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COUNCIL DIRECTIVE

of 25 February 1964

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

(64/220/EEC)

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 54 and 63 thereof;

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

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 in Title II of each of 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 this Directive does not affect measures justified on grounds of public policy, public security or public health; whereas, in pursuance of Article 56 (2) of the Treaty, co-ordination of such measures is to be dealt with in a separate Directive;

HAS ADOPTED THIS DIRECTIVE:

Article 1

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

(a) nationals of a Member State who are established or who wish to establish themselves in another Member State in order to pursue activities as self-employed persons, or who wish to provide services in that State;

(b) nationals of Member States wishing to go to another Member State as recipients of services;

(c) the spouse and the children under twenty-one years of age of such nationals, irrespective of their nationality;

(d) the relatives in the ascending and descending lines of such nationals and of their spouse who are dependent on them, irrespective of the nationality of such relatives.

2. Member States shall give sympathetic consideration to the case of any other member of the family of any person referred to in paragraph 1 (a) or (b) who is dependent on that person and living under the same roof.

Article 2

1. Member States shall grant to the persons referred to in Article 1 the right to enter their territory merely on production of a valid identity card or passport.

2. No entry visa or equivalent document shall be required, save in respect of persons covered by sub-

[1] OJ No 2, 15.1.1962, pp. 32/62 and 36/62.
[2] OJ No 33, 4.3.1963, p. 479/63.
[3] OJ No 56, 4.4.1964, p. 849/64.