

C-196/87 Steymann [1988] ECR 6159

Facts: The plaintiff had been a plumber, after which he became a member of a religious community. The plaintiff contributed by the performance of plumbing work on the community's premises and general household duties, as well as taking part in the community's commercial activities. The plaintiff was refused a residence permit by the Netherlands on the ground that he was not pursuing an activity as an employed person. The question was whether participation in a community based on religion or on another form of philosophy and in following the rules of life of that community, whose members provide each other with benefits, was to be regarded as an economic activity or service under the TFEU.

Held: Participation in a community based on religion or another form of philosophy was capable of falling within the field of application of Community law only in so far as it could be regarded as an economic activity. Following the decision in Case 53/81 *Levin v Staatssecretaris van Justitie* [1982] ECR -01035, the work would also have to be genuine and effective and not such as to be regarded as purely marginal and ancillary. While the activity could not be an activity counting as a service, it could fall under other provisions of the Treaty. It was for the national court to decide how genuine and effective the employment was.