

JUDGMENT OF THE COURT
28 JUNE 1984 ¹

Hans Moser
v Land Baden-Württemberg
(reference for a preliminary
ruling from the Arbeitsgericht Reutlingen)

(Free movement of workers — Concept of worker)

Case 180/83

1. *Preliminary rulings — Submission of questions to the Court — Relevance of questions raised — Need for a preliminary ruling — Appraisal by the national court (EEC Treaty, Art. 177)*
2. *Free movement of persons — Workers — Provisions of the Treaty — Situations internal to a Member State — Not covered (EEC Treaty, Art. 48)*

1. As regards the division of jurisdiction between national courts and the Court of Justice under Article 177 of the Treaty, it is for the national court, which is alone in having direct knowledge of the facts of the case and of the arguments put forward by the parties and which must assume the responsibility of giving judgment in the case, to assess, with full knowledge of the matter before it, the relevance of the questions of law raised by the dispute before it and the

need for a preliminary ruling so as to enable it to give judgment.

2. Article 48 of the EEC Treaty does not apply to situations which are wholly internal to a Member State, such as that of a national of a Member State who has never resided or worked in another Member State. Such a person may not rely on Article 48 to prevent the application to him of legislation of his own country, denying him access to a particular kind of vocational training.

¹ — Language of the Case: German.