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Commission

# SOLVIT\*

## Success stories



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## Ireland brings rules for the recognition of occupational therapists into line with EU law

SOLVIT received two complaints from a Polish citizen and a German citizen who were trying to have their professional qualifications as occupational therapists recognised in Ireland. The Irish Authority required that the college or University from which the applicants had graduated was approved by the World Federation of Occupational Therapists (WFOT) at the time of graduation. However, such an additional requirement for recognition of qualifications was not in line with EU legislation. SOLVIT Ireland contacted the ministry responsible and persuaded them to accept the applications for recognition. Due to SOLVIT



intervention, the reference to affiliation to the WFOT - which had been a pre-condition for recognition - was removed from the AOTI website and application forms.

**Solved within 5 months.**

## Czech tutor gets his diploma recognized in Luxembourg

A Czech citizen had an opportunity to work in Luxembourg as a tutor. He got the necessary qualification in the Czech Republic. However, the competent Luxembourgish authorities refused to recognise his qualification. Moreover, they neither let him pass compensatory exams nor get additional training. SOLVIT intervened, and the competent authority informed the SOLVIT that the case would be analysed again. Either the diploma would be recognised directly or, in case of partial recognition, the applicant would be invited to complete compensatory measures. Finally, his qualification was fully recognised.

**Solved within 7 weeks.**

## SOLVIT helps a doctor get his professional qualification recognized in Italy

An Italian citizen had a provisional doctor's title issued by the Spanish Authorities while the definitive one was issued by the Ministry of Education. When the client went to Italy and sought

professional recognition, the Italian Health Ministry would not recognise the Spanish provisional title of doctor, even though it had the same validity as the original. Following the intervention of SOLVIT, the Italian Ministry of Health accepted the replacement certificate issued by the Spanish Authority, and issued a certificate of recognition of the professional qualification of doctor of the applicant.

**Solved within 2 weeks.**

### Hungarian diploma recognised in France

A French citizen with a Hungarian nursing diploma applied for recognition of her professional qualifications in France so that she could take up employment. However, the competent authority did not react within the three-month deadline laid down by EU law. This delay was jeopardising her



chances of accepting the job she had been offered. Thanks to SOLVIT's intervention, the committee responsible for the decision assessed her file and proceeded swiftly to fully recognise her qualifications.

**Solved within 9 weeks.**

### SOLVIT enables Estonian doctor to work in Spain

An Estonian doctor was prevented from working in Spain for ten months due to a delay in recognising her qualifications. Under EU law, the maximum time for this procedure is three months. With the help of SOLVIT, the proceedings were speeded up, and the Estonian doctor is now able to work in Spain.

**Solved within 4 weeks.**

### SOLVIT helps an Austrian physiotherapist practice in Portugal

An Austrian physiotherapist holding an Austrian diploma applied for professional recognition in Portugal. For more than one year he did not get any response from the Portuguese authority. When calling the authority he was told that he should wait until they called back. As he had several opportunities to work in Portugal he needed the decision soon - without it he could not work. Thanks to the intervention of SOLVIT Portugal he got his recognition within one month after turning to SOLVIT and could start his professional career in Portugal.

**Solved within 5 weeks.**

## SOLVIT makes sure Romanian physiotherapists can sit exam in Italy

Five Romanian citizens wanted to have their physiotherapist qualifications recognised in Italy. The Italian competent authority assessed their files and asked them to choose a compensation measure, i.e. either a training period or an exam. Although the citizens informed the authority of their choice, the Ministry failed to organise the exam, thereby obliging the citizens to wait. Thanks to SOLVIT's intervention, the Ministry agreed to organise the exam. All five physiotherapists passed and had their qualifications recognised.

**Solved within 4 weeks.**



## SOLVIT abolishes language test for EU carpenters in Sweden



A Polish carpenter working in Sweden was told that, to get full pay as a skilled carpenter, he had to obtain a Swedish proficiency certificate by proving he had 10,000 hours work experience as a carpenter in Sweden and by taking a written test in Swedish. SOLVIT helped the carpenter get his certificate, and also convinced the authorities to abolish the written language test.

**Solved within 12 weeks.**

## SOLVIT helps Bulgarian study architecture in Germany



A Bulgarian national wanted to study architecture in Germany. His Bulgarian high school diploma (enough for access to any Bulgarian university) showed he had followed the general curriculum.

However, as he had studied some additional arts subjects, the diploma also mentioned a specialisation in arts and painting. The German authorities claimed this specialisation restricted his access to just certain universities, which did not include architecture colleges.

Thanks to SOLVIT, the German authorities changed their decision

and recognised that his diploma qualified him to study architecture in Germany.

**Solved within 13 weeks.**

## SOLVIT helps Irish engineer to work in Poland

A Polish national who obtained his engineering qualifications in Ireland was having difficulties getting them recognised in Poland. They insisted that he needed to take additional exams, due to differences between Irish and Polish engineering degrees. This requirement was not in line with EU law. Following SOLVIT's intervention, the Polish authorities agreed to recognise the Irish qualifications without further conditions.

**Solved within 4 weeks.**



## Polish pharmacist from UK enabled to work in Spain

A Polish national graduated in Pharmacy in 2001. In 2005 she moved to UK and worked as a pharmacist until 2009.

The year 2010 she moved to Spain and tried to get her professional qualifications recognized. She had some trouble with the application and the documents she handed in because she was not entitled to automatic recognition but to acquired rights for the time she had worked in UK.

Thanks to the intervention of SOLVIT, the Spanish relevant authority reviewed the file, recognised her professional qualifications, so she could work as a pharmacist in Spain as well.

**Solved within 6 weeks.**

## A language learned once is learned forever

A Bulgarian citizen holding a Bulgarian qualification as nurse (general care) applied for recognition of her qualification to the Nursing and Midwifery Council (NMC) in UK. After evaluation of her training a compensatory measure - 6 months adaptation period - was determined by the NMC, but the client had trouble finding a course for the adaptation needed. There was a precondition of an English IELTS test, although the applicant had passed another English language test. According to art.53 of the Directive 2005/36/EC "Persons benefiting from the recognition of professional qualifications shall have knowledge of languages necessary for practising the profession in the host Member State.". However, the evaluation of language knowledge is not part of the procedure for the recognition of professional qualifications. Thanks to the intervention of the SOLVIT Bulgaria and SOLVIT UK the client got her evidence for her

English course recognised and had the opportunity to undertake the compensation measure determined by the NMC.

**Solved within 8 weeks.**

## Working as a midwife anywhere in Europe

A Bulgarian citizen applied for recognition of her medical qualification and experience by the Spanish authorities. Although her application was accompanied by the necessary certificate from the competent authority of the country of origin (Art. 11 (d) of Directive 2005/36/EC), she received a demand to present a special diploma for nursing. However, the client had a diploma for midwifery and her application concerned the recognition of this profession and not the profession of nurse. After the intervention of SOLVIT the Spanish Ministry of Health decreed that there were calls for the completion of an aptitude test to certain EU nationals who have applied for recognition of professional qualifications to practice in Spain the profession of midwives. The client received a special letter from the competent Spanish authority for the actual recognition of her profession.

**Solved within 7 weeks.**

## Help for a Spanish dentist to practise in UK

A dental hygienist applied to the UK Authorities for the recognition of her professional qualification obtained in Spain. She was requested by the General Dental Council to present documents and finally as these documents were not found to be sufficient she was asked to fill in a long questionnaire. At the end her application for recognition was rejected by the General Dental Council. Following the intervention of SOLVIT the dental hygienist's application was

reassessed by the panel of assessors following further submissions of new information. The General Dental Council confirmed that the application was successful, and the client was informed of the outcome.

**Solved within 12 weeks.**

### SOLVIT clears the way for Romanian physiotherapists in France

Qualified physiotherapists from Romania used to suffer long delays getting recognised to practise in France. SOLVIT intervened, and recognition is now granted much more quickly.

**Solved within 7 weeks.**



### French opticians also enabled to help people see better in Spain

A French Optician (Opticien lunetiere) applied for the recognition of her professional qualifications in Spain. The Spanish authorities asked her for an attestation of competence stating that she was qualified to work as an optician. The plaintiff contacted the French authorities but they answered in an e-mail that they could not provide that document because they only issued that kind of document for the professions of automatic recognition; but they confirmed (in that e-mail) that she was qualified to work as an optician in France.

Thanks to the intervention of SOLVIT, that e-mail was considered as evidence and the file was reviewed in order to recognize her qualifications and asses the possible compensatory measures.

**Solved within 5 weeks.**

## 2 Free movement of persons and workers

### SOLVIT enables Bulgarian consultant to work in Luxembourg

A Bulgarian citizen with a French diploma was offered a job in a consultancy firm in Luxembourg. The company had made the necessary arrangements to obtain a work permit for its new employee. However, the procedure was taking much longer than the expected one to three months, jeopardising the Bulgarian citizen's chances of getting the job. Following SOLVIT's intervention, the applicant received his work permit and was able to start his professional career in Luxembourg.

**Solved within 8 weeks.**



### SOLVIT enables Brazilian wife of Belgian citizen to travel in Europe



A Brazilian woman living in the United Kingdom (married to a Belgian citizen) was prevented from travelling to France for urgent medical reasons because the UK authorities exceeded the 6-month limit under EU law for renewing her UK residence permit. SOLVIT contacted the UK Home Office, and the documents were issued rapidly.

**Solved within 4 weeks.**

## SOLVIT helps UK newlyweds to put icing on the cake

A British couple officially married in the United Kingdom invited their friends and relatives to join them for their wedding celebrations in Portugal. The bride's father, an Iranian national married to a British citizen for over 25 years, and living and working in the UK, applied for a two-week visa to Portugal. He provided all necessary documents, but the visa was nonetheless refused for 'Immigration issues.' The groom contacted SOLVIT, which worked with the relevant authorities to grant the bride's father a visa in time for the celebrations in Portugal. The groom exclaimed in gratitude, "This good news has come as such a relief and I am happy to say that my wedding celebration will now be a time of happiness."

**Solved within 2 weeks.**



## Danish father reunites with his family in Germany

A Danish client wanted to have family reunification with his wife and little son from Thailand while living in Germany for some time. The request for a residence permit was however turned down by the German local authorities. After SOLVIT Germany contacted the relevant authority in Flensburg, the client's case was handled in due time and the client's wife received the residence card for a family member according to Directive 2004/38/EC. So thanks to SOLVIT Germany the problem concerning the wife's expiring visa was solved, and her stay in Germany was legal. The family could now establish themselves and have the son join them. They thanked SOLVIT and said it was a brilliant problem solving tool which should be known by many more people.

**Solved within 12 weeks.**

## Living periods before accession count too

A Bulgarian citizen was residing legally in the Netherlands for more than 5 years, starting from the period before Bulgarian accession to the EU. The citizen had applied for a permanent residence in the Netherlands but the local authorities were not convinced that the applicant had actually been residing legally in the Netherlands before EU accession. Unfortunately, even a declaration from the military forces where the applicant had been registered was not recognised. The intervention of the Bulgarian and Dutch SOLVIT Centres resolved the case and the applicant was granted a permanent residence certificate.

**Solved within 3 weeks.**

## SOLVIT helps Tunisian citizen get UK residence permit

A Tunisian living with his Polish wife in the UK had to wait longer than the 6-month period imposed by EU law to be issued a UK residence permit. The residence permit was issued soon after SOLVIT intervention.

**Solved within 10 weeks.**



## SOLVIT helps EU citizens enjoy Cyprus sun

A British couple legally resident in Cyprus applied for permanent residence status. Almost a year later, the authorities informed the couple that they must first get a 3-month residence permit, to prove the continuity of their stay. SOLVIT notified the authorities that this was illegal under EU law and that the couple was entitled to permanent residence as they had been legally resident in Cyprus for over five years. Following this intervention, the competent

authority issued the requisite documents to the complainants, and subsequently changed its policy on accepting applications for permanent residence.

**Solved within 10 weeks.**

## SOLVIT enables Slovenian social benefits to be paid to foreign bank accounts

German citizen worked in Slovenia for a period of six months. Upon his return to Germany he applied for Slovenian child benefit and parental benefits for the period he worked there. The Slovenian authority sent a letter requesting the applicant to open a bank account in Slovenia in order to receive the payment. The authority explained that a transfer to a German bank account is impossible due to technical reasons. After intervention of SOLVIT the Slovenian authority decided to upgrade the information system in order to facilitate cross-border payments in the field of family benefits.

**Solved within 8 months.**

## SOLVIT helps Austrian artist register as resident in Luxembourg

An Austrian artist wished to register as a resident in Luxembourg. He provided all the necessary papers to the local authorities, who refused to register him unless he provided a statement of support by a person resident in Luxembourg. SOLVIT pointed out that this additional requirement could not be imposed on an EU citizen. The local authority revised its position and took all necessary steps to swiftly register the Austrian citizen.

**Solved within 1 week.**

## SOLVIT helps French student pilot register in Belgium



A French national studying to become a pilot at a Belgian flight school could not register as a student with the Belgian authorities because the school was private and not recognised by the Belgian regional authorities (the “French Community”). However, because the certificates issued by the school were approved by the Belgian transport ministry, under EU law anyone enrolled there should have student status. Thanks to SOLVIT’s intervention, the French Community authorities agreed to register the student.

**Solved within 8 weeks.**

## SOLVIT plays Santa: a Christmas visit to Denmark

A Dane living in the United Kingdom with his non-EU wife wanted to pay a Christmas visit to his family in Denmark with her. As she had not yet obtained a UK residence permit (this takes up to six months), she was told she would need a tourist visa to travel to Denmark. The processing time required meant the authorities could not issue the visa in time for Christmas. The intervention of SOLVIT led to the Danish immigration authorities issuing the visa six days later, and the couple were able to celebrate Christmas in Denmark together.

**Solved within 1 week.**

## Non-EU spouse of Irish national experiencing problems with a visa for Poland

The Ukrainian spouse of an Irish national held an Irish residency card and wanted to travel to the Ukraine with her Irish son, passing through Poland. She required a visa as the holder of an Irish residency card as opposed to an EU residency card; however, the Polish authorities requested a large number of documents that they required as they did not classify her as travelling with her EU family member. Following SOLVIT Poland’s intervention, the Polish authority clarified the situation with the Embassy and informed the client that she would be issued with a visa in line with EU law (Art. 5(2) of Directive 2004/38/EC).

**Solved within 8 weeks.**

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### **Non-EU spouse of Hungarian national living in Ireland experiencing problems travelling to Malta**

The Non-EU spouse of a Hungarian national living and working in Ireland wished to travel to Malta for a holiday; however the Maltese Embassy informed them that the non-EU spouse needed to obtain a visa to enter Malta even though he held a EU residency card and they placed a stamp in his passport. Following the intervention of the Maltese SOLVIT Centre, the responsible Maltese Ministry informed the clients that they would not require a visa. While the Embassy had already placed a stamp in the client's passport, the Embassy acknowledged that a visa was not required and in an attempt to avoid the client experiencing difficulty with the stamp at MS borders, they issued a visa to cover the dates of travel.

**Solved within 1 week.**

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### **SOLVIT helps a baby have the same surname in Spain as in Italy**

A Spanish citizen married to an Italian citizen was unsuccessfully trying to register his child in Italy with the same name that the child had in its Spanish documents. The local council denied the right of including in the child's Italian passport its name with the surnames of the father and the mother, as is the practice in Spain. SOLVIT Italy clarified to the local council that Italian law guarantees this right upon the request of the parents.

**Solved within 12 weeks.**



# 3 Free movement of services

## SOLVIT ensures fair treatment for rafting companies in Slovenia

Rafting companies from Hungary and Slovakia complained that cheaper, year-long access to a particular river in Slovenia was reserved for Slovenian companies. Foreign companies not only had to pay more but had the daily inconvenience of buying tickets. Thanks to SOLVIT, the discriminatory rules were changed and foreign companies can now ply their trade on Slovenia's rivers on the same basis as local companies. Because it implied a change of the rules, solving the case took longer than the SOLVIT average.

**Solved within 10 months.**



## SOLVIT helps Portuguese company in France

A temporary work agency in Portugal assigned its workers to provide temporary services in the construction sector in France. One of the workers was an Angolan citizen, who had been resident in Portugal for 16 years, had a contract with the Portuguese company and held a Portuguese resident's permit valid for 5 years. The French labour inspectorate obliged the Angolan national to stop working because of doubts concerning the Portuguese residence permit. This caused a serious problem for the company which was losing a large amount of money every day, because the Angolan employee was prevented from carrying out his duties. After several clarifications, SOLVIT managed to convince the French authorities that the Angolan employee of the Portuguese company should be allowed to continue his temporary work in France.

**Solved within 2 weeks.**

## SOLVIT helps Liechtenstein company to provide transport services across Italy

A Liechtenstein company was given a contract to transport cash across Italy. The company is legally established in Liechtenstein and the persons in charge possess a European firearms permit in line with EU law. However, the Italian authorities told the company that this service cannot be authorised because the company is established outside the European Union. After SOLVIT intervened, the Italian Ministry of the Interior acknowledged that Liechtenstein is

part of the European Economic Area and that the company should therefore be treated equally to an EU company. Considering the urgency of the case, the ministry issued the authorisation in a week.

**Solved within 2 weeks.**

in Italy. SOLVIT stepped in to make it clear that this condition was not in line with EU law and that the authorities should accept the registration in the German Chamber of Commerce. All four yachts were registered and charter licences were issued.

**Solved within 9 weeks.**

### SOLVIT lets tourists charter German yachts in Italy



A German enterprise chartered four yachts under German flag to tourists in Italy. The business-owner was fined for not having registered its commercial yachts with local port authorities in accordance with recent Italian regulations. Five months later, after repeated efforts to obtain registration, the business-owner was told that registration would only be possible if the business was established

## Free movement of goods

### SOLVIT enables sale of portable pool cleaners in France



A Swedish manufacturer of mobile cleaning pumps for public swimming pools was denied access to the French market. Although their machines complied with a European standard — max. 12V AC when people are in the pool — the French rules said the maximum voltage applied whether swimmers were in the pool or not. SOLVIT found that the French rules only covered immovable products. Since the company's machines are portable and not to be used while people are in the pool, the manufacturer was given the go-ahead to sell them in France.

**Solved within 15 weeks.**

### Hungarian wood gets a coat of Austrian wood preservative

An Austrian company was prevented from marketing wood preservative in Hungary because it had no representative in that country and because the local authorities insisted that this was a requirement. SOLVIT told the Hungarian authorities that all that was needed was an office in the European Union, and the imports were allowed through.

**Solved within 2 days.**



## SOLVIT removes technical barriers to trade in Poland

A Czech manufacturer of non-harmonized construction products lawfully marketed in the Czech Republic and exported to 60 different countries, experienced problems on the Polish market. According to relevant Polish law, all construction products used in Poland, no matter if harmonized on EU level or not, had to bear either an EC mark or a Polish mark, so called “mark B”. There was no provision on mutual recognition in this area. The general obligation to adapt products to the Polish technical regulations has been creating a technical barrier to trade, which was contrary to EU rules.

The company’s problem couldn’t be solved within the SOLVIT deadline, since it required an amendment to the Polish law in question. SOLVIT suggestions have been however taken into account by the competent authority when the law was amended, and the new law was published on 29.06.2010. The relevant provisions have been binding as from 30.12.2010.

**Solved within 31 months.**

## SOLVIT helps Swedish company keep Danish homes warm

In Denmark, householders can get a government subsidy of 20,000 Danish kroner if they replace their old oil heating system with a heat pump system. However, the customers of a Swedish company installing such pumps in Denmark were not getting the subsidy because it was only granted to firms based in Denmark, with a Danish registration number (CVR-number). After action by SOLVIT,

the Danish authorities announced that systems installed by firms without a Danish CVR-number are also eligible for the subsidy.

**Solved within 3 weeks.**



## SOLVIT helps bring Tanzanian green beans to Belgium

Under EU law, some goods from specific countries can be imported to the EU with lower tariffs than would normally be the case. A Belgian company had been importing green beans (via Amsterdam airport) from Tanzania with such a low tariff for over 20 years, without any problems with the paperwork. But in 2004, when

the company shipped some beans through Brussels airport, the Belgian customs claimed they could not be sure the goods originated from Tanzania – a prerequisite for the lower tariff. Thanks to SOLVIT's intervention, the Belgian finance ministry immediately ordered the customs to review their decision and the beans were granted the low tariff.

**Solved within 24 weeks.**



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## SOLVIT allows Italian landfill company to continue operating in Poland



Under a new rule in Poland, an Italian company operating 4 landfills had to apply for authorisation to continue its activities in one of the landfills. The authorities refused to grant the authorisation, saying the landfill failed to meet the appropriate environmental standards – even though the company's operations had already been approved by the Polish environment ministry. Thanks to action by SOLVIT, the company was given the authorisation it needed.

**Solved within 9 weeks.**

## SOLVIT helps buyers of imported agricultural machines get EU funding in Lithuania



EU regional funds can be used to fund purchases of agricultural machinery. In 2009, Lithuania introduced a new rule that such funding would be granted only for purchases of new machinery (i.e. machinery that had not been registered anywhere before, regardless of whether it had been used or not). This new rule had the effect of barring access to funding for companies that imported and leased such machinery. Thanks to SOLVIT intervention, this new rule was revoked.

**Solved within 24 weeks.**

## SOLVIT helps Liechtenstein lawyer register European patent in Ireland

A patent lawyer based in Liechtenstein was refused permission to register a European patent by the Irish Patent Office because his address in Liechtenstein was outside the EU. The decision was wrong – although not an EU country, Liechtenstein is a member of the European Economic Area (EEA) and part of the European patent system. SOLVIT intervened and the Irish Patent Office registered the patent. Subsequently Irish legislation was also changed.

**Solved within 3 weeks.**



## SOLVIT releases Romanian washbasins for the Slovak market



A Czech company distributes construction products in Slovakia, including washbasins from Romania. The products were imported into the Czech Republic and tested by an authorised Czech body. However, the Slovak authorities ordered the products to be withdrawn from the market unless the company submitted a certificate of conformity issued by the Romanian producer. SOLVIT convinced the authorities that the Czech certificate of conformity would be sufficient for selling the washbasins in Slovakia. The products were released for sale immediately.

**Solved within one week.**

## SOLVIT “tips the scales” for UK company in France

A British company manufacturing medical scales wished to expand its market in France. The company was already marketing its product in the United Kingdom and a number of other EU countries, and thus conformed to EU rules. However, the French authorities refused to accept the product on their market and requested additional testing. For over a year, the company tried to have their product accepted and in the end asked SOLVIT for help. The company and SOLVIT worked closely together to successfully market the product in France in a matter of weeks. According to the company, SOLVIT helped them avert a considerable loss.

**Solved within 11 weeks.**



## SOLVIT helps to give Polish houses a coat of Austrian paint



An Austrian producer of varnish and paints was having difficulties marketing his products in Poland. The Polish authorities insisted that the name of the Polish distributor must appear on the label, as well as that of the manufacturer. SOLVIT pointed out that, under EU rules, only one name was required on the label: i.e. that of the manufacturer, importer or distributor. The Polish authorities

duly confirmed that the producer was not obliged to indicate the contact details of the Polish distributor on the package.

**Solved within 17 weeks.**

## SOLVIT helps a Danish firm obtain data available in the Netherlands

A Danish consulting firm was denied authorisation for using micro data from the statistics agency (CBS) in the Netherlands. The data were essential to the firm in order to offer consulting services in the Netherlands. The firm was authorised for the use of micro data by the Danish statistics agency - Statistics Denmark (DS). According to the Central Committee of Statistics in the Netherlands only foreign universities could be authorised to work with micro data from CBS, while private Dutch organisations could also obtain access. After the Dutch SOLVIT Centre consulted the CBS they made it possible for foreign institutions to obtain access to the micro data. The requirements for foreign institutions are now similar to the criteria for Dutch institutions, and this solves the problem not only for the Danish firm but for other foreign firms as well.

**Solved within 5 weeks.**

## SOLVIT ensures non-discriminatory entry fees to Romanian monasteries



A French citizen complained about discriminatory entry fees for tourists to Romanian monasteries. The ticket price for non-Romanians was twice that paid by Romanian citizens. As this policy was contrary to EU principles, the Romanian SOLVIT centre persuaded the church authorities to set non-discriminatory entry fees for the monasteries.

**Solved within 9 weeks.**

## The rights of a Swede in Austria to participate in championship sports

A Swede living in Austria was prevented from playing his favourite sport of curling. The Austrian Curling Federation rules stipulated that non-Austrian players could only participate in the Austrian championships if they had been living in Austria for the previous 18 months. Moreover, only one non-Austrian player was allowed in each team. SOLVIT pointed out that these rules were discriminatory and persuaded the federation to remove the quota for foreigners from their regulations.

**Solved within 18 weeks.**



## SOLVIT removes excess charges for Norwegian vessel in UK harbour

A Norwegian ship carrying fertiliser from Norway to Northern Ireland was charged a higher fee than ships from EU countries. As Norway belongs to the European Economic Area (EEA), its vessels should be treated the same as those from an EU country. SOLVIT managed to persuade the harbour authorities to change their tariffs accordingly.

**Solved within 14 weeks.**



## SOLVIT stops discrimination against Bulgarian nationals working abroad

A Bulgarian couple who were living and working abroad were barred from registering their daughter in a Bulgarian kindergarten because

they were not covered by Bulgarian social security. After SOLVIT explained to the Bulgarian authorities that, under EU law, they were not allowed to penalise their own citizens for exercising their right to work in other EU countries, the family was able to enrol their daughter after all.

**Solved within 6 weeks.**



## Equal treatment for Romanians abroad

A Romanian citizen residing in Bulgaria was made to pay double the normal administrative fee for the services of the Romanian State Office for Inventions and Trademarks. This was due to the fact he was not living in Romania but in another state. After complaining, he did not receive a reply to his complaints in a reasonable period of time. After the intervention of SOLVIT Romania the excess fee was reimbursed.

**Solved within 3 weeks.**

## 6 Driving licences and vehicle registration

### SOLVIT facilitates trailer import to Bulgaria

A Dutch national was prevented from importing a trailer into Bulgaria. As trailers lighter than 750 kg do not have to be registered in the Netherlands, the importer had no registration document — so the Bulgarian authorities refused to register the trailer in their country. SOLVIT helped the importer pass the Bulgarian roadworthiness test he needed to get the trailer registered there.

**Solved within 13 weeks.**



### Green light for Estonian car in Finland

An Estonian citizen living and working in Finland for two and a half years leased a car from an Estonian leasing company for personal use in Finland. Finnish customs seized the Estonian car claiming that, according to national taxation laws, the car could only be released after the payment of certain car registration taxes, a large part of which had already been paid in Estonia. After the intervention of SOLVIT Finland, it was established that the Finnish car registration tax could be considered an obstacle to the right of freedom of providing cross-border services for leasing companies from EU Member States. Taxation authorities revisited the case and promptly issued the appropriate tax.

**Solved within 10 weeks.**

### Spanish trucker gets its Belgian documentation exchanged for Spanish ones

A Spanish citizen who had lived in Belgium wanted to work in Spain as a professional transporter. In order to do so he needed to exchange his certificate of professional competence and driving licence which were issued in Belgium. He encountered many difficulties with the Spanish authorities and he spent more than 8 months trying, while he was unemployed and urgently needed the documentation to find a job. After the SOLVIT intervention, he received the necessary documents.

**Solved within 2 weeks.**

## Belgian trucker receives unlimited driving licence in Spain



When a Belgian trucker living in Spain had his Belgian driving licence converted into a Spanish one, he was surprised to see that the new one barred him for a year from driving more than 50 km from his point of departure. Thanks to SOLVIT's intervention, the Spanish authorities soon found there was an error in the man's file and removed the restriction from his licence.

**Solved within 8 weeks.**

## Bulgaria adapts law to ensure recognition of EU driving licences

A Bulgarian citizen obtained his driving licence in Bulgaria and, while studying in Germany, had it replaced by a German driving licence, because Bulgaria at that time was not an EU member state. When the person returned to his home country, the police in Bulgaria refused to recognise his valid driving licence and he was therefore unable to drive any motor vehicle. SOLVIT Bulgaria contacted the competent authorities to solve the matter. In June 2007 new legislation on the mutual recognition of driving licences issued by Member States came into force in Bulgaria.

**Solved within 8 weeks.**



# 7 Taxation



## SOLVIT helps French company get VAT refund from Germany

A French company requested a VAT refund from the German authorities in February 2008. Having received no reply for ten months, the company turned to SOLVIT for help. Thanks to SOLVIT intervention, the procedure was speeded up and the company finally received the amount it had asked for.

**Solved within 6 weeks.**

## SOLVIT helps Portuguese football club obtain VAT refund

A Portuguese football club bought a player from a Romanian club for € 2 500 000 (including € 475 000 VAT). The Portuguese club paid the 19 % VAT required to the Romanian authorities. In February 2009 it then submitted a claim for a VAT refund to the Romanian tax authorities. After 8 months without an answer, it turned to SOLVIT for help. After SOLVIT intervened, the Romanian authorities refunded the VAT to the club.

**Solved within 4 weeks.**

## SOLVIT helps an Austrian company receive a VAT refund in Luxembourg

An Austrian company applied for a VAT refund in Luxembourg. The company waited for more than one year before turning to SOLVIT for help as the competent authority neither notified the company of its decision to approve or refuse the refund applications nor request additional information so far. By not respecting the 4 month period for notifying its decision to approve or refuse the refund applications submitted, the competent authority violated Directive 2008/9/EC. Given the amount of money at stake (c. €140 000) the company faced serious problems. Thanks to the intervention of SOLVIT Luxembourg the authority established a new

IT-solution and could therefore handle the applications properly. The outstanding applications for a refund for more than €15 000 were treated with priority and after 2 months the VAT refund was paid to the company.

**Solved within 8 weeks.**

### SOLVIT speeds Iberian tax refund

A very important Portuguese business group submitted an application for the refund of VAT paid in Spain. Spanish fiscal authorities had surpassed the 6 month deadline allowed for reimbursement procedures. Upon SOLVIT Spain's intervention, the Spanish Tax Agency accelerated its procedures and the applicant received a communication concerning the VAT reimbursement approval. The reimbursement took place soon thereafter.

**Solved within 1 week.**

### Portuguese fashion in Italy

A Portuguese fashion industry association asked the Italian fiscal authorities for the reimbursement of VAT paid in Italy in connection with multiple fashion fairs in Italy, held between 2006 and 2008. While applying for reimbursement the Portuguese association sent the original invoices to the Italian tax authorities as required. The VAT refund was however refused. The applicant's problem was the recovery of the original invoices sent to Italy, which was of utmost importance for the association's accounting procedures. Upon SOLVIT Italy's intervention the competent Italian authority sent back the original invoices to the applicant.

**Solved within 6 weeks.**

### SOLVIT helps Slovenian citizen claim tax owed her in Spain

A Slovenian citizen had been working and living in Spain and paying taxes on savings income (at banks) there. She sent a request for a tax refund of 207.86 EUR to the relevant Spanish tax authority; however they did not return anything. This was contrary to Directive 2003/48/EC on taxation of savings income in the form of interest payments which does not allow double taxation. After intervention of SOLVIT Spain, the Spanish tax authority refunded the client the amount held by the banks.

**Solved within 8 weeks.**

## 8 Social security and assistance

### German pensioner has medical check-ups in Spain



A German living in Spain was refused reimbursement for medical check-ups as her German health insurance papers were rejected by the Spanish authorities. After action by SOLVIT, the woman was told which documents she needed, and succeeded in having her health insurance recognised.

**Solved with 4 weeks.**

### Italian citizen gets unjustified fee cancelled in France

An Italian citizen worked for two months in France in Euro Disney. She needed urgent medical assistance and was operated on in a public hospital. Afterwards she was asked to pay 12 494.46 euros for the assistance received, despite the fact that this cost should have been covered by the insurance. Thanks to SOLVIT's intervention, the error was corrected and the invoice was sent to the insurance company.

**Solved within 5 weeks.**



## Bulgarian citizen granted full pension rights by Greece

A Bulgarian citizen who had worked in both Bulgaria and Greece was denied part of his pension rights by the Greek authorities. SOLVIT clarified the issue with the pension authorities in both countries and enabled the claimant to receive his pension from the Greek institution with full benefits.

**Solved within 6 weeks.**



## SOLVIT assists Hungarian jobseeker in Belgium



After giving birth to two children in Belgium while on unemployment benefit (having previously worked in Belgium), a Hungarian woman found she was no longer eligible for benefits as her work permit had expired and she could not therefore meet the requirement of actively seeking employment. SOLVIT resolved this with the Belgian authorities, and the woman was quickly recognised as an active jobseeker.

**Solved within 9 weeks.**

## SOLVIT helps British patient receive healthcare in Bulgaria



A British national resident in Bulgaria was incorrectly charged for a consultation despite presenting the documentation ('S1') entitling her to free healthcare at the point of delivery. In fact, people insured in Bulgaria do not have to pay for such consultation so the same treatment should be granted to a British national resident in Bulgaria. Her doctor refused to accept her papers, claiming he had not received any guidance about treating patients from other EU countries.

After action by SOLVIT, the Bulgarian authorities sent the patient a letter confirming her rights (which the doctor accepted) and provided a contact person in case of further problems.

**Solved within 16 weeks.**

## SOLVIT helps a Belgian citizen have specialist surgery in France

A Belgian citizen needed medical assistance to cure a hernia. He obtained permission from the Belgian health insurance to have surgery in a specialised clinic in France, but found out that, even though the French health insurance reimbursed several hospital expenses, the surgery itself was not refunded. The French health insurance deemed that the surgery costs could not be reimbursed, although the hospital confirmed that in general, costs like these were reimbursed in France, and EU legislation clearly states that "an insured person who is authorised by the competent institution to go to another Member State with the purpose of receiving the treatment appropriate to his condition shall receive the benefits in kind provided, on behalf of the competent institution, by the institution of the place of stay, in accordance with the provisions of the legislation it applies, as though he were insured under the said legislation". After several contacts by SOLVIT France with the French health insurance and the hospital, it turned out that the client's case was treated incorrectly and was a misapplication of EU law. In order to correct the situation, an amended tariff form was sent to the Belgian health insurance and the citizen was reimbursed for the surgery costs.

**Solved within 8 weeks.**

### SOLVIT helps a Slovenian citizen claim maternity leave benefit in France

A Slovenian citizen, being on maternity leave, was working as a self-employed person in France. She applied for maternity benefits at the relevant Slovene institution for social security rights, CESVDP. CESVDP sent the E104 form to the relevant French institution for confirmation. There was no response from the relevant French authority, and a misapplication of EU law. Following the intervention of SOLVIT, the entity being complained about, completed the E104 form as requested by the Slovenian authorities. The Slovenian authorities could then take into account the working periods completed in France in order to calculate the mother's right to maternity benefits.

**Solved within 8 weeks.**

### Irish national gets e-form from Italy

An Irish national had worked in Rome as a teacher. On her return to Ireland, she made a claim to the Irish authority for social benefits. The Irish authority required information on her employment in Italy to process her claim and requested the relevant e-form from the Italian authority a number of times over the space of 2 years without success. Following the intervention of the Italian SOLVIT Centre, the e-form was issued without delay and the client's claim for social benefits could proceed.

**Solved within 2 weeks.**

### SOLVIT ensures pension rights from different countries are upheld



A Hungarian who'd worked in Romania for 20 years and then in Hungary for 18 years applied to the Hungarian authorities for his pension. They started by asking the Romanian authorities to calculate the Romanian part of the pension but got no reply for almost a year, despite several reminders.

Thanks to intervention by the Romanian SOLVIT centre, the Romanian pension authority has now taken a decision on the

Romanian portion of the pension and the Hungarian can finally enjoy his retirement.

**Solved within 9 days.**

### SOLVIT helps Slovak family get Icelandic child benefits



A Slovak living and working in Iceland applied for Icelandic child benefit for his 2 children. His application remained unanswered, and meanwhile he left Iceland and returned to Slovakia, where he

again applied for child benefit. The Slovak authorities refused to pay him for the period he was working in Iceland. SOLVIT discovered that the Icelandic authorities had not acted as they were missing some documents in his file. At SOLVIT's request, the applicant provided the documents and shortly after received the Icelandic benefit payments.

**Solved within 12 weeks.**

### SOLVIT helps Portuguese pensioner

The applicant was a Portuguese national and a former maritime worker who worked for many years in the Netherlands. At the time he addressed SOLVIT, he had ceased to receive his Dutch old age pension for 9 months and was unable to obtain any sort of information from the Dutch authorities. This problem was causing him enormous inconvenience as the old age pension was his only income. Upon SOLVIT's intervention, the back payments were credited in the applicant's Portuguese bank account. Monthly payments followed in due thereafter.

**Solved within 2 weeks.**

### SOLVIT helps Polish citizen to receive unpaid arrears of unemployment benefits

A Polish citizen was working in the UK for 7 years and moved to Cyprus with her husband (a Cypriot Citizen) and their baby. Before she left the UK she registered for Jobseeker's Allowance. Upon her arrival into Cyprus, she registered with the Ministry of Labour and Social Insurance and started working in Cyprus. The client was paid only for the first three weeks of her unemployment in UK but was entitled to receive further jobseeker allowance payments

and the arrears of Jobseekers Allowance were paid following SOLVIT's intervention.

**Solved within 2 weeks.**

### SOLVIT offers French nationals relaxing retirement in Poland

A Frenchman living in Poland who had worked both in France and in Poland, asked the French authorities to count his time working in France towards his Polish retirement pension.

As he had not received an answer after several months, SOLVIT intervened to speed up the process. The man can now enjoy his retirement in Poland.

**Solved within 6 weeks.**



### SOLVIT helps Austrian student with payment for hospital treatment in the Netherlands



An Austrian student had to have an operation while studying in the Netherlands. Under EU rules, this person should be treated in the Netherlands, while receiving necessary care, in the same way as people insured in the Netherlands. As people insured in the Netherlands would not need to pay in a similar situation because the bill would be paid directly by the health insurer, the same treatment should be applied to this Austrian student. SOLVIT intervention clarified the situation and there was no need for the student to pay, her bill was settled by the relevant insurance body.

**Solved within 8 weeks.**

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## SOLVIT helps an Estonian citizen to receive unemployment benefits

An Estonian citizen had worked in Cyprus for two years, was secured and paid insurance. After her employment contract was finished, she returned to Estonia. Before leaving, she submitted form E301 to the competent authority in Cyprus, which should have completed it and forwarded it to the Estonian Unemployment Insurance Fund, but had not done so in 4 months. Due to the absence of the required form E301, the client could not receive unemployment benefits in Estonia. Following the intervention of SOLVIT, the form E301 was issued by Cyprus Social Insurance Services and submitted to the Estonian Unemployment Insurance Fund, which then made a relevant decision concerning the payment of unemployment benefits to the client.

**Solved within 6 weeks.**



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