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Mobility of non-EU workers within EU--implementing Vander Elst

13/11/2014

Immigration analysis: A decade after the Vander Elst ruling, Marco Mazzeschi, founder of Italian boutique corporate immigration firm Mazzeschi, has spoken to colleagues across Europe to get a picture of the implementation of the ruling across Europe.

Background

Raymond Vander Elst v Office des Migrations Internationales: C-43/93

The *Vander Elst* procedure derives from a 1994 ruling by the European Court of Justice (ECJ) regarding the right of an EU company to provide services within the EU. The ECJ stated that in accordance with the principles of freedom to provide services and the principle of non-discrimination a non-EU national who is employed by a company in one EU country must be allowed to provide services to a company in another EU country for a limited period without the need for a work permit.

The principle established by the ECJ has been incorporated and implemented in different ways by member states. Below is a summary of the current status of implementation in a selection of member states.

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<http://www.lexisnexis.com/uk/lexispsl/immigration/document/412012/5DKG-DTD1-DYW7-W2M0-00000-00/Mobility-of-non-EU-workers-within-EU—implementing-Vander-Elst>