

SUMMARY

Case C-442/16. Free movement

Does an EU citizen who (1) is a national of another Member State; (2) has lawfully resided in and worked as a self-employed person in a host Member State for approximately four years; (3) has ceased his work or economic activity by reason of absence of work and (4) has registered as a jobseeker with the relevant employment office, retain the status of self-employed person pursuant to Article 7(1)(a), whether pursuant to Article 7(3)(b) of Directive 2004/38/EC or otherwise. If not, does he retain the right to reside in the host Member State, not having satisfied the criteria in Article 7(1) (b) or (c) of Directive 2004/38/EC or is he only protected from expulsion pursuant to Article 14(4) (b) of Directive 2004/38/EC. If not, in relation to such a person, is the refusal of jobseeker's allowance (which is a non-contributory special benefit within the meaning of Article 70 of Regulation 883/2004/EC) by reason of a failure to establish a right to reside in the host Member State, compatible with EU law, and in particular Article 4 of Regulation 883/2004/EC.

Creator: European Court of Justice (ECJ)

Verdict at: 2016-08-08

Case number: C-442/16