

SUMMARY

# ECJ 4 July 2024, case C-375/23 (Meislev), work and residence permit

## *EN – v – Undlændingenævne), Danish case*

### Summary

Stricter conditions for obtaining a permanent residence permit imposed by a Member State on legally resident third-country workers, are not considered a ‘new restriction’ within the meaning of Decision No 1/80 if these conditions do not adversely affect their right to freedom of movement.

### Question

Must Article 13 of Decision No 1/80 on the development of the Association between the European Economic Community and Turkey be interpreted as meaning that legislation of a Member State which makes the obtaining of a permanent residence permit, by a Turkish worker legally resident in that Member State and falling within the scope of Article 6(1) of that decision, subject to stricter conditions than those which applied at the time when that decision entered into force in that Member State constitutes a ‘new restriction’, within the meaning of Article 13 of that decision?

### Ruling

Article 13 of Decision No 1/80 on the development of the Association between the European Economic Community and Turkey must be interpreted as meaning that legislation of a Member State which makes the obtaining of a permanent residence permit, by a Turkish worker legally resident in that Member State and falling within the scope of Article 6(1) of that decision, subject to stricter conditions than those which applied at the time when that decision entered into force in that Member State does not constitute a ‘new restriction’, within the meaning of Article 13 of that decision, since it does not adversely affect the exercise, by Turkish nationals legally residing in that Member State, of their right to freedom of movement

in the territory of that Member State.

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

**Verdict at:** 2024-07-04

**Case number:** C-375/23