

concerning § 12 The economic fundamental freedoms

Diagram 7
The fundamental freedoms - a simple overview¹

free movement of goods (art. 28 et seq., 110 et seq. FEU Treaty)	freedom to provide services (art. 56 et seq. FEU Treaty)	free movement of persons (art. 45 et seq., 49 et seq. FEU Treaty)	free movement of capital (art. 63(1), 64 et seq. FEU Treaty)	free movement of payments (Art. 63(2), 65 et seq. FEU Treaty)	freedom of movement and residence (art. 21 FEU Treaty)
<p>(cross-border mobility of goods)</p> <p>1) free movement of goods unhindered by customs and other tariff barriers 2) free movement of goods unhindered by non-tariff barriers - in particular no <i>measures having equivalent effect</i> to quantitative restrictions on imports (art. 34 - large concept, incl. regulations on necessary properties of products but not regulations on the general conditions of sale)</p>	<p>(cross-border mobility of services, service providers, service recipients)</p> <p>1) freedom to provide services in another member state 2) freedom to receive services in another member state 3) freedom to provide/receive cross-border services 4) freedom to provide/receive services while crossing the border together</p>	<p>(cross-border mobility of gainful occupation)</p> <p>1) free movement of workers - free access to work - free exercise of employment - residence after termination of employment - same social and tax privileges as domestic employees (secondary law) - rights of family members (according to secondary law))</p> <p>2) freedom of establishment - freedom to take up and pursue activities as self-employed persons - freedom to set-up and manage undertakings - freedom to set-up agencies, branches, subsidiaries, factories etc</p>	<p>(cross-border mobility of monetary or material assets)</p> <p>1) free transfer of monetary assets (for the purpose of capital investment) 2) free transfer of material assets (incl. acquis. of real estate)</p>	<p>(cross-border mobility of payments)</p> <p>● free transfer of payments in return for performance (for the purpose of the fulfillment of a financial obligation)</p>	<p>(non-economic mobility)</p> <p>● free movement in the member states ● free residence in the member states</p> <p>(only a <i>complementation</i> of the fundamental freedoms) (also for students and senior citizens)</p>

(Date: Diagram 7 (EU Law))

¹ For a more detailed overview see Diagram 5 from the course EU Internal Market Law, Hanoi Law University, Semester 2, 2013/14, www.thomas-schmitz-hanoi.vn/Downloads/Schmitz_EUIntML-HLU_diagram5.pdf.