

EU legislation and future financing of student support

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Who pays for student mobility?

EU Treaty provisions

- Art. 149 and 150:
 - Promote co-operation and mobility; facilitate access to vocational training
- Art. 39 and 43:
 - Abolition of discrimination based on nationality
- Art. 17 and 18:
 - Right to move and reside freely for EU citizens
- Art. 12: General prohibition of discrimination

Who pays for student mobility?

Secondary legislation

- Socrates/Erasmus:
 - Member state of origin pays during period of study in host states
 - Community supports coordination and organisation

Who pays for student mobility?

Secondary legislation

- Regulation 1612/68:
 - Art. 7, par. 2: worker enjoys same social and tax advantages as national worker
 - Art. 7, par. 3: worker has same access to training in vocational schools and retraining centers
 - Art. 12: children of a EU worker have access to general educational courses under same conditions as nationals of that state.

Who pays for student mobility?

Secondary legislation

- Student directive:
 - Art. 1: Student assures relevant authority that he has sufficient resources to avoid becoming burden on social assistance system of host Member State
 - Art. 3: no entitlement to maintenance grants by the host Member State on the part of foreign EU-students.

Who pays for student mobility?

Future law and legislation

- Directive 2004/38/EC:
 - Article 24 , par. 2: host Member State is not obliged to grant maintenance aid for studies to persons other than workers, self-employed persons, persons who retain such status and members of their families
- Constitution:
 - Articles III-182 and III-183: promote co-operation and mobility, facilitate access to vocational training and *exclusion* of harmonisation

Conclusion/Discussion points

- Who gets paid for education?
 - EU-Workers and their children
 - Students without economic ties to host state for access
 - EU-citizens??
- Who pays for student mobility? More coordination, maybe even harmonisation is needed.