

SUMMARY

# ECJ 8 July 2021, case C-71/20 (VAS Shipping), Work and Residence Permit

## *Criminal proceedings against VAS Shipping ApS, Danish Case*

### Summary

A Member State may impose legislation which require a work permit for third-country national crew members of a vessel flying the flag of a Member State, owned by a company in another Member State.

### Question

Must Article 49 TFEU be interpreted as precluding legislation of a first Member State which provides that third-country national crew members of a vessel flying the flag of that Member State and owned, directly or indirectly, by a company whose registered office is in a second Member State, must hold a work permit in that first Member State, unless the vessel concerned has called at ports in the first Member State no more than 25 times in one year.

### Ruling

Article 49 TFEU, read in the light of Article 79(5) TFEU, must be interpreted as not precluding legislation of a first Member State which provides that crew members, who are third-country nationals, of a vessel flying the flag of that Member State and owned, directly or indirectly, by a company with its head office in a second Member State must hold a work permit in that first Member State, unless the vessel concerned has made no more than 25 calls to ports in the first Member State in one year.

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**Creator:** European Court of Justice (ECJ)

**Verdict at:** 2021-07-08

**Case number:** C-71/20