

**Joined cases C-11/06 Rhiannon Morgan v Bezirksregierung Köln and C-12/06 Iris Bucher v Landrat des Kreises Düren, judgment of 23 October 2007**

**Facts:** The first applicant was a German national who moved to the UK to pursue higher education. She applied for a grant from the German authorities, and was rejected on the basis that German law conditioned the grant of the benefit on the course of study representing the continuation of education or training pursued for at least one year in Germany.

The second applicant was a German national studying in the Netherlands. She had applied for the same grant and was rejected by the German authorities for the same reason as the first applicant. The question was whether Art. 20 TFEU would work to prevent this result.

**Held:** The Member States have exclusive competence as regards the content of education and the organisation of their respective education systems. Nevertheless, national laws placing certain nationals of the Member State concerned at a disadvantage simply because they had exercised their freedom to move and to reside in another Member State would constitute a restriction on the freedoms conferred by Art. 20 TFEU on every citizen of the Union.

Moreover, the national law obligation set down in German law would discourage citizens of the Union from leaving Germany in order to pursue studies in another Member State and thus from availing themselves of their freedom to move and reside in that Member State.

Finally, the law was deemed to be disproportionate considering that its aim was to prevent training grants from becoming an unreasonable burden on the Member State of origin.