



**COUNCIL OF
THE EUROPEAN UNION**



Brussels, 24 November 2011
12266/11
PRESSE 211

A single permit and a common set of rights for third-country nationals throughout the EU

The Council today paved the way for new rules creating a single permit for third-country nationals to reside and work in the EU ([13036/2/11](#)). The text aims to simplify the procedures for the admission of third-country nationals to reside and work in the EU and to facilitate the control of their status. It also lays down common rights for third-country nationals legally residing in a member state, based on equal treatment with nationals of that member state.

The Council adopted its first reading position on a text which had been agreed upon with the European Parliament. The parliament is expected to formally adopt the text in the coming weeks. The directive then needs to be transposed into national law within two years.

This text will be the first legislative instrument in the field of legal immigration adopted under the rules of the Lisbon Treaty.

A single application for a single permit

The directive provides for a simplified, one-stop-shop system of admission and work of third-country nationals. A single application will be sufficient for a single residence and work permit. The application can be made by the third-country national or by his/her employer. A decision on the application must be taken within four months. In order to prevent the exploitation of third-country nationals and combat illegal employment, member states have the possibility to include additional information on the employment relationship. This information may be contained in an additional paper document or may be stored in an electronic format.

P R E S S

Rue de la Loi 175 B - 1048 BRUSSELS Tel.: +32 (0)2 281 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/Newsroom>

12266/11

1
EN

A negative decision must be given in writing, must be justified and must be open to legal challenge. Member states will also provide, upon request, adequate information to the third-country national and the future employer on the documents required to make a complete application.

Rights on the basis of the single permit

Holders of a single permit have the right to enter and stay in the territory of the member state issuing the single permit and exercise the concrete employment activity authorised under the single permit. They will also enjoy, subject to possible limited restrictions, equal treatment with nationals of the member state where they reside with regard to:

- working conditions, including pay and dismissal as well as health and safety at the workplace;
- freedom of association, affiliation and membership of an organization representing workers or employers, including the benefits conferred by such organizations;
- education and vocational training;
- recognition of diplomas, certificates and other professional qualifications;
- branches of social security, as defined in Regulation (EC) No 883/2004;
- tax benefits, in so far as the worker is deemed to be resident for tax purposes in the member state concerned;
- access to goods and services and the supply of goods and services made available to the public including procedures for obtaining housing;
- advice services afforded by employment offices;
- the export of pension rights to third countries under the same conditions and at the same rates as the nationals of the member states concerned when they move to a third country.