

Amending Directive 2005/36/EC on the recognition of professional qualifications

London, 26 January 2012

Internal Market & Services DG

Introduction

- Legislative proposal adopted by the Commission on 19 December
- Priority under SMA
- EP Resolution on 15 November
- Conclusions of the European Council (23 October): agreement by end 2012

PART I

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European Professional Card

- Electronic certificate associated with an optimised recognition procedure (IMI)
 - Distinct procedure for establishment and temporary mobility
- Reduced administrative burden for citizens, shorter deadlines for obtaining recognition
- Reduced workload for the host Member States; limited costs for the home Member States

Access to information and electronic procedures

- Use of the *Points of Single Contacts (PSC)* as a single online access point on the recognition of qualifications
 - Possibility to complete online recognition procedures
 - Advise and assistance on individual cases by the *National Contact Points*
- Costs for the extension of the PSC to new professions: ~ 100-300 working days per MS

Temporary mobility

- Lighter regime for professionals accompanying consumers
 - New requirement for MS concerning the professions with health and safety implications
- Regime better adapted to the needs of professionals and consumers; increased transparency

Partial access

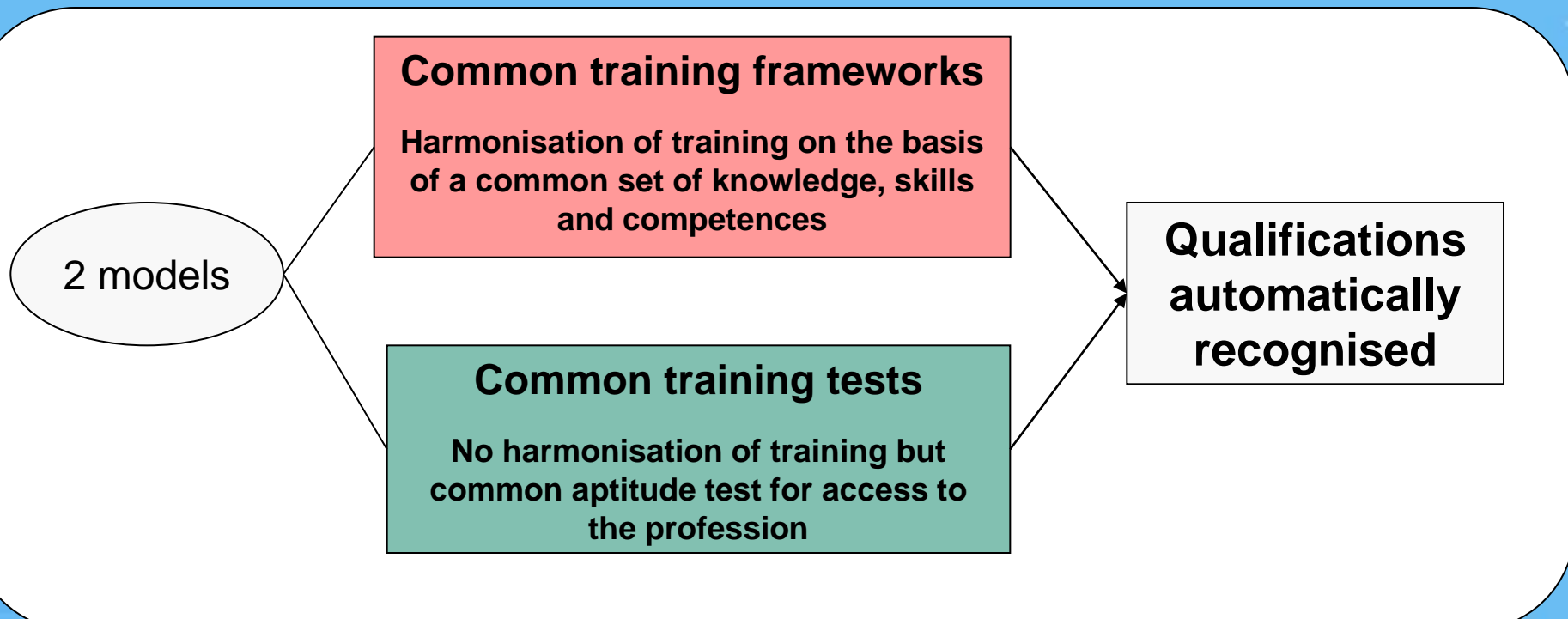
- Possibility to access some activities of a certain profession in another MS
 - Upstream approach: no a-priori exclusion but case-by-case analysis by competent authorities
- Practical solution contributing to the debate on regulated professions; more flexibility for mobile professionals

Partially qualified professionals

- Professionals holding a diploma but who need to complete a remunerated traineeship covered by the Directive
- Extension of the procedural safeguards of the Directive
- Home Member State

Common training principles

- New avenue offered to professions for automatic recognition



Transparency and mutual evaluation of regulated professions

- Transparency clause: list and justification of regulated professions
 - Mutual evaluation of regulated professions: necessity, proportionality and non-discrimination
 - Commission reports to EP and Council
- More transparency, better understanding and opportunity for reviewing national regulatory frameworks
- Costs for MS: from €4000 to €122000

PART II

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Language knowledge rules

- Clarification of the language control rules for all professions:
 - the host Member State can check the language skills after recognition in case there is a doubt that the migrant professional has the necessary language skills
- Possibility for broader language control in case of health care professionals:
 - justified by the general interest of the safety of patients
 - if the national health care system or representative patient organizations request so
 - the competent authority of the host Member State may check the language knowledge of all EU qualified health care professionals, after the recognition of the diploma, but before allowing them to practice the profession

Alert mechanism

- Extend the already existing alert mechanism to the health professions:
 - Alert all Member States if a professional benefiting from automatic recognition is prohibited to practice in a Member State
 - Alert the Member State concerned if a professional not benefiting from automatic recognition but carries out a professional activity and this activity or the circumstances which is related to this activity can cause serious damage to the health or safety of persons in another Member State

Doctors

- Clarification of the duration of basic medical education: 5500 hours, within a minimum of 5 years
- Possibility of partial exemptions for specialist doctors willing to follow a second specialist training

Nurses and midwives

- Upgrade the harmonized admission requirements to general care nurse and midwife trainings to 12 years of general education

Architects

- Revised minimum duration of training: 6 years, combining academic training and supervised practice (4+2 or 5+1)
- Alignment to international standards in architectural education; flexibility offered to MS

Pharmacists

- Repeal the derogation which allows Member States to disregard automatic recognition of pharmacist qualifications when authorizing EU qualified pharmacists to manage new pharmacies (established less than 3 years ago):

Conclusions

http://ec.europa.eu/internal_market/qualifications/policy_developments/index_en.htm