FREEDOM OF MOVEMENT OF WORKERS

ACCESS TO THE STUDY GRANTS
REGIONAL SEMINAR
16.09.2011
FREEDOM OF MOVEMENT

• General framework
  - Art 18 – general rule on non-discrimination due to the citizenship
  - Art 21 - general right to free movement in the EU
  - Art 45 freedom of movement for workers

• Secondary legislation
  - directive 2004/38/EC
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• Case law of ECJ

- Commission v The Netherlands c 542/09

- Dany Bidar c-209/03 – general discrimination rule applicable
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• CASE ESTONIA
  - Study Allowances and Study Loans Act §5
• A pupil or student (except a Doctoral candidate) has the right to apply for a basic allowance if he or she:
  • is an Estonian citizen or is staying in Estonia on the basis of a long-term or temporary residence permit or on the basis of a permanent or temporary right of residence;
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• A Doctoral candidate has the right to receive a **Doctoral allowance** if he or she:

• 1) is an Estonian citizen or is staying in Estonia on the basis of a long-term or temporary residence permit or a permanent or temporary right of residence;
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• Applying for study loan

• An Estonian citizen or a person staying in the Republic of Estonia on the basis of a long-term residence permit or permanent right of residence, the duration of whose studies according to the study programme is nine calendar months or more, has the right to obtain a study loan......
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Thank you for your attention!