COUNCIL DIRECTIVE

of 21 May 1973

on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services

(73/148/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community, and in particular Article 54 (2) and Article 63 (2) thereof;

Having regard to the General Programmes for the abolition of restrictions on freedom of establishment and freedom to provide services [1], and in particular Title II thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament [2];

Having regard to the Opinion of the Economic and Social Committee [3];

Whereas freedom of movement of persons as provided for in the Treaty and the General Programmes for the abolition of restrictions on freedom of establishment and on freedom to provide services entails the abolition of restrictions on movement and residence within the Community for nationals of Member States wishing to establish themselves or to provide services within the territory of another Member State;

Whereas freedom of establishment can be fully attained only if a right of permanent residence is granted to the persons who are to enjoy freedom of establishment; whereas freedom to provide services entails that persons providing and receiving services should have the right of residence for the time during which the services are being provided;

Whereas Council Directive of 25 February 1964 [4] on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services laid down the rules applicable in this area to activities as self-employed persons;

Whereas Council Directive of 15 October 1968 [5] on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families, which replaced the Directive of 25 March 1964 [6] bearing the same title, has in the meantime amended the rules applicable to employed persons;

Whereas the provisions concerning movement and residence within the Community of self-employed persons and their families should likewise be improved;

Whereas the coordination of special measures concerning the movement and residence of foreign nationals, justified on grounds of public policy, public security or public health, is already the subject of the Council Directive of 25 February 1964 [7];

AS ADOPTED THIS DIRECTIVE:

Article 1

1. The Member States shall, acting as provided in this Directive, abolish restrictions on the movement and residence of:

(1) OJ No 2, 15. 1. 1962, p. 32/62 and 36/62.
(2) OJ No C 19, 28. 2. 1972, p. 5.
(3) OJ No C 67, 24. 6. 1972, p. 7.
(4) OJ No 56, 4. 4. 1964, p. 845/64.
(5) OJ No L 257, 19. 10. 1968, p. 13.
(6) OJ No 62, 17. 4. 1964, p. 981/64.
(7) OJ No 56, 4. 4. 1964, p. 850/64.