

Case 293/83

Françoise Gravier

v

City of Liège

(reference for a preliminary ruling
from the Tribunal de Première Instance, Liège)

'Non-discrimination — Access to vocational training'

Summary

1. *EEC Treaty — Scope — Vocational training — Access to instruction — Applicability of Treaty provisions*
(*EEC Treaty, Art. 128*)
2. *Community law — Principles — Equal treatment — Discrimination on grounds of nationality — Vocational training provided in a Member State — Registration fee or 'minerval' imposed on nationals of other Member States — Prohibited*
(*EEC Treaty, Art. 7*)
3. *Social policy — Common vocational training policy — Vocational training — Concept — Courses in strip cartoon art — Included*
(*EEC Treaty, Art. 128*)

1. Although educational organization and policy are not as such included in the spheres which the Treaty has entrusted to the Community institutions, access to and participation in courses of instruction and apprenticeship, in particular vocational training, are not unconnected

with Community law. It appears from the measures and programmes adopted in that area by the Council that the common vocational training policy referred to in Article 128 of the Treaty is gradually being established. It constitutes, moreover, an indispensable element of

the activities of the Community, whose objectives include *inter alia* the free movement of persons, the mobility of labour and the improvement of the living standards of workers. It follows that the conditions of access to vocational training fall within the scope of the Treaty.

2. The imposition on students who are nationals of other Member States of a charge, a registration fee or the so-called 'minerval' as a condition of access to vocational training, where the same fee is not imposed on students who are nationals of the host Member State, constitutes discrimination on grounds of

nationality contrary to Article 7 of the Treaty.

3. Any form of education which prepares for a qualification for a particular profession, trade or employment or which provides the necessary skills for such a profession, trade or employment is vocational training, whatever the age and the level of training of the pupils or students, even if the training programme includes an element of general education. The term 'vocational training' therefore includes courses in strip cartoon art provided by an institution of higher art education.

OPINION OF ADVOCATE GENERAL
SIR GORDON SLYNN
delivered on 16 January 1985

*Mr President,
Members of the Court,*

This reference under Article 177 of the EEC Treaty, by the President of the Tribunal de Première Instance at Liège, asks

- (1) Is it in accordance with Community law to consider that nationals of Member States of the European Community who enter the territory of another Member State for the sole purpose of duly following courses there in an institution that organizes instruction relating in particular to vocational training fall, with regard to that institution, within the scope of Article 7 of the Treaty of Rome of 25 March 1957?

- (2) If that question is answered in the affirmative, by what criteria may it be decided whether a course of the art of strip cartoons falls within the scope of the Treaty of Rome?

The applicant in the main proceedings is a French national whose normal residence is in France where her parents, themselves French nationals, also live. In 1982 she registered for a four-year course at the Académie Royale des Beaux-Arts in Liège to study the art of strip cartoons which forms part of artistic studies in a non-university institute of higher education.

Such institutions of higher education may charge registration fees, unlike secondary