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Professional Qualifications: From where to go where?

Hearing on the public consultation launched by the Internal
Market and Services DG, European Commission

DAS HANUWERK
DIE WIRTSCHAFTSMACHT. VON NEBENAN.

Professional Qualifications: From where to go where?

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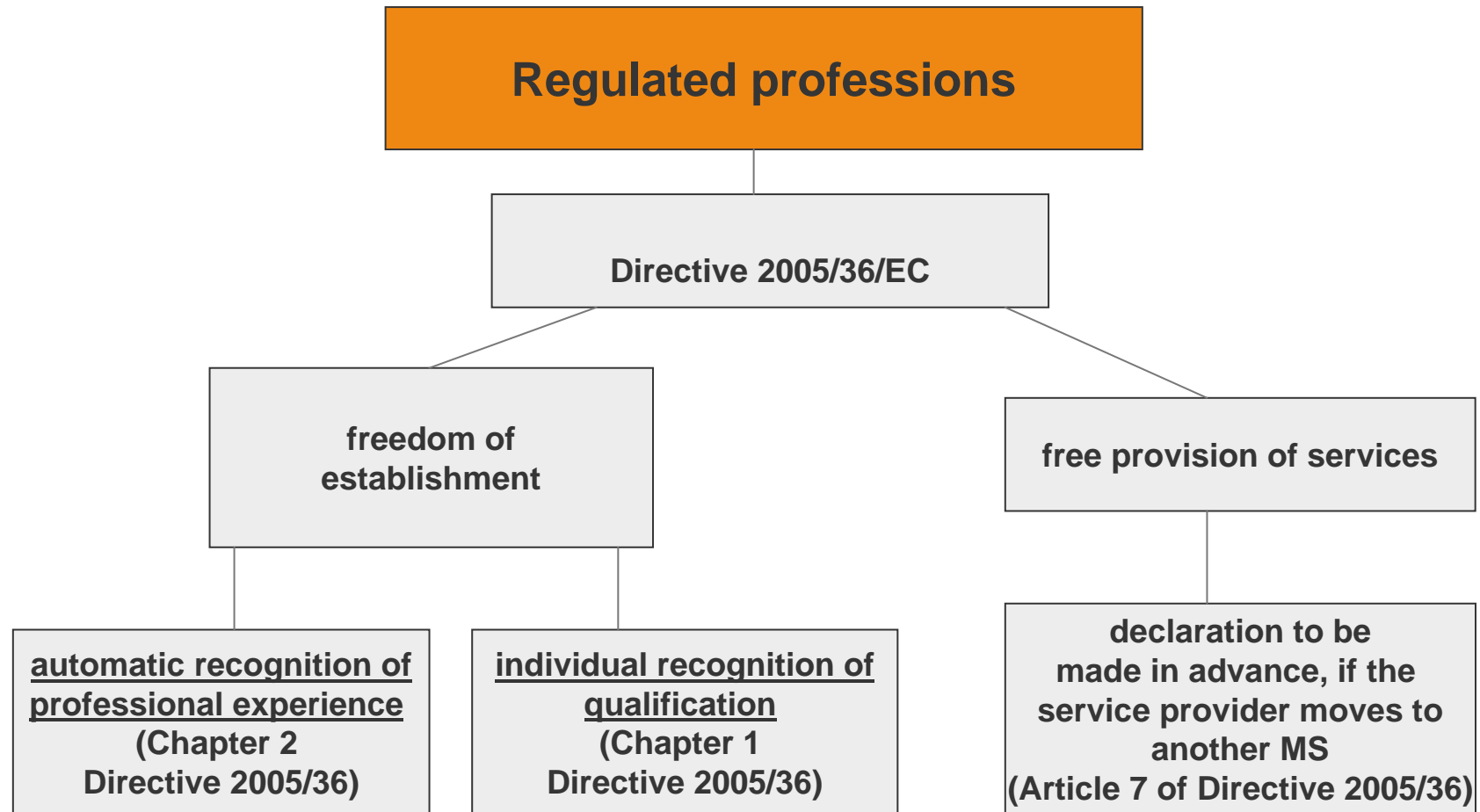
- **Skilled crafts sector in Germany – Facts**

- 975.316 enterprises
- 4.75 million employees
- 461.205 apprentices

- **Skilled crafts sector in Germany**
- 151 professions in the area of
 - construction
 - electrical and metalworking
 - woodcrafts
 - food, health and body care, graphic design.....
- 41 regulated professions

Introduction: state of play

- about 70% of the craft professions are not regulated in Germany: All these professions benefit from free market access
- recognition of professions which are regulated falls under Directive 2005/36/EC
- **Chambers** of skilled crafts are the **competent authorities** for professional recognition, registered with the Internal Market Information System (IMI)



2.1 European Professional Card: Essential information

- Possible benefits of EPCs under the „General System“: Closer cooperation between the competent authorities of Member States
- EPCs could contain the following additional information in case of establishment:
 - if the profession is regulated in the MS of establishment
 - Annex IV professions: time of practical experience and formal qualifications
- EPCs could contain the following information in case of provision of services:
 - if the professional is legally established in the MS
 - if profession is not regulated: has service provider pursued the profession in the MS of establishment for at least 2 years during the 10 years preceding the provision of services?
 - if not: are education and training leading to the profession regulated?
- card should contain a digital signature chip (1999/93/EC), which simplifies declaration procedures

2.1 European Professional Card: - features of the card, timely update

- effective measures against falsification and fraud
- Therefore: EPCs only issued by competent authorities, which are registered with the Internal Market Information System (IMI)
- it could follow a standard pattern determining EU-wide layout, content, functionality
- it should have only a limited validity and should be regularly updated

2.2 Common Platforms vs European Curricula: 28th regime applicable in addition to national requirements



- The common platform system has failed. The harmonisation of compensation measures has proven to be extremely difficult
- A 28th regime would require „common sets of competencies“ which seems to be equivalent to a „minimum harmonisation of training conditions“
- Setting of minimum standards has already failed in the 80s
- A quorum of 9 MS seems to be quite questionable as a basis for „minimum harmonisation“ in the Internal Market
- In the craft sector, automatic recognition is already provided on the basis of relevant professional experience and formal qualifications

2.3 Making it easier for professionals to move temporarily to another MS:

- In the case of regulated professions declaration in advance is indispensable in order to ensure compliance with professional rules
- Contrary to online services, service providers who move to another MS are subject to professional rules (Article 5 III 2005/36/EC). Different treatment compared to online services is therefore justified
- Special treatment of services where the essential part is treated online leads to legal uncertainty
- The procedure could be further facilitated by the use of European Professional cards (Slide 7)

3. Conclusion

- There is room to improve the Directive in terms of advanced administrative cooperation
- A general overhaul of the Directive is not necessary
- The European Professional Card could be a step in the right direction

Thank you !

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