



Modernising regulated professions

Transposition of the revised Professional Qualifications Directive

**European Parliament, IMCO Committee meeting
6th February 2017**



Modernised Professional Qualifications Directive

- ❑ Directive 2005/36/EC was amended by Directive 2013/55/EU
- ❑ Deadline for transposition: 18 January 2016
- ❑ Core issue of the modernisation → Facilitate **safe mobility** = delicate balance
 - *European Professional Card (EPC) – streamlined electronic recognition procedure*
 - *Alert mechanism – gives greater protection*

Other main novelties of the Modernisation

- Rules on **partial access** to a regulated profession and extending the scope of the Directive to professionals who are **not fully qualified**
- Setting a legal framework for future **Common Training Principles**
- Introduction of the **Mutual Evaluation and Transparency exercise**

Implementation of the Modernised Professional Qualifications Directive

- Conference (February 2014), brochure
- Implementation workshops
- Implementation plan
- Bilateral exchanges with Member States
- Continued support for Member States and national competent authorities on a demand-led basis

Transposition checks

- **Completeness / Compliance checks**
- **Reasoned opinions** sent to 16 MSs (14 in September and 2 in December 2016 (completeness check))
- **National transposition measures available** (13 MSs complete, 10MSs partial, 5 no communication)
- **Compliance checks**

European Professional Card (EPC)

Streamlined, electronic recognition procedure (via the Internal Market Information System):

- **Shortened deadlines, less** administrative burden, more **enhanced cooperation** between competent authorities
- Focus on the **most mobile professions**; to be introduced in subsequent waves
- **Professions:** general care nurses, pharmacists, physiotherapists, real estate agents, mountain guides



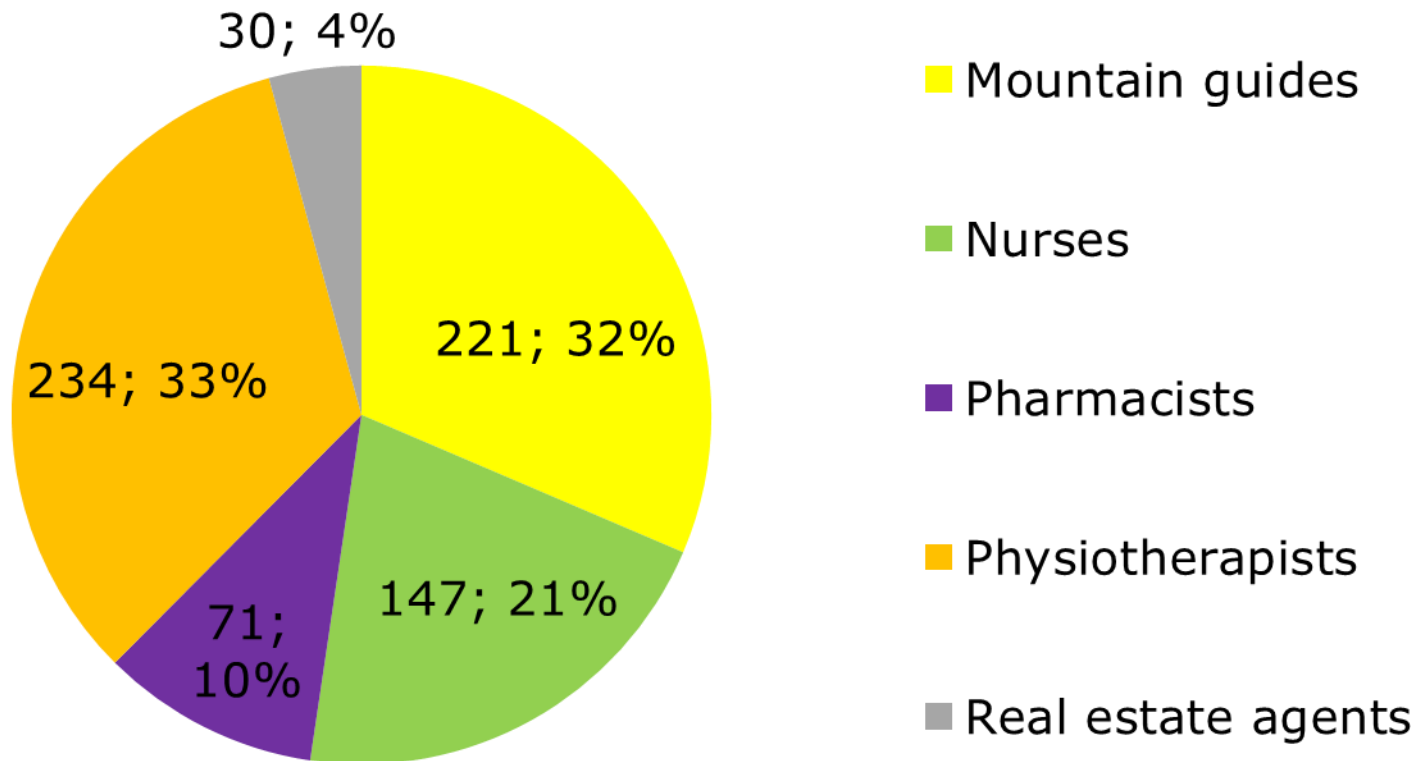
Electronic certificate (not a plastic card)



EPC - the first year

- Available for 5 professions **from 18th January 2016**
- Dedicated **information site and application portal**:
<http://europa.eu/youreurope/epc>
- **Communication campaign** (conference, video, press releases, social media)
- **Great interest by professionals**
- Engagement of national competent authorities and professional organisations
- More than **2100 EPC applications**, more than **700 issued EPCs**

Issued EPCs



Total issued EPCs: 703

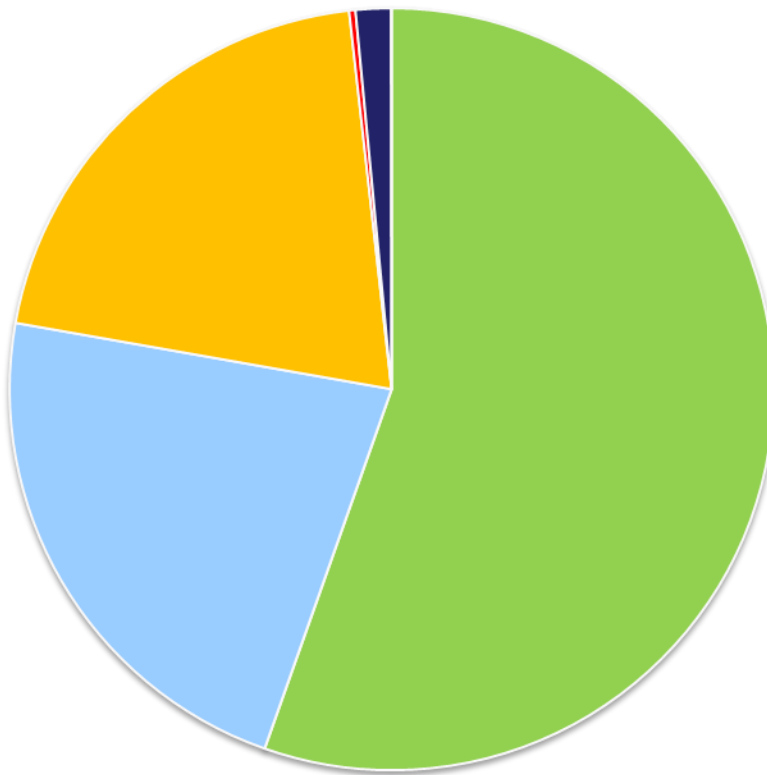
Alert mechanism – protect patients and consumers



ALERT

- A warning to **all** Member States, **quickly**, through the IMI-system
- On professionals exercising a **health-**, or **child-related profession**
- Restriction or prohibition, fake diplomas
- Strong data protection safeguards
- Implementing act, alert mechanism in place from January 2016

Alert mechanism - the first year



- Nurses (6212)
- Doctors (2509)
- Other health professions (2291)
- Vets (30)
- Education of minors (168)
- Falsified diplomas (2)

Total: 11.212 alerts

Mutual evaluation and transparency exercise

Context

Article 59 of revised Professional Qualifications

Objectives

Modernise, simplify and improve access to regulated professions across MSs to:

- Promote mobility and encourage cross border service development
- Improve competitiveness and employment in professional services
- Maintain the best interests of consumers

Process:

Database

Transparency

Screening

Proportionality

Meetings in Brussels

Sector specific / summary papers

Conference / SIMFOs

=> MS reports = National Action Plans (NAPS) – 7 still to be submitted

Results of the Mutual Evaluation

- Multitude of different regulations, also in comparable professions, limited reforms
- Difficulties in completing proportionality assessments
 - ☐ Lack of clarity as to the criteria to be used for proportionality assessments
 - ☐ Significant number of proportionality assessments missing or superficial
- Follow-up (Art. 59 of the Professional Qualifications Directive): Services package initiatives, presented 10.1.2017

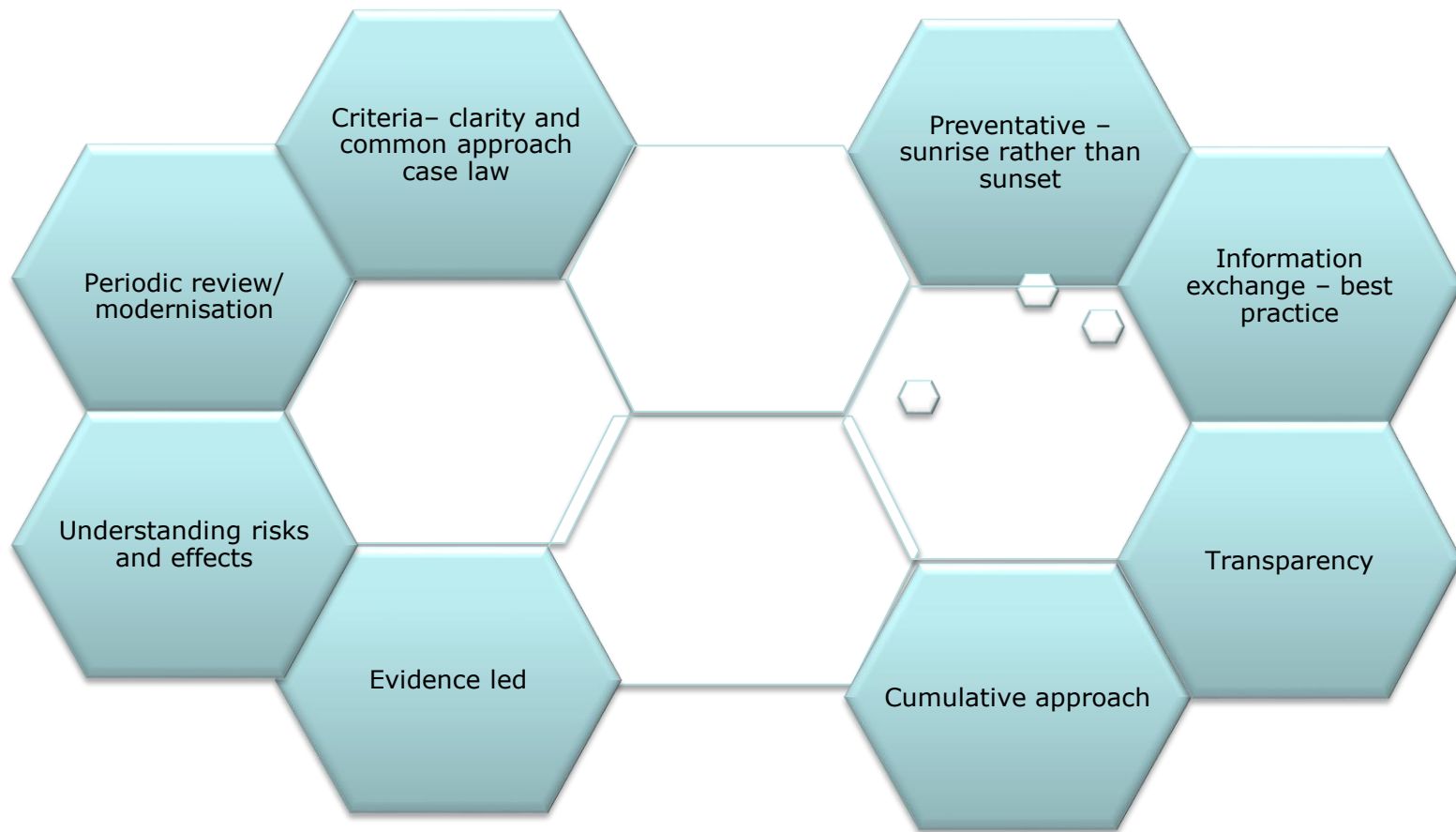
Single Market Strategy *COM(2015) 550 final*



Two specific initiatives focussing on regulated professions

1. **Guidance** on reform needs
2. **Proportionality test** for regulated professions

Proportionality test



Guidance on reform needs

- Periodical qualitative & quantitative assessment of national legislation
- Drawing attention to requirements on access and exercise
- Recommendations by MS and profession, focusing on 7 economically significant sectors
- Supported by a restrictiveness indicator aimed to
 - (1) measure the intensity of restrictiveness of national regulation as regards access to and exercise of regulated professions and
 - (2) set a benchmark for regulatory differences across MS and professions
- Looking at a large number of restriction types (such as reserves of activities, legal form and shareholding requirements, multidisciplinary restrictions, authorisations)