

## SUMMARY

# **ECJ 3 March 2022, case C-590/20 (Presidenza del Consiglio dei Ministri e.a. (Médecins spécialistes en formation)), Free Movement, Work and Residence Permit**

***Presidenza del Consiglio dei Ministri and Others – v – UK, IG and others, Italian case***

### **Summary**

Medical students who started their training before directive 82/76 was adopted (29 January 1982) and continued with this training after the directive came into force (1 January 1983) are entitled to appropriate remuneration for this training, provided that the training meets the applicable criteria.

### **Question**

Are Article 2(1)(c) and Article 3(1) and (2) of Directive 75/363 as amended, together with the annex thereto, to be interpreted as meaning that any full-time or part-time specialist medical training begun before the entry into force, on 29 January 1982, of Directive 82/76 and continued after the expiry, on 1 January 1983, of the period prescribed for the transposition of that directive must be subject to appropriate remuneration within the meaning of that annex, and, second, must such appropriate remuneration, in that case, be paid for the entire period of training or only from that date of expiry onwards?

### **Ruling**

Article 2(1)(c) and Article 3(1) and (2) of Council Directive 75/363/EEC of 16 June 1975 concerning the coordination of provisions laid down by law, regulation or administrative

action in respect of activities of doctors, as amended by Council Directive 82/76/EEC of 26 January 1982, as well as the annex thereto, must be interpreted as meaning that any full-time or part-time specialist medical training begun before the entry into force, on 29 January 1982, of Directive 82/76 and continued after the expiry, on 1 January 1983, of the period prescribed for the transposition of that directive must, in respect of the period of that training running from 1 January 1983 until the end of that training, be subject to appropriate remuneration within the meaning of that annex, provided that that training concerns a medical specialty which is common to all the Member States or to two or more of them and is mentioned in Article 5 or Article 7 of Council Directive 75/362/EEC of 16 June 1975 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services.

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

**Verdict at:** 2022-03-03

**Case number:** C-590/20