

Brussels, 1 March 2010

Internal Market: SOLVIT and Citizens Signpost Service help growing number of Europeans to live, work and do business across borders

A growing number of Europeans are turning to the EU's advice and assistance services to find concrete answers and fast solutions to questions and problems they encounter in the Internal Market. This is the common conclusion of annual reports released today by the European Commission on SOLVIT and the Citizens Signpost Service (CSS), two free assistance services available to European citizens and businesses to help them make the most of their Internal Market rights. SOLVIT has grown to become a complementary and practical alternative to formal infringement procedures, helping citizens and businesses claim their place at the heart of the Internal Market.

Internal Market and Services Commissioner Michel Barnier said: *"The Internal Market is not a bureaucratic construction. It is about making citizens' daily lives easier and helping companies do business in Europe. However, to truly take advantage of the Internal Market, citizens and businesses must be able to exercise their rights in practice. SOLVIT and the Citizen Signpost Service are two indispensable tools for empowering Europeans to understand, use and defend their EU rights more effectively."*

SOLVIT

By taking on an increased case load, SOLVIT has clearly contributed to the better functioning of the Internal Market. In 2009, SOLVIT helped a record number of 1,500 citizens and businesses who ran into difficulties getting their Internal Market rights recognised by national public administrations, a 54% increase compared to the previous year. The most frequent areas where problems occurred were residence rights, social security and recognition of professional qualifications. 86% of the cases were successfully resolved, and the average time for treating a case was 59 days, well within the 10-week deadline that SOLVIT imposes itself for treating cases.

Since 2007, the number of SOLVIT cases has been higher than the number of formal complaints and infringement cases in the Internal Market area. The short deadlines with which SOLVIT is working and its high success rate makes the service an effective alternative instrument to infringement procedures, which is good news for citizens and businesses that need to get their problems solved quickly.

About SOLVIT: the Commission and Member States set up the SOLVIT network in 2002 to help citizens and businesses overcome practical problems arising from the incorrect application of EU law by national administrations. SOLVIT delivers pragmatic solutions to complainants within ten weeks. SOLVIT is a free-of-charge, easy-to-use service. Complainants can submit their complaints via a webform in their native language or contact their national SOLVIT centre.

Citizens Signpost Service (CSS)

The Citizen Signpost Service provided free and practical legal advice within three working days to approximately 12,000 citizens in 2009, an increase of 8.5% compared to the previous year. Most questions received concerned social security, residence right, work, entry procedures, motor vehicles and taxation. In 2009, the service provided by CSS has been expanded to include face-to-face direct advice service in three capitals (Dublin, Berlin and Madrid), strengthening the range of assistance services available to help EU citizens to seize the opportunities of the Internal Market.

About CSS: this service gives free, personalised advice to EU citizens on questions and problems they have when exercising their Internal Market rights in another EU country – such as obtaining a residence permit, establishing social security cover or getting a qualification recognised. Citizens can ask questions in their own language and within three working days receive from a legal expert both an answer in that language and 'signposting' to where further help is available.

Next steps

Building on the successes of SOLVIT and CSS, the Commission is committed to continue investing in better information, guidance and problem solving for citizens and businesses. In 2009, SOLVIT and CSS moved closer together to offer a more integrated package of services to citizens. Close cooperation with other services is ongoing, with the final objective to offer a high-quality and 'one-stop shop' package of services, enabling citizens and businesses to better know, understand and defend their rights in the EU.

More information

SOLVIT: <http://ec.europa.eu/solvit>

Citizens Signpost Service: <http://ec.europa.eu/citizensrights/>

Annex 1 EXAMPLES OF CASES FROM CITIZEN SIGNPOST SERVICE

Cars and driving

Question: If I (Bulgarian) move to the Netherlands, do I need to exchange my Bulgarian driving licence for a Dutch one? Do I need to register my car there if my stay is only temporary and all my documents are Bulgarian?

Reply: You can use your Bulgarian driver's licence in the Netherlands, even if you decide to stay there. According to Directive 91/439/EEC, driving licences issued by one Member State must be recognised by others. So the Dutch authorities have to recognise your Bulgarian driver's licence. You can exchange that driver's licence for a Dutch one, but are not obliged to do so.

Further, if you stay in the Netherlands for less than 6 months, you do not need to register your car. If you intend to stay for a longer period however, you have to register it there within the first 6 months of your arrival.

Social security and welfare benefits

Question: I am French and I worked for 5 years in Luxembourg during my career. What will happen when I retire, who should I contact and where should I submit my request to receive pension benefits? Is there an automatic coordination between the French and Luxembourg pension authorities?

Reply: when you retire, you should submit your request to receive pension benefits with the French authorities. These authorities will then contact the pension authorities of the countries where you have worked (in your case, Luxembourg), to calculate your pension rights. In doing so, they must take account of all rights you acquired abroad. This follows from Regulation No. 1408/71 of June 14, 1971.

Residence rights for non-EU family members of EU citizens

Question: I am a British Citizen living in Brazil since I was 4 years old. I am planning to move back to Europe (France). Will my wife, a non-European citizen, obtain automatic residence right? Will she be covered by the local health system?

Reply: Your wife will be entitled to reside in France. This follows from Directive 2004/38 (the Citizenship Directive). Your wife will need a visa to enter the EU and must apply for a residence card within three months after her arrival in France.

Further, if you will be working in France, your wife will be entitled to local healthcare, under the same conditions as apply to spouses of French citizens

RESIDENCE RIGHTS AND FREE MOVEMENT OF PERSONS



EU citizens enjoy Cyprus sun

A British couple legally resident in Cyprus applied for permanent residence status. Almost a year later, the authorities informed the couple that they must first get a 3-month residence permit, to prove the continuity of their stay. SOLVIT notified the authorities that this was illegal under EU law and that the couple was entitled to permanent residence as they had been legally resident in Cyprus for over five years. Following this intervention, the competent authority issued the requisite documents to the complainants, and subsequently changed its policy on accepting applications for permanent residence.

Solved within 10 weeks

Kenyan wife of Liechtenstein citizen obtains residence papers in the UK

The Kenyan wife of a Liechtenstein national living in the United Kingdom had to wait more than ten months for a residence permit. It was finally issued within a few weeks following SOLVIT intervention.

Solved within 6 weeks

SOLVIT enables Brazilian wife of Belgian citizen to travel in Europe

A Brazilian woman living in the United Kingdom (married to a Belgian citizen) was prevented from travelling to France for urgent medical reasons because the UK authorities exceeded the 6-month limit under EU law for renewing her UK residence permit. SOLVIT contacted the UK Home Office, and the documents were issued rapidly.

Solved within 4 weeks



SOLVIT helps Austrian artist register as resident in Luxembourg

An Austrian artist wished to register as a resident in Luxembourg. He provided all the necessary papers to the local authorities, who refused to register him unless he provided a statement of support by a person resident in Luxembourg. SOLVIT pointed out that this additional requirement could not be imposed on an EU citizen. The local authority revised its position and took all necessary steps to swiftly register the Austrian citizen.

Solved within one week

¹ Success stories for all Member States and Norway, Liechtenstein and Iceland are available in the annex of the SOLVIT 2009 annual report

SOCIAL SECURITY



SOLVIT assists Hungarian jobseeker in Belgium

After giving birth to two children in Belgium while on unemployment benefit (having previously worked in Belgium), a Hungarian woman found she was no longer eligible for benefits as her work permit had expired and she could not therefore meet the requirement of actively seeking employment. SOLVIT resolved this with the Belgian authorities, and the woman was quickly recognised as an active jobseeker.

Solved within 9 weeks

Bulgarian citizen granted full pension rights by Greece

A Bulgarian citizen who had worked in both Bulgaria and Greece was denied part of his pension rights by the Greek authorities. SOLVIT clarified the issue with the pension authorities in both countries and enabled the claimant to receive his pension from the Greek institution with full benefits.

Solved within 6 weeks



German citizen has medical check-ups in Spain

A German living in Spain was refused reimbursement for medical check-ups as her German health insurance papers were rejected by the Spanish authorities. After action by SOLVIT, the woman was told which documents she needed, and succeeded in having her health insurance recognised.

Solved with 4 weeks



SOLVIT helps family to receive child benefits in Lithuania

The Lithuanian authorities refused to pay child benefits for a boy living with his mother in Lithuania while his father lived in Germany. The German administration paid half. Thanks to the intervention of SOLVIT, the Lithuanian authorities revised its decision retroactively.

Solved within 11 weeks

PROFESSIONAL QUALIFICATIONS

SOLVIT enables Estonian doctor to work in Spain

An Estonian doctor was prevented from working in Spain for ten months due to a delay in recognising her qualifications. Under EU law, the maximum time for this procedure is three months. With the help of SOLVIT, the proceedings were speeded up, and the Estonian doctor is now able to work in Spain.

Solved within 4 weeks

SOLVIT promotes Finnish smiles in Spain

A Finnish citizen wished to have his professional qualification as a dentist recognised in Spain. Having waited some considerable time for a decision from the Spanish Ministry of Education (more than the 3-month deadline provided for in EU legislation), he contacted SOLVIT for help. As a result of SOLVIT intervention, the Spanish Ministry sent the applicant the credentials with his professional recognition.

Solved within 10 weeks

SOLVIT abolishes language test for EU carpenters in Sweden

A Polish carpenter working in Sweden was told that, to get full pay as a skilled carpenter, he had to obtain a Swedish proficiency certificate by proving he had 10 000 hours work experience as a carpenter in Sweden and by taking a written test in Swedish. SOLVIT helped the carpenter get his certificate, and also convinced the authorities to abolish the written language test.

Solved within 12 weeks



Irish engineer's qualifications recognised in Poland

A Polish national who acquired his engineering qualifications in Ireland was finding it hard to get these qualifications recognised by the Polish authority, which insisted that he should meet additional requirements, due to the two countries having different systems. Following SOLVIT intervention, the Polish authorities agreed to recognise the engineer's qualifications without any further requirements.

Solved within 4 weeks

Cypriot with a Greek qualification can register as a doctor back home

A Cypriot who acquired a medical degree in Greece had his application to be registered at the Cypriot Medical Registry refused, although he had all the qualifications he needed for this under EU law. After action by SOLVIT, the Cypriot authorities swiftly registered the man as a doctor.

Solved within 12 weeks

FREE MOVEMENT OF GOODS, SERVICES, PAYMENTS AND TAXATION

Hungarian wood gets a coat of Austrian wood preservative

An Austrian company was prevented from marketing wood preservative in Hungary because it had no representative in that country and because the local authorities insisted that this was a requirement. SOLVIT told the Hungarian authorities that all that was needed was an office in the European Union, and the imports were allowed through.

Solved within 2 days



SOLVIT enables sale of portable pool cleaners in France

A Swedish manufacturer of mobile cleaning pumps for public swimming pools was denied access to the French market. Although their machines complied with a European standard - max. 12V AC when people are in the pool - the French rules said the maximum voltage applied whether swimmers were in the pool or not. SOLVIT found that the French rules only covered immovable products. Since the company's machines are portable and not to be used while people are in the pool, the manufacturer was given the go-ahead to sell them in France.

Solved within 15 weeks



Portuguese company gets VAT refund on deliveries to Polish supermarkets

A Portuguese company supplying retail goods to shops in Poland had to wait several months for a VAT refund. Once SOLVIT had contacted the Polish authorities, the refund was paid in two weeks.

Solved within 2 weeks



DRIVING LICENCES AND VEHICLE REGISTRATION

Cyprus issues new driving licence to German citizen

A German who used to live in Liechtenstein before moving to Cyprus had his driving licence stolen. The Cypriot authorities refused to issue a new one because the categories listed in the old licence were not recognised in Cyprus and because Liechtenstein was not a member of the EU. Thanks to action by SOLVIT, the authorities reconsidered the case and issued a new licence after all.

Solved within 4 weeks



Belgian trucker receives unlimited driving licence in Spain

When a Belgian trucker living in Spain had his Belgian driving licence converted into a Spanish one, he was surprised to see that the new one barred him for a year from driving more than 50 km from his point of departure. Thanks to SOLVIT's intervention, the Spanish authorities soon found there was an error in the man's file and removed the restriction from his licence.

Solved within 8 weeks

Italian driving licence renewed thanks to SOLVIT

An Italian working in Cyprus applied for a new driving licence. The Cypriot authorities asked their Italian counterparts to confirm the data on his licence, as required by EU law. There was no response. SOLVIT stepped in, and soon after the Italian authorities provided the requested confirmation and the man received his new licence.

Solved within 6 weeks

SOLVIT facilitates trailer import to Bulgaria

A Dutch national was prevented from importing a trailer into Bulgaria. As trailers lighter than 750 kg do not have to be registered in the Netherlands, the importer had no registration document — so the Bulgarian authorities refused to register the trailer in their country. SOLVIT helped the importer pass the Bulgarian roadworthiness test he needed to get the trailer registered there.

Solved within 13 weeks



NON-DISCRIMINATION



SOLVIT stops discrimination against Bulgarian nationals working abroad

A Bulgarian couple who were living and working abroad were barred from registering their daughter in a Bulgarian kindergarten because they were not covered by Bulgarian social security. After SOLVIT explained to the Bulgarian authorities that, under EU law, they were not allowed to penalise their own citizens for exercising their right to work in other EU countries, the family was able to enrol their daughter after all.

Solved within 6 weeks

SOLVIT gets British child to school in Bulgaria

A UK citizen residing in Bulgaria applied for a place at a local school for her daughter and was asked to pay a school fee of € 900, which Bulgarian nationals are not subject to. Following SOLVIT intervention, the school reconsidered its decision and recognised the child's right to free schooling.

Solved within 10 weeks

SOLVIT lifts excess charges for Norwegian vessel in UK harbour

A Norwegian ship carrying fertiliser from Norway to Northern Ireland was charged a higher fee than ships from EU countries. As Norway belongs to the European Economic Area (EEA), its vessels should be treated the same as those from any EU country. SOLVIT managed to persuade the harbour authorities to change their tariffs accordingly.

Solved within 14 weeks

