

FREE MOVEMENT OF WORKERS

List provided for in Article 14 of the Framework Agreement

INTRODUCTION

When the legal acts referred to in this Annex contain notions or refer to procedures which are specific to the EU legal order, such as:

- recitals;
- the addressees of the EU legal acts;
- references to territories or languages of the EU;
- references to rights and obligations of EU Member States, their public entities, undertakings or individuals in relation to each other; and
- references to information and notification procedures;

Framework Protocol 1 on horizontal adaptations shall apply, unless otherwise provided for in this Annex.

SECTORAL ADAPTATIONS

The provisions of the sectoral adaptations in Annex VIII to the Andorra Protocol shall apply, as appropriate, to this Annex.

TRANSITION PERIOD

Articles 31 to 33 of the Andorra Protocol shall apply to this Annex as appropriate, and unless otherwise specified in this Annex.

ACTS REFERRED TO

1. The act referred to in point 3 of Annex VIII to this Agreement (Directive 2004/38/EC of the European Parliament and of the Council), as adapted for the purposes of the Agreement shall apply, as appropriate, to the fields covered by this Annex.
2. The act referred to in point 4 of Annex VIII (Regulation (EU) 2019/1157 of the European Parliament and of the Council), as adapted for the purposes of the Agreement, shall apply, as appropriate, to the fields covered by this Annex.
3. 32011 R 0492: Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union (OJ L 141, 27.5.2011, p. 1), as amended by:
 - 32016 R 0589: Regulation (EU) 2016/589 of the European Parliament and of the Council of 13 April 2016 (OJ L 107, 22.4.2016, p. 1),

- 32019 R 1149: Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 (OJ L 186, 11.7.2019, p. 21).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) Article 36(1) shall not apply.
- (b) In Article 36(2), the reference to Article 48 of the Treaty on the Functioning of the European Union shall be replaced by reference to Article 15 of this Agreement.

- 4. 32016 R 0589: Regulation (EU) 2016/589 of the European Parliament and of the Council of 13 April 2016 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 (OJ L 107, 22.4.2016, p. 1).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be a period of two years from the date of entry into force of this Agreement.

- 5. 32018 D 0170: Commission Implementing Decision (EU) 2018/170 of 2 February 2018 on uniform detailed specifications for data collection and analysis to monitor and evaluate the functioning of the EURES network (OJ L 31, 3.2.2018, p. 104).

The provisions of this Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be a period of two years from the date of entry into force of this Agreement.

6. 32017 D 1255: Commission Implementing Decision (EU) 2017/1255 of 11 July 2017 on a template for the description of national systems and procedures to admit organisations to become EURES Members and Partners (OJ L 179, 12.7.2017, p. 18).

The provisions of this Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be a period of two years from the date of entry into force of this Agreement.

7. 32017 D 1256: Commission Implementing Decision (EU) 2017/1256 of 11 July 2017 on templates and procedures for the exchange of information on the EURES network national work programmes at Union level (OJ L 179, 12.7.2017, p. 24).

The provisions of this Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be a period of two years from the date of entry into force of this Agreement.

8. 32017 D 1257: Commission Implementing Decision (EU) 2017/1257 of 11 July 2017 on the technical standards and formats required for a uniform system to enable matching of job vacancies with job applications and CVs on the EURES portal (OJ L 179, 12.7.2017, p. 32).

The provisions of this Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be a period of two years from the date of entry into force of this Agreement.

9. 31977 L 0486: Council Directive 77/486/EEC of 25 July 1977 on the education of the children of migrant workers (OJ No L 199, 6.8.1977, p. 32).
10. 32014 L 0054: Directive 2014/54/EU of the European Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers (OJ L 128, 30.4.2014, p. 8).

The provisions of this Directive shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) The words "Union citizens" shall be replaced by the words "nationals of EU Member States and Andorra".
- (b) The words "Union workers" shall be replaced by the word "workers".
- (c) In Articles 1 and 3 the words "Article 45 TFEU" shall be replaced by the words "Article 14 of the Association Agreement".

- (d) In Article 4, the words "Union rules on free movement of workers" shall be replaced by the words "the rules on free movement of workers according to the Association Agreement".
- (e) In Article 6, the words "Union law" shall be replaced by the words "the Association Agreement".
- (f) In Article 7, the words "Article 21 TFEU and" shall not apply.

11. 32018 D 1020: Commission Implementing Decision (EU) 2018/1020 of 18 July 2018 on the adoption and updating of the list of skills, competences and occupations of the European classification for the purpose of automated matching through the EURES common IT platform (OJ L 183, 19.7.2018, p. 17).

The provisions of this Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be a period of two years from the date of entry into force of this Agreement.

12. 32018 D 1021: Commission Implementing Decision (EU) 2018/1021 of 18 July 2018 on the adoption of technical standards and formats necessary for the operation of the automated matching through the common IT platform using the European classification and the interoperability between national systems and the European classification (OJ L 183, 19.7.2018, p. 20).

The provisions of this Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 of Framework Protocol 1 shall apply. The period referred to in Article 3(2) of Framework Protocol 1 shall be a period of two years from the date of entry into force of this Agreement.

13. 32019 R 1149: Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344 (OJ L 186, 11.7.2019, p. 21).

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

In Article 17 the following paragraph shall be inserted:

"1a. Andorra may participate in the meetings and deliberations of the Management Board of the European Labour Authority as observer without taking part in any other activities of the European Labour Authority."

This adaptation shall be reviewed after five years from the entry into force of the Agreement.