

**C-357/89 Raulin [1992]**

**Facts:** The applicant was a French national who settled in the Netherlands without registering at the Alien's Office or applying for a residence permit. She managed to secure an "on-call contract" during which she completed 60 hours as a waitress over a period of 3 weeks. After applying and failing to be granted a residence permit in the Netherlands, she contended that she was protected as a worker under Art. 45 TFEU. The question was whether a person exercising an economic activity only for a short time and on such a small scale as to be regarded as purely marginal and ancillary could qualify as a worker.

**Held:** The Court held that it was left for the national court to decide. Whilst part time work was not excluded from the field of application of the rules on freedom of movement for workers, only the pursuit of effective and genuine activities was covered, to the exclusion of activities on such a small scale as to be regarded as purely marginal and ancillary (following the principles set out in Case 53/81 *Levin v Staatssecretaris van Justitie* [1982] ECR 1035). Therefore, the fact that a person worked only a very limited number of hours could be an indication that the activities are purely marginal.