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INFORMATION MEMO

Draft directive on liberalization of activities
connected with the press

The EEC Commission has submitted to the Council a draft directive laying down ways and means of achieving freedom of establishment and freedom to supply services in press activities.

The draft requires that Member States should take steps to comply with the directive within six months of being notified of the approval of the directive.

The proposals apply to self-employed persons working as freelance journalists, freelance press photographers, press or information agents, publishers of newspapers and other periodicals, and newspaper distributing services.

Each Member State will have to remove restrictions which:

- a) Prevent nationals of the other Member States engaged in these occupations from setting up in business or supplying services under the same conditions and with the same rights as its own nationals;
- b) Result from an administrative practice whose effect is to discriminate between such persons and its own nationals;
- c) Hamper the activities of companies because of the nationality of their members, the members of their managements or boards of directors, or their shareholders.

Where a Member State restricts access to or pursuit of any of these activities to persons with given general or professional qualifications, that Member State will be obliged to accept proof that those benefiting from the directive have actually and lawfully pursued this activity, on their own account or in a managerial capacity, in another Member State for at least two years as sufficient indication that they have these qualifications.

Where a Member State requires its nationals to be members of a professional association before they can take up any of these activities, it must ensure that the beneficiaries of this directive

are entitled, should they wish to set up business in that State, to join these professional associations with the same rights and duties as its own nationals.

The right of membership shall include the right to be elected or appointed to executive positions in the association. However, such positions may be reserved to nationals where the association concerned participates, by virtue of some legislative or administrative provision, in the exercise of public authority.

Lastly, where a Member State requires its nationals to produce evidence of good character or professional integrity or a statement of their financial position before they can take up one of the above professions, it must, in the case of the nationals of another Member State, accept the equivalent document required by that State.
