850/64 OFFICIAL JOURNAL OF THE EUROPEAN COMMUNITIES 4.4.64

COUNCIL DIRECTIVE

of 25 February 1964

on the co-ordination of special measures concerning the movement and residence of foreign nationals which are justified on grounds of public policy, public security or public health

(64/221/EEC)

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 56 (2) thereof;

Having regard to Council Regulation No 15 of 16 August 1961[1] on initial measures to bring about free movement of workers within the Community, and in particular Article 47 thereof;

Having regard to Council Directive of 16 August 1961[2] on administrative procedures and practices governing the entry into and employment and residence in a Member State of workers and their families from other Member States of the Community;

Having regard to the General Programmes[3] for the abolition of restrictions on freedom of establishment and on freedom to provide services, and in particular Title II of each such programme;

Having regard to the 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;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament[5];

Having regard to the Opinion of the Economic and Social Committee[6];

Whereas co-ordination of provisions laid down by law, regulation or administrative action which provide for special treatment for foreign nationals on grounds of public policy, public security or public health should in the first place deal with the conditions for entry and residence of nationals of Member States moving within the Community either in order to pursue activities as employed or self-employed persons, or as recipients of services;

Whereas such co-ordination presupposes in particular an approximation of the procedures followed in each Member State when invoking grounds of public policy, public security or public health in matters connected with the movement or residence of foreign nationals;

Whereas, in each Member State, nationals of other Member States should have adequate legal remedies available to them in respect of the decisions of the administration in such matters;

Whereas it would be of little practical use to compile a list of diseases and disabilities which might endanger public health, public policy or public security and it would be difficult to make such a list exhaustive; whereas it is sufficient to classify such diseases and disabilities in groups;

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. The provisions of this Directive shall apply to any national of a Member State who resides in or travels to another Member State of the Community, either in order to pursue an activity as an employed or self-employed person, or as a recipient of services.

2. These provisions shall apply also to the spouse and to members of the family who come within the

[1] OJ No 57, 26.8.1961, p. 1073/61.
[2] OJ No 80, 13.12.1961, p. 1513/61.
[3] OJ No 2, 15.1.1962, pp. 32/62 and 36/62.
[4] OJ No 56, 4.4.1964, p. 845/64.
[5] OJ No 134, 14.12.1962, p. 2861/62.
[6] OJ No 56, 4.4.1964, p. 856/64.