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Book Review: The Right of Establishment in the Common Market

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BOOK REVIEW

THE RIGHT OF ESTABLISHMENT IN THE COMMON MARKET.

BY DR. ULRICH EVERLING. Chicago: Commerce Clearing House, Inc. Pp. xv, 219. \$15.00.

This book, a translation from German of an identically entitled study written by Dr. Ulrich Everling — Ministerialrat in the Ministry of Economics of the Federal Republic of Germany — presents the reader with a detailed analysis of the provisions of the Rome Treaty relating to the right of individuals and companies of the Member States of the European Economic Community to carry on business activities in the Common Market. Freedom of establishment involves the right to commence and conduct non-wage-earning activities (selbständige Erwerbstätigkeiten, activités non salariales) which cover not only commercial and industrial operations (including banking, insurance, transport, agriculture, fishing, etc.) but also activities of individuals engaged in the liberal professions (lawyers, doctors, accountants and so on).

The author emphasizes that the provisions on the right of establishment must be seen in the over-all context of the basic objectives of the Common Market which include increased mobility of the factors of production through the elimination of customs and trade barriers, enabling nationals and companies to pursue independent economic activities anywhere in the Community, either in the form of an establishment or through services. Since it is through the free interchange of capital and labor that the right of establishment can become fully effective and meaningful, the various measures — as, for instance, the mutual recognition of diplomas and other evidences of qualification—for the elimination of discriminatory restrictions on free movement and for coordination assume particular significance. Apart from its economic importance, the right of establishment, by promoting a general feeling of soli-

parity among the peoples of the Community, may be expected to contribute to a strengthening of their political ties.

While the right of establishment is accorded only to individuals and companies of the Community and, therefore, is primarily of interest to them, this English edition also contains in its "Introduction" a brief but valuable discussion of some of the implications for nationals and companies of non-Member States which may be read with benefit by businessmen and professionals having contacts with the Common Market countries.

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