

Question

Must Article 49 TFEU be interpreted as precluding legislation of a first Member State which provides that third-country national crew members of a vessel flying the flag of that Member State and owned, directly or indirectly, by a company whose registered office is in a second Member State, must hold a work permit in that first Member State, unless the vessel concerned has called at ports in the first Member State no more than 25 times in one year.

Ruling

Article 49 TFEU, read in the light of Article 79(5) TFEU, must be interpreted as not precluding legislation of a first Member State which provides that crew members, who are third-country nationals, of a vessel flying the flag of that Member State and owned, directly or indirectly, by a company with its head office in a second Member State must hold a work permit in that first Member State, unless the vessel concerned has made no more than 25 calls to ports in the first Member State in one year.

ECJ 8 July 2021, case C-166/20 (Lietuvos Respublikos sveikatos apsaugos ministerija), Work and Residence Permit

BB – v – Lietuvos Respublikos sveikatos apsaugos ministerija, UK/Lithuanian case

Summary

A person who has not met professional requirements in his home state, but has obtained some qualifications in both the home and host state, is entitled to a verification by the host state authorities whether to acknowledge his qualifications, albeit partly.

Unfortunately, no English translation is available. Other language versions can be found on: https://curia.europa.eu/jcms/jcms/j_6/en/.