

Social Affairs

EU BLUE CARD

Council Directive [2009/50/EC](#) of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment

Objective

To create a common fast-track and flexible procedure for the admission of highly qualified third-country workers as well as attractive residence conditions for them and their families.

Relevance for the hospitality industry

More attractive conditions for skilled migrants to take up highly qualified employment could be beneficial to replace skill shortages in the hospitality industry.

State of progress

The Directive was adopted on 25 May 2009. It will have to be transposed by Member States by 19 June 2011 at the latest. The Directive is not binding on the following Member States: United Kingdom, Ireland and Denmark.

Content

The Directive shall apply to third-country nationals who apply to be admitted to the territory of a Member State for the purposes of highly-qualified employment.

The Directive includes amongst others, the following admission conditions for highly qualified third-country workers:

- Work contract or a binding job offer of at least one year;
- The wage specified in the contract or offer must be at least 1,5 times the average gross annual salary in the Member State concerned; and
- Proof of evidence of sickness insurance when entitlement to health insurance benefits is not provided in connection with or resulting from the work contract.

The decision of issuing an "EU blue card", even if admission conditions are accomplished, remains at the discretion of the Member State concerned.

The third-country national who applies and fulfils the admission criteria, and for whom the competent authorities take a positive decision, shall be issued the "EU blue card".

The "EU blue card" entitles its holder to reside and work in the territory of the Member State that has issued the "EU blue card".

The period of validity of the EU blue card will be comprised between one and four years, with possibility of renewal. An EU blue card may also be issued or renewed for shorter periods.

After 18 months of legal residence in the first Member State as an EU Blue Card holder, the person concerned and his family members may move, under certain conditions, to another Member State for the purpose of highly qualified employment.

HOTREC position

When the Commission first issued the proposal on a “ EU blue card” in October 2007, HOTREC welcomed it with regard to the skills shortages prevailing at that time in the hospitality industry of many countries. However, the financial/economic crisis has, unfortunately, changed the circumstances.

Official reference

Council Directive [2009/50/EC](#) of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, O.J. L 155 of 18.6.2009

See also

On the meaning of “family member”, see article 4(1) of the Council Directive [2003/86/EC](#) of 22 September 2003 on the right to family reunification, O.J. L 251 of 3 October 2003