

Report
of the
Meeting Group of Coordinators for the Recognition of Professional Qualifications

Held on 18th March 2010 from 1000 – 1700hrs

At the Charlemagne Building, Brussels

The purpose of this meeting was to discuss the role of the *Group of Coordinators*. A list of topics was discussed to evaluate the Professional Qualifications Directive. Further discussions dealt with how effective and how efficient this legislation has been, now that this legislation has been introduced at European level and implemented at national level.

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Abbreviations used: AT – Austria; BE – Belgium; BG – Bulgaria; CZ – Czech Republic; CY – Cyprus; DK – Denmark; EE – Estonia; FI – Finland; FR – France; DE – Germany; EL – Greece; IE – Ireland; HU – Hungary; IT – Italy; LV – Latvia; LT – Lithuania; LU – Luxembourg; MT – Malta; NL – Netherlands; PL – Poland; PT – Portugal; RO – Romania; ES – Spain; SI – Slovenia; SK – Slovakia; SE – Sweden; UK – United Kingdom; CION – Commission; PSY – Presidency; MS – Member States; EP – European Parliament

Introduction

The Chairman welcomed everyone present.

- 1. Adoption of the agenda and the minutes of the meeting of 11th December 2009 were agreed.**
- 2. Annex B – Code of conduct**

The Code of Conduct Annex B was adopted. Two lists of documents which are deemed to provide evidence of legal establishment of qualified professionals in their Member State, for the purpose of providing services in the host Member State, were presented. Both lists include self-employed persons and employees. One list covers regulated professions and the other list covers unregulated professions. It was noted that it is up to the migrant to choose which document is the most appropriate.

- 3. Transparency of the discussions of the Group of Co-ordinators in future**

COM informed all MS present that the European Parliament is very keen on the Group of Coordinators therefore, the Group needs to be more transparent. The CION intends publishing a first report on the transposition of the Directive. COM encouraged MS to forward a report for each MS on a given profession (on the basis of a questionnaire). MS should focus on a limited number of professions, to understand of how the Directive works overall.

4. Ex-post evaluation of the Professional Qualifications Directive

COM reminded all MS that a list of Annexes regarding professional qualifications namely architects, dentists, doctors, midwives, pharmacists, nurses and veterinary surgeons appear on the CIRCA and encouraged all MS present to up-date them.

A presentation “Awareness, Perception and Impacts of Internal Market Policies” was presented. The presentation focused on the Free Movement of persons and Professional Qualifications.

European Networks of competent authorities for different sectoral professions are emerging. The CION believes that these could share their practical experience with the application of the Directive. Should the Group of Coordinators approve, they should encourage competent authorities to participate in these networks.

The first meeting of these European Networks for Architects (ENACA) was held on the 26th February 2010. The Network is interested in writing experience reports. Competent Authorities of 17 MS were represented. Malta is not represented.

Doctors – No network yet exists but a meeting between the UK General Medical Council, DE Bundersarztekkammer and FR Ministry of Health/Ordre des medecins and the COIN was held on 10th February 2010. A great interest in cooperating was shown. Competent Authorities of MS are yet to be established.

Midwives – A meeting between FR, UK, IR, IT and the CION was held on 25th January 2010. They were confident that a large majority of the national regulators would be able to deliver valuable information. 19 Competent Authorities of MS together with CH, NO and HR were represented. Malta is not represented.

Nurses – The CION met the European Federation of Nursing Regulators (FEPI), an emerging formal network, on the 2nd February, 2010 and they are eager to participate. The COIN considers that the competent departments in the Ministries of Health should also be involved. For the coordination of this project, the COIN contacted the upcoming Belgian Presidency and would also prefer if one or more national competent authorities coordinate this project due to the lack of representatives of the FEPI, possible problems during recognition procedure and also presupposition of a thorough knowledge of this profession. It is not clear which Competent Authorities are being represented.

Pharmacists – The COIN met a representative of the French Chamber of Pharmacists and discussed the possibility of drafting an experience report.. Regulators are to be contacted. It is not clear which Competent Authorities of MS are being represented.

Veterinary Surgeons – The Federation of Veterinarians of Europe were willing to cooperate but need to confirm this with the statutory bodies. A meeting was also held on the 5th March, 2010. It is not yet clear which Competent Authorities of MS will participate.

Dentists - A meeting on the 8th March, 2010, was held and although CODE (Conference des Ordres et Organismes assimilés des praticiens de l'art dentaire européens) are willing to work on the experience report only 12 Competent Authorities of MS are part of the CODE. Malta is represented.

5. Scoreboard

A revised version of the scoreboard published last year was presented. Delegations were encouraged to up-date it.

6. Architecture

6.1 Update of Annex V

Mr P. Mihok circulated a revised version following the co-ordinators' meeting held on 11th December 2009. The aim is to review the consultation process on draft notifications on new architect diplomas and proposes a new possible consultation process. The various possible stages are set out in an annexed flowchart giving in particular an idea for the overall timing and a possible consultation process in case where MS express doubts about a notification made by another MS.

UK agreed that 2 months should be sufficient for such notifications. IT also agreed on condition that these documents are translated. AT and DE also agreed. EL objected that decisions are finally taken with a simple majority and declared that deadlines are quite binding and stringent. This could cause problems. The CION stated that it can't solve problems itself so it has to include MS and some kind of time limit has to be set. EL should get back to CION. The COM confirmed that there will be a summarized annex.

6.2 "Masters only"

A presentation of the result of discussions within the sub-group "architects" was given. In a Guideline Document 2006 ACETA gave in recommendations regarding the Diplomas in Architecture and their compliance with the Architects' Directive 85/384/EEC and covered the issue of post-Bologna, two cycles Bachelors-Masters diplomas. However, it did not cover the specific issue of stand-alone Masters Degrees so the CION clarified the following:

- Candidates should complete the first cycle in a recognised School of Architecture at least for 4 years.
- MS should notify the detailed selection criteria to make sure that applicants have already completely fulfilled what is required under Article 46 of the Directive. This notification would be the minimum that would allow the CION and MS to assess compliance with Article 46 (1) for the final diploma.

6.3 Educational and training program in architecture of the Slovak University of Technology (civil engineering)

A review of the procedure and the training programme of the Slovak University was delivered.

The Group of Coordinators were invited to give guidelines to other Sub-group concerning the applicability of the 2006 Recommendation in this concrete case. The Advisory Committee on Education and Training in the field of Architecture adopted a recommendation concerning the establishment of an opinion regarding diplomas in architecture and their compliance with the Directive.

7. Mexico

A short but important point was done by Mr Peter Mihok regarding the outcome of technical discussions within the sub-group “architecture”, in particular the extension to Mexican diplomas. Documents prior 1998 are too old and there are no details. It is impossible to assess these diplomas. ES delegations should have presented some documents. ES confirmed that two boxes of programmes and curriculum had in fact been sent between Christmas and New Year. COM informed ES that he is not aware of this and asked if these boxes were registered. He will be checking again. ES confirmed that they will resend them the following week. COM asked ES how the Mexican diplomas are being studied. ES admitted that they never had a direct accreditation. Citizens of Mexican nationalities normally sit for exams in a Spanish University. ES approves around 20%. Mexicans either don't do these exams or they don't pass. COM confirmed that automatic recognition of Mexican diplomas is not on the agenda. This will be discussed internally and COM will get back to MS regarding outcome.

8. Sport

Michal Krejza, Head of the Sport Unit, European Commission presented the minutes of the 2nd meeting of the EU Working Group “Education and Training in Sport”.

Mr Michal Krejza informed MS that Mobility in Sport is very high on temporary basis but the same cannot be said on long term basis. Professionals in sports are only regulated in some MS but no in all. There are great differences from one MS to another. This leads to confusion. International Sports Federation has its own diplomas regarding professional qualifications. There is also the EQF but this is about the learning outcomes of an educational process. However, EQF can be useful in situations where professions are not regulated.

Mr Michal Krejza spoke of the three main problems re the Directive:

1. The list of the regulated professions is incomplete and not transparent. He admitted that it was discussed in the WG that many regulated professions were not listed in the database and that there are others on the list but in fact

they are not regulated. Competent Sports Authorities and officials are responsible to update the database and to bring the database in-line with reality.

2. The definitions and job descriptions are also unclear. For e.g. scuba-diving instructors and diving instructors having the same definitions and job descriptions. MS have to be more transparent.
3. Specific attention has to be given to ski-instructors. This is not generic but specific. Same goes for canoeing.

The WG asked for more attention re recognition in sports.

Mr Krejza informed MS that a new version of temporary mobility can be uploaded. He encouraged MS to review what has been submitted on the database. Mr Krejza stated that these meetings are quite new, in fact, the meeting of the 9-10 December 2009 was the second one. They are based on an informal structure and not all MS are represented.

UK asked if it were possible to know which MS are being represented.

COM confirmed that UK is being represented and a list of these MS will be circulated shortly. The next meeting will be held in June and Mr Krejza invited all MS present to attend.

9. Switzerland

COM stated that this is an important but easy agenda point. He mentioned that discussion meetings have been going on for more than 2 years and this is of concern.

Swiss delegations thanked the CION and presented some documents. They feel very grateful for this opportunity of discussion and pointed out that during the two years that COM mentioned, the recognition of diplomas was not the only item discussed. Switzerland put forward a unilateral declaration - 40% work in Health Sectors Schemes in Switzerland.

Madame M C Guerin from the COIN mentioned that there are three topics of concern. How will Annex B regarding Nurses and Midwives, if finalized, going to be applied? Ten countries are concerned. If Switzerland had to impose a top-up course for these nurses and midwives, this would be discriminating against all MS and this would not be acceptable. This would not be in-line with the agreement of Free Movement. She pointed out that only one type of general practitioner is still of concern since register of title is not clear.

PL stated that the procedures are too long in Switzerland for MS citizens. PL has implemented the directive and all MS citizens are recognized in Poland.

UK thanked the Swiss delegation. UK declared that it gave all the rights to Swiss citizens. UK would like to know how big the issue is and asked for statistics. How many EU citizens have to deal with this problem?

AT stated that they give no different treatment to any country.

DK admitted this wouldn't be fair.

FR has yet to deal with this problem with their partners.

DE agreed with AT and DK. If Swiss gets the go-ahead precedence would be created.

Ms M C Guerin admitted that this wouldn't be the normal procedure. Switzerland should have taken over this directive but it now wishes to have an extra evaluation.

COM asked the delegation whether they would like to take up this issue in Switzerland.

Switzerland agreed and stated that perhaps with some modifications they will decide and come up with a solution.

COM encouraged MS to give in their comments about this issue.

10. Information points

10.1 Contact points

COM reported the outcome of the meeting with Contact Points. He mentioned the new developments and the application of article 57 of the directive. COM confirmed that all Contact Points are in place and that specific communication will be taking place between MS Contact Points and the CION. CION confirmed that it will be directing citizens to go to Contact Points.

10.2 IMI

COM reported that 70% of questions that are put forward are about establishment. These include 40% regarding doctors, 8% regarding nurses and 22% regarding teachers. These questions are normally answered within 3 days. COM encouraged all MS to make sure that all Competent Authorities are registered for this IMI.

10.3 Your Europe

CION will be reporting back once the *Recognition of Professional Qualifications* will be put on line in May. This will be in English.

11. Any other business

PL asked whether the Forum could also be used by the Group of Coordinators. COM said that this could be discussed in June during the next meeting. NL proposed that model questions should be added on the Users' Guide. AT mentioned that the Users' Guide is too simple and is not the right medium to communicate. AT urged the CION to provide profound legal questions which would enable MS to have a better understanding. ES stated that they need legal interpretation of the directive and also an explanation how this could be used. UK suggested Circa could be a good medium since this is the only mechanism between MS. COM confirmed that this will be studied and the CION will get back to MS regarding the appropriate medium to be used between MS and CION.