of massive population shifts as a result of the differences which still exist between their social legislation. But the evidence for this kind of movement happening is minimal, and is restricted by the strict enforcement of common rules granting rights of residence to students, the retired and the unemployed. If the Member States agree to provide even greater freedom of movement to all Community citizens, then the question of social benefits will inevitably have to be taken into account.

The difficulties experienced in trying to come to an agreement on these issues are not made any easier by the fact that the preferred method of decision making is in this instance intergovernmental. Not only does this limit its effectiveness but it also means that parliamentary scrutiny at the European level is essentially nil.

### 3 Living, working and studying abroad in the European Union

#### **Why do we need Community rules on social security?**

Europe's guarantee of geographical and occupational mobility and the right to a minimum level of social integration in any Member State lies at the core of the principle of the free movement of people. The logic is that if people are to be able to work and live freely in any country in the Community, then there must be common European provisions to ensure that they can do so without suffering undue disadvantages. Access to social security is therefore essential.

Originally the principle of free movement was confined to workers, assuring them equal treatment in terms of employment, wages and other working conditions throughout the Community. In practical terms, this has meant much work on the harmonization and mutual recognition of educational and professional qualifications and on guaranteeing workers the right of residence in another Member State. It was also recognized that job-seekers might also need time to look for work, so social security benefits were likewise extended to them.

Progress in agreeing and implementing common social security rights has been gradual, but these rights have become more extensive and have expanded to cover a greater variety of people over time. In 1990 Member States agreed to extend the right of residence to students, pensioners and non-employed people provided that they have sufficient means to support themselves and adequate health insurance cover.

#### **How do Community provisions on social security work? Do they replace national social security systems?**

Community provisions on social security do not harmonize or replace national systems which in some cases can be very different and which are the result of long-standing national practices and preferences. Therefore while each Member State continues to set its own rates relating to whom is to be insured, which benefits are granted and under what conditions, governments have agreed they must observe certain common principles, such as not discriminating against citizens of other Member States so that they can live, work and enjoy the same treatment and social security rights as their own nationals.

Member State governments must also respect the general rule that you are insured and pay contributions in the Member State in which you are employed, rather than in the country where you live, if this is different. There are exceptions to this rule, such as for workers temporarily posted to another Member State under certain conditions.

The Community provisions also provide for the 'aggregation of waiting periods' which means that whenever a waiting period is required before you become entitled to benefits, the authorities of the Member State in which you make a request for benefits are obliged, where necessary, to take into account periods of insurance, residence or employment completed under the legislations of other Member States in order to open your right to benefits.

### **Which social security benefits are covered by the Community provisions?**

Community provisions on social security apply to all national legislation on sickness and maternity, accidents at work, occupational diseases, invalidity benefits, old-age pensions, survivor's benefits, death grants, unemployment benefits and family benefits, irrespective of whether or not these benefits are financed by contributions, nor whether they are paid by employers, social insurance institutions or by the relevant public institution.

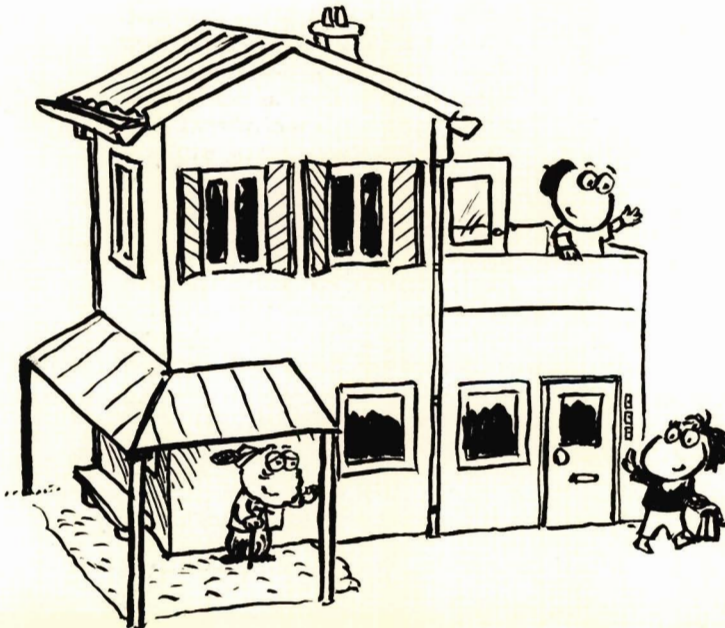
Community provisions do not apply to social and/or medical assistance which is means-tested, nor to benefits provided under occupational pension and early-retirement schemes. Neither do they apply to special schemes for civil servants, nor to benefits for victims of war or its consequences.

### **To whom do Community social security provisions apply?**

At present social security provisions do not apply to everyone in the Community, although they do apply to the great majority.

Those who benefit are:

1. Employed and self-employed workers who are nationals of a Community Member State or of the European Economic Area (EEA — the Community plus Norway, Iceland and Liechtenstein) and who are insured or have been insured under the legislation of one of those States;



2. Pensioners who are nationals of these States, even if they were pensioners before their country joined the Community or EEA;

3. Family members or survivors of those listed in the points above, regardless of nationality. Their protection, however, is limited to rights derived from the worker or pensioner concerned. As a rule, it is defined in the legislation of the State of residence whether or not someone can be considered as being a family member;

4. Civil servants whose insurance is of a general type and not specifically for civil servants;

5. Stateless persons and refugees.

Those not protected include:

1. Students and non-active people who are not considered as members of the family of an employed person or of a pensioner;

2. Civil servants where they are insured with a special scheme for civil servants;

3. Persons who are nationals of a country which is not a Member of the Community or of the EEA.

### **If I want to work abroad, which Member State's social security system applies?**

There are two basic principles at work here. The first says that all employed and self-employed people are covered by the social security legislation of a single Member State, regardless of the number of States you work in. The second principle says that you are insured in the country where you are employed or where you carry out the majority of your work. If you then move to another Member State you will become subject to the legislation of your new country of employment.

### **Are there any exceptions to these two rules?**

Yes, there are exceptions, notably for postings abroad, for special categories of people such as civil servants, mariners and the military, people habitually working in more than one Member State and for people who are employed in one Member State and self-employed in another.

1. If you are likely to be sent to another country on a posting, and the posting is to last for less than 12 months, then you remain subject to your current national insurance scheme. Before leaving you should ask your insurance institution for an E101 form which certifies that you remain covered by the legislation of your home country. If, through unseen circumstances, the duration of work exceeds 12 months then you can apply for an extension of the posting for up to 12 more months using an E102 form.

2. Mariners, workers in international transport, civil servants and people serving in the armed forces are all insured in the Member State in which the vessel/headquarters is based.

3. If you work in more than one Member State then you are insured in the country in which you live so long as you carry out part of your work in that country. The same applies to self-employed people working in several Member States. If you do not live in one of the countries where you work you will then be insured in the Member State where your employer is based. If you are self-employed, you will be insured in the Member State in which you do most of your work as a self-employed person.

4. For those who are employed in one Member State and self-employed in another the general rule is that you are insured in the country where you work as an employed person, though in exceptional circumstances you may be simultaneously insured in both Member States.

### **If I am starting work or setting up a business in another Member State, do I need a residence permit?**

You are entitled to work or set up your own business anywhere in the Community without needing a work permit. However, you must apply for (but you will automatically receive) a residence permit, which lasts for five years, renewable on request. If you are employed for a period of more than three months but less than one year you will be issued with a temporary residence permit, and you may be liable to penalties if you fail to do so. You are best advised to contact the consulate of the country, before you leave, to obtain the address of the competent local authority.

There are circumstances in which you may be refused entry to a Member State on public security and public health grounds. Generally you should not constitute a charge on public authorities during that time and have sufficient funds to cover your needs and comply with the normal legal requirements.

### **What are my family's rights if they are coming to live with me?**

You and your family must, by law, be treated on the same terms as nationals of the country to which you are moving with regard to employment, trade unions, training and equal opportunity rights. You must of course pay the same taxes and social security as nationals of the Member State in question. In the same way your family has access to the full range of that country's social security benefits on equal terms with its nationals.

If you are from outside the Community, but have a resident's permit in one Member State and are moving to work in another, you have the right to bring your family with you. If your wife and/or children (or other dependent relatives) are under the age of 21, and they are themselves not Community nationals, they will enjoy similar rights, providing you are working. Nevertheless you must check the local immigration rules for clearance before they enter another Member State for the first time.

### **How can I look for a job in another Member State in advance?**

There are plenty of ways to do this, including checking newspapers and replying to advertisements. Another way is to use the European Employment Service (EURES). EURES will give details of vacancies held, check for suitable vacancies overseas, and gives you the chance of making a speculative application to another Member State, although realistically you must speak the language of that Member State and have definite skills to offer an employer. There are essentially no jobs for which you are not eligible in another Member State. This rule applies to both public and private sector employers,

although certain public service jobs involving the exercise of public authority may be restricted to the nationals of that State. It is best to check with the consulate of the country concerned.

**EURES Office:** Ms Kolotourou,  
Rue de la Loi 200, B-1049 Bruxelles,  
Tel.: (32 2) 295 50 90  
Fax: (32 2) 299 05 08

### **I am unemployed; for how long can I stay in another Member State while looking for work?**

As an unemployed person wishing to go to another Member State to seek employment, you are entitled to have your unemployment benefits transferred for up to three months, provided you have been on your own country's unemployment register for one month. This will entitle you to receive unemployment benefit from your home country in the Member State where you are looking for work.

You must contact the employment services of the country where you are looking for work. They will issue you with an E303 form which you must present when registering as a job seeker with the employment services of the country where you are looking for work. You must register yourself within seven days of the date when you ceased to be available to the employment services of your home country. You must fulfil any administrative checks or procedures which are demanded by the employment services of the new country.



If you do not manage to find a job in the new country, you must return to your home country before the end of the three month period in order to continue to be eligible for unemployment benefits there. Otherwise you can apply for a means-tested payment in the country in which you are staying, although you may not necessarily qualify for this payment as each Member State has its own rules about how to qualify.

Nevertheless you can stay in another Member State for a 'reasonable time' looking for employment. This period varies between Member States, and is generally six months. You may be asked for evidence of your looking for work, such as job applications or the transfer form for your unemployment benefits. However, usually you can remain longer if you can prove you are still looking for a job and have a good chance of getting one.

*Unemployment is our biggest concern. The matter is mainly for Member States to tackle themselves, but the Commission does play a role too. You can look for a job EU-wide just like you can at home. There are EU funds for training schemes and studying abroad and at policy level the Commission proposes a pact for employment to the Member States.*



### **Will my professional qualifications and vocational training be recognized if I were to work in another Member State?**

Until recently Member States did not have to recognize many of the professional qualifications obtained in other Member States. This represented a major obstacle to free movement as professionals often had to requalify before they could pursue their profession in another Member State. To combat this, the Community has adopted a series of directives aimed at ensuring that qualifications and practical experience gained in one country are considered valid throughout the Community.

Certain core principles apply, with European provisions being designed to set certain minimum professional standards and equivalent levels of expertise for all Member States as there are still some significant differences in the education and training received in different countries.

For instance, it has now been agreed that any three year training qualification in further education which is not covered by any of the regulated professions (or profession specific) directives is recognized, ensuring that higher education qualifications obtained in one Member State have to be recognized in all others, even where the content and length are different, so long as they are three years long or the equivalent part-time and live up to certain standards.

### **What are the 'regulated professions'? What are the procedures for architects or accountants who want to work elsewhere in the Community?**

Regulated professions are those whose practice is regulated in some way at law or by administrative regulations and provisions. This tends to be done either through private chartered bodies, professional associations or central or local government. In general these include (among others), lawyers, accountants, engineers, teachers, surveyors, physiotherapists, chemists, technologists, geologists and psychologists.

If your profession is not regulated in your home country, but it is abroad, you will still be entitled to practice provided you can show that you have worked in that profession for at least two out of the ten previous years after gaining your three years higher education qualification. You are best advised to contact the regulatory board or society of your profession and obtain details of their counterparts, to which you should apply for recognition of your qualifications, enclosing evidence of them. You should hear within four months whether the body accepts your application and grants recognition of your qualifications. It might require an aptitude test, a supervised working practice or further professional experience.

For a number of professional activities the training requirements have been harmonized at European level: doctors, general practitioners, dentists, nurses, midwives, veterinary surgeons, architects and pharmacists.

For others jobs and trades, Member States are required to let you work if the professional experience which you have already acquired is sufficient. A certificate is needed, issued by your home country, showing that you have practical experience of between 3 to 6 years. These kinds of jobs include: retail and wholesale trade/intermediaries, the building industry, the hotel and catering industry, transport, post, telecommunications, travel, trade/distribution of toxic products, clothing and textiles, insurance agencies/brokers, forestry and horticulture.

## **I want to study abroad, but am worried that I might not have access to that country's social security.**

### **What is on offer?**

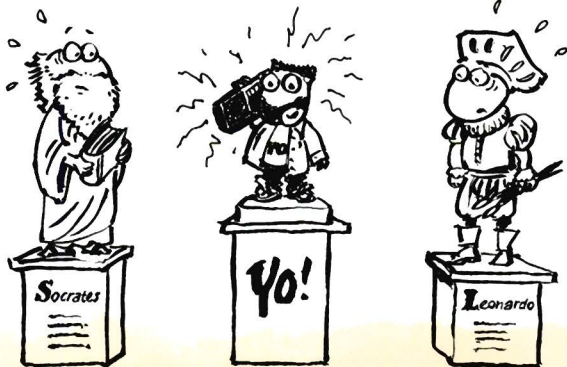
More and more students are choosing to study in other countries. As a student residing in another Member State you have access to all healthcare sickness benefits provided under the legislation of that country. It is advisable to take an E109 form, although this can also be delivered at your request by you or your parents' insurance company. If, on the other hand, you are staying temporarily in another Member State, an E111 form will give you access to all necessary healthcare benefits. For all other benefits (i.e. those which are not immediately necessary) you need prior authorization, achieved by filling out an E112 form.

## **What education and job training projects does the EU support?**

Increased investment in education is vital. To enable EU citizens to benefit fully from the single market, the EU carries out programmes to expand job opportunities. These are broadly split into three categories: educational mobility, training programmes and youth exchanges.

**1.** With a budget of ECU 850 million for the years 1995-99 the EU's Socrates programme encourages mobility. It finances schemes that encourage cooperation and the exchange of ideas and expertise among scientists, researchers and other academic staff. It also provides grants for universities to develop joint courses and to allow students to study in universities in EU partner countries.





**For further information** on EU educational, training and youth schemes, contact your country's Department of Education. Information on the various programmes is also available at your nearest university, or at the Leonardo da Vinci, Socrates and Youth programme offices. Their addresses are as follows:

## TECHNICAL ASSISTANCE OFFICES

### Socrates and 'Youth for Europe' Offices

Rue Montoyer 70  
B-1000 Brussels  
Tel. (32-2) 233 01 11

### Leonardo da Vinci Office

Avenue de l'Astronomie 9  
B-1210 Brussels  
Tel. (32-2) 227 01 00

## UNITED KINGDOM

### Socrates

UK Erasmus Student  
Grants Council  
The University Research and  
Development Building,  
Canterbury, Kent CT2 7PD  
Tel. (01227) 76 27 12  
- 74 4000 ext. 3673

### Leonardo da Vinci

Department of Education  
and Employment  
Higher Education and  
Employment Division  
Sanctuary Buildings  
Great Smith Street  
London SW1P 3BT  
Tel. (0171) 925 5306  
- 925 5254

### Youth for Europe

British Council Youth  
Exchange Centre  
10 Spring Gardens  
London SW1A 2BN  
Tel. (0171) 389 4030

## IRELAND

### Socrates

National Agency Ireland  
Higher Education Authority  
Fitzwilliam Square 21  
Dublin 2  
Tel. (01) 661 27 48

### Leonardo da Vinci

Léargas  
189-193 Parnell Street  
Dublin 1  
Tel. (01) 873 14 11

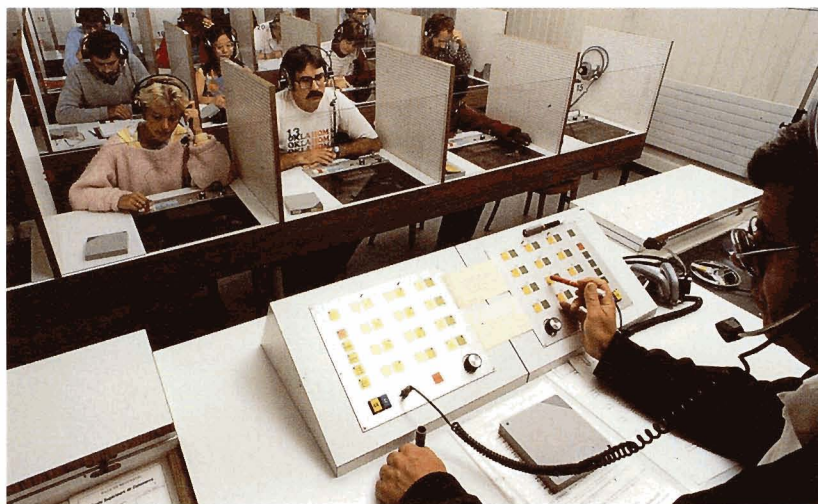
### Youth for Europe

Léargas  
1st floor, Avoca House  
189-193 Parnell Street  
Dublin 1  
Tel. (01) 873 14 11

2. The EU has set up training programmes to ensure that Europe's workers have the necessary skills and qualifications under the the Leonardo da Vinci programme. It promotes vocational training for women and young people, supports projects to foster cooperation between universities and industry in the field of training for technology, and encourages training in new technologies. Leonardo da Vinci's budget is ECU 620 million.

3. The EU's Youth programme helps young people who do not qualify under the Socrates and Leonardo da Vinci schemes to experience life and working conditions in other Member States. There is, for example, a Young workers' exchange programme, which gives preference to university graduates. The EU's Youth for Europe programme enables young people aged between 15 and 25 to take part in a wide range of exchange activities.

The EU is currently launching a pilot European voluntary service geared at giving young people the chance to pursue an activity of general interest in another EU country. Open to approximately 2 500 young Europeans aged between 18 and 25, with or without formal educational qualifications, though special attention will be paid to the disadvantaged, the service is intended to further social and occupational integration, and hopes to clear the way for a legal framework for volunteers to overcome current problems concerning residence permits and social protection.



*Life-long learning is of prime importance to cope with change in the workplace or to help when finding a new job. The Commission runs a number of programmes to make training available to EU citizens.*

The activities envisaged must contribute to addressing society's needs and might include organizing services for young people, providing assistance to the elderly, the disabled, refugees, the homeless and the sick, and teaching projects. Young applicants must apply either through an non-governmental organization (NGO) or their local authority.

### **What rights do I hold as a pensioner if I move abroad?**

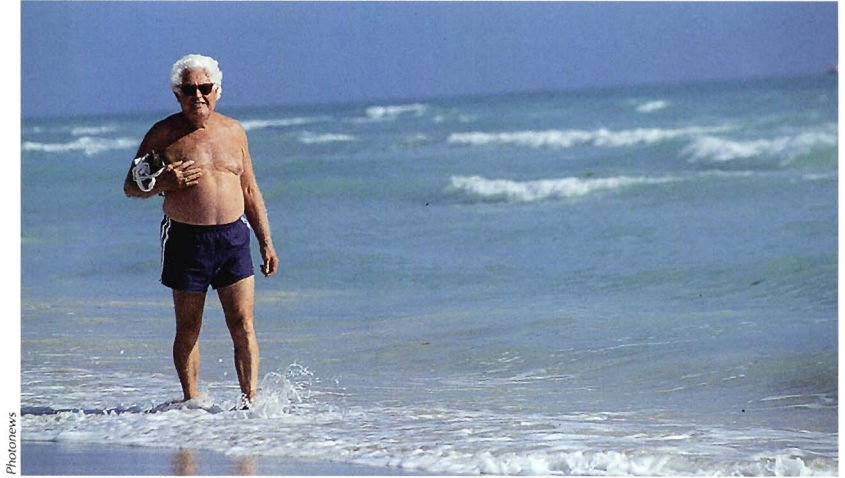
Pensioners get considerable protection from the Community, even if you have never left your country during your professional career. For one, although there is no Community pension, you are entitled to a separate pension from every country where you were insured for at least one year, provided you satisfy the eligibility conditions laid down in national law, such as having reached pensionable age. If you were not insured in a certain country for long enough to satisfy the national rules on a minimum period of insurance (a 'waiting period'), the Community rules state that periods of insurance in other countries must be taken into account in order to open

up the right to benefits. If you are entitled to a pension from more than one country, each pension will be calculated in proportion to the length of insurance in each country in question.

Furthermore your pension will be paid wherever you reside within the Community or the EEA without any reduction, modification or suspension, although this is not the case for some pension supplements, for complementary pension schemes based on industrial agreements or for means-tested social pensions.

As a person in receipt of a state pension, you and your family are entitled to healthcare benefits in the country where you reside, even if you were never insured in that country. The only condition is that you would be entitled to sickness benefits under the legislation of one of the countries from which you draw a pension if you resided in that country. You may also

*You want to retire to the sunny half of the EU? No problem, you can take up residence and draw your pension wherever you want, be it at a Finnish lakeside or near a Mediterranean beach.*



be entitled to cash sickness benefits from the country which pays your pension (or from the country where you were insured for the longest period if you receive pensions from several countries). If you are entitled to a pension from your country of residence, you and your family can claim sickness benefits in cash and in kind under the same conditions as nationals of that State.

You are entitled to family benefits for the members of your family, regardless of where you or the members of your family reside within the Community or the EEA. These benefits are paid by the institution of the country from which you draw your pension. If you are entitled to several pensions from different countries, you will normally get the highest amount of benefit provided under the legislation of one of these countries.

### **Am I entitled to invalidity benefits in other Member States?**

Invalidity schemes differ greatly across the Community and the EEA. In some countries they are calculated in a similar way to old-age pensions and the amount depends on the length of your insurance periods. In such cases you are entitled to an invalidity pension from each country where you are or have been insured, with the value of each pension proportionate to the length of the period of insurance. Contributions paid in other countries may be combined in order to help you qualify for this payment.

In other countries the amount of invalidity benefit is not linked to the length of the period of insurance. If you have been insured in only these countries you will receive the pension of the Member State where you were insured when your invalidity began. If you were first insured in a country where the amount of invalidity pension depends on the length of insurance periods and then in a country where it does not, you will get two pensions: one from the first State corresponding to the length of the insurance periods, and another from the

second State. If this is the case, the adjustment will be made in such a way as to ensure that you are neither worse nor better off than a person who has worked in just one country during his or her career.

If, on the other hand, you were first insured in a country where the amount of pension is independent of the length of insurance periods and then in a country where the pension does depend on these periods, you will get two separate pensions, each corresponding to the length of your insurance periods in the respective countries.

Invalidity benefits may, depending on national legislation, be converted into retirement benefits when you reach pensionable age.

### **What happens if I discover that a benefit that ought to be available to me is not?**

In 99% of all cases the Community provisions on social security are duly observed and applied. However, in a few cases problems arise because national authorities interpret them incorrectly or consider a particular benefit not to be covered by the Community rules.

Do not worry! Community provisions are binding upon all Member States and authorities. These are your rights,

**Forms and official procedures** can be difficult and time consuming. In dealing with foreign social security institutions they are, however, indispensable and can help you to successfully claim your rights within a reasonable period of time. A special series of 'E-forms' has been designed to ensure rapid and efficient communication between social security systems in the different Member States. These forms contain all the information which is necessary to prove your entitlement and to determine your benefits.

Before leaving your country you should always ask the social security institutions to give you the appropriate forms (for example, as a tourist you should have a Form E111 which entitles you to healthcare benefits in the event of accident or sudden illness).

These are the most important forms:

- (i) E100 for posting and for entitlement to sickness and maternity benefits;
- (ii) E200 for the calculation and payment of pensions;
- (iii) E300 for entitlement to unemployment benefit;
- (iv) E400 for entitlement to family benefits.

so you have recourse ultimately to national courts or tribunals, although normally cases cannot be brought to court without first exhausting all appeals to the social security institutions.



**The number of questions and answers** in this booklet on living, working, travelling or studying in the EU is by no means exhaustive. For independent legal advice or to ask any further questions you can also contact Community-funded citizens' advice bureaux in the Member States. They will inform you of any aspect of your rights as an EU citizen.

## EURO-JUS CITIZENS' ADVICE NETWORK:

### AUSTRIA

Euro-jus  
Stefan Hornung,  
Bürgerberater  
Kärntnerring 5-7  
A-1010 Wien  
Tel: (43-1) 516 18 341  
Fax: (43-1) 513 42 25

### BELGIUM

Euro-Droit  
Rue Archimède 73  
B-1000 Bruxelles  
Tel: (32-2) 295 94 78  
Fax: (32-2) 295 01 66

### DENMARK

Østergade 61  
PO Box 144  
DK-1004 København K  
Tel: (45-33) 14 41 40  
Fax: (45-33) 11 12 03

### GERMANY

Europäische  
Kommission  
Zitelmannstr. 22  
D-53113 Bonn  
Tel: (49-228) 63 03 43  
Fax: (49-228) 53 00 950

### SPAIN

Comisión Europea  
Representación  
en España  
Paseo de la  
Castellana, 46  
E-28046 Madrid  
Tel: (34-1) 431 57 11  
Fax: (34-1) 576 03 87

### FRANCE

CCE-BRF Socle de  
la Grande Arche  
F-92054 Paris  
Défense Cedex Paris  
Tel: (33-1) 41 25 12 53  
Fax: (33-1) 41 25 12 13

### GREECE

2 Vassilissis Sofias  
CP 11002  
GR-10674 Athina  
Tel: (30-1) 72 51 000  
Fax: (30-1) 72 44 620

### IRELAND

18 Dawson Street  
Dublin 2, Ireland  
Tel: (353-1) 662 51 13  
Fax: (353-1) 662 51 18

### ITALY

Commissione europea  
Via Poli 29  
I-00187 Roma  
Tel: (39-6) 699 991  
Fax: (39-6) 679 16 58

### LUXEMBOURG

Bâtiment Jean Monnet  
Bureau BO/003  
Rue Alcide De Gasperi  
L-2920 Luxembourg  
Tel: (352) 43 01 33 443  
Fax: (352) 43 01 34 433

### THE NETHERLANDS

Korte Vijveberg 5  
PB 30465  
NL-2500 GL Den Haag  
Tel: (31-70) 346 93 26  
ext. 44  
Fax: (31-70) 364 66 19

### PORTUGAL

Centro Europeu  
Jean Monnet  
Largo J. Monnet, 1-10.º  
P-1200 Lisboa  
Tel: (351-1) 350 98 80  
Fax: (351-1) 350 98 03

### FINLAND

Euroopan komissio  
Norra esplanaden 31  
PB 234  
FIN-00131 Helsingfors  
Tel: (3580) 65 64 20  
Fax: (3580) 65 67 28

### SWEDEN

Nybrogatan 11  
Box 7323  
SE-10390 Stockholm  
Tel: (46-8) 562 444 11  
Fax: (46-8) 562 444 12  
E-mail: bursto@sve-  
rige.dg 10-bur.cec.be

### UNITED KINGDOM

The Aire Centre  
74, Eurolink Business  
Centre  
44, Effra Road  
London SW2,  
United Kingdom  
Tel: (44-171) 924 09 27  
Fax: (44-171) 733 67 86

Once all national legal procedures and appeals have been exhausted, the final recourse is to the European Court of Justice. However, in case of doubt, the national court dealing with your case may ask the Court of Justice how a particular Community rule on social security should be interpreted. The Court has so far delivered more than 300 judgments on social security matters, most of them in favour of migrant

workers and their families. The Court will not directly decide on individual cases; its judgments are limited to the interpretation of the relevant Community provisions in the light of a particular case. The final decision is binding.

## 4 Holidays and travel in the European Union

### Are duty-free shops going to disappear as a result of the abolition of internal borders?

Duty-free shops at airports, ports and on board boats will remain in place until the 30 June 1999. At that time duty-free will disappear for travellers within the Community, as a Europe without frontiers must also mean one without special fiscal allowances connected with the crossing of frontiers. For the moment, at least, duty-free sales are subject to the same limitations as those which apply to travellers entering the Community as a whole from another country.

### What shopping am I allowed to bring back to my home country now that the single market is in place?

The answer is any shopping, so long as the product is not one which is prohibited in your home country, such as illicit drugs. One of the great advantages of living within the single market is that extra taxes, such as paying VAT a second time upon arriving back in your home country, are now a thing of the past. However this is dependent upon the goods being bought duty-paid in the first instance, and being only for personal use and not for resale in the second. Beyond this there is no limit to the amount of duty-paid goods which you may take from one country in the Community to another.

### What are Community rules on buying a car in another Member State?

Buying a car is an exception to Community rules on cross-border shopping. This is because there still remain very wide discrepancies in the amount of tax you need to pay when registering a car in the different countries of the Community. For instance, while in Germany and Luxembourg there is no registration tax, in Denmark and



**Limits on the amount** of alcohol and tobacco bought duty-paid which can be brought into your home country have been abolished, with the exception of Denmark, Finland and Sweden. Guidelines are now in place for consumers and customs officials; you can exceed these amounts provided you can prove they are for your personal needs:

Cigarettes 800, cigarillos 400, cigars 200, tobacco 1 kilo, spirits 10 litres, port, sherry and other fortified wines 20 litres, wine 90 litres (of which no more than 60 sparkling), beer 110 litres.

The three exceptions to Community rules on cross-border shopping are the purchase of new or virtually new cars, boats and planes. In these cases VAT is payable solely in your country of residence if proof of residence is shown to the seller.

Greece the rate is particularly high and in France, a 'circulation tax' is enforced, varying in amount from one *département* to another. In short, there is no unified system for car registration for the Community as a whole. However the European Commission is working on ways to sort out this kind of problem. The main difficulty is that some national finance ministries find this a particularly lucrative source of revenue.

Currently, if the car has done less than 6000 km or is less than six months old you must pay the VAT both in the Member State where you live and where the vehicle will be registered. For private cars which do not fall within this bracket you will now pay VAT in the country where you purchase the vehicle and not where it is later registered.

### **Is my driving licence valid across the Community?**

Driving licences valid in one Member State can be used in any other Community country for up to three months, though if you are planning to take up residence in another country you will be required to get a local licence. There has also been some work on the harmonization of driving tests, so that it is not significantly easier to pass in one country rather than another. The format of the licence itself is also being discussed so that it is recognizable in all Member States.

As regards insurance, the amounts guaranteed to compensate damage caused by a third party vary from one country to another, so it may be sensible to take out an extra insurance to cover this risk. However, all Europeans enjoy third-party coverage in the country visited, without having to pay any additional

premiums. At the same time it is often worth making sure that your contract includes a security guarantee should you have an accident and the local authorities require you to put down a deposit while the fault is being fixed.

### **To whom can I turn for advice when I have bought a faulty item in another Member State?**

The first thing to do if you have a problem of this sort is to complain to the service provider, manufacturer or dealer. If you are still experiencing difficulties help is also available from the



### **Telephone numbers**

of European cross-border consumer information centres:

Lille (F) (33-20) 60 69 19;  
Mons (B) (32-65) 84 07 38;  
Kortrijk (B) (32-56) 23 37 03;  
Luxembourg (L) (352) 49 60 22;  
Torino (I) (39-11) 436 23 19;  
Barcelona (E) (34-3) 33 09 812;  
Montpellier (F) (33-67) 92 63 40;  
Gronau (D) (49-2562) 70 20;  
Aachen (D) (49-241) 96 21 22;  
St-Vith (B) (32-80) 22 97 00;  
Eupen (B) (32-87) 55 55 40;  
Heerlen-Hoensbroek (NL)  
(31-45) 22 61 61;  
Flensburg (DK-D) (49-461) 28 705;  
Kehl (D) (49-7851) 48 28 62;  
Guimaraes (P) (351-53) 51 37 00;  
Pontevedra (E) (34-86) 86 22 33;  
Santiago de Compostela (E)  
(34-81) 54 55 64;  
Bilbao (E) (43-4) 442 32 88.

European consumer information centres (contact numbers on the previous page), where staff are experienced in the different legal situations which may exist on both sides of the border. These also provide advice and information for those considering cross-border shopping — are prices lower on the other side of the border? What are the rules on warranties and guarantees? What is the cheapest way of transferring money between two countries?

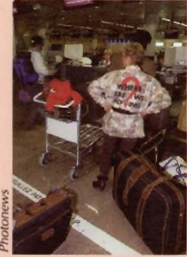
### **If I am taken ill on holiday or on a business trip am I entitled to free medical care?**

Yes, nationals of any Member State can claim emergency treatment or medical care in the case of unexpected illness or accident just as nationals of that country can (with the exception of Andorra, Monaco and San Marino).

It is advisable to take an E111 form with you when going on holiday to be entitled to medical benefits. In some Community countries medical treatment is free, in others you have to pay part of the cost or even the full costs and then claim a full or partial refund.

If you forget to take an E111 form you will have to pay for healthcare there and then, although you can later claim from your insurance who ought to reimburse you in accordance with the refund rates of the country where you were treated.

**Many of us** have ourselves been let down, or know of someone else who has been let down by a package tour operator. Recent European legislation provides protection for those buying package tour holidays. This applies to all packages of over 24 hours or including an overnight stay, wherever the destination. Among other benefits, it entitles you to detailed information about the package and full compensation or an equivalent refund in the event of cancellation by the tour operator. Furthermore travel agents are now obliged to inform you of the lowest available fare.



Photomex

**Look for the blue flag** on tourist beaches and marinas to make sure that they comply with Community bathing water standards and that the local authority has made sufficient effort to keep them clean. Flags are issued by the European foundation for environmental education, an independent body supported by the Community.

**The EU** is also working to provide safeguards for customers who buy timeshare properties such as the provision of adequate guarantees for compensation for the loss resulting from delay in the property's construction, the fair breakdown of common and occupation-linked charges between the purchasers and the enclosure of a description of the property as an integral part of the contract (including details of the common services available, i.e. gas, electricity, waste removal etc.), all in a language which the purchaser understands.



European Commission

**EUROPE ... QUESTIONS AND ANSWERS  
THE EUROPEAN UNION — WHAT'S IN IT FOR ME?**

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The EU means many things to many people. A number of people feel that it is becoming increasingly difficult to see the wood through the trees. What exactly is the EU for now? Likewise, you may want to know how the EU benefits you directly, in practical terms. This booklet, in a series of several, seeks to give brief but concise answers to the most frequent of these questions.

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18 Dawson Street, Dublin 2 — Tel. (1) 662 51 13

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##### **Representation in Scotland**

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##### **Representation**

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New York, NY 10017 — Tel. (212) 371 38 04

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