



PROFESSIONAL QUALIFICATIONS

Public Hearing

An overall perspective from Member States.

**The perspective from Spain: screening
the fundamentals of regulated
professions**

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I. Segmentation: crucial issue for PQD

- Mobility of professionals and workers is a key factor for a strong and sustainable economic recovery.
- Professional Qualifications Directive is a useful tool facilitating mobility in regulated professions (RP), but that approach, alone, may not be enough.
- We need to address a crucial issue: segmentation of markets by regulation. Why should there be so many RP requiring the recognition of qualifications?

II. Too many RP?

- Consolidating internal market for services (Services Directive) has found difficulties arising from the **excessive number and disproportionate scope of the regulated professions.**
- Unjustified or disproportionate requirements reserving access to certain service activities to service providers holding particular qualifications constitute **major barriers for the Single Market .**
- The **situation in Spain** is far from efficient:
 - More than 120 RP.
 - More than 60% are only regulated in Spain and, at most, 4 other EU countries.
 - Engineering is fragmented in more than 17 different RP.

III. Economic impact

- Excessive (unnecessary or disproportionate) regulation of professions **hurts activity** and does not help economic recovery.
- Regulating professions is one of the most restrictive **barriers to competition**. Revising it may:
 - Increase legitimate opportunities for business,
 - Strengthen flexibility that helps structural change,
 - Create incentives for qualified employment,
 - Promote diversity of services to consumers.
- There are **important economic gains** from revising the number and scope of RP. Estimates for Spain may reach 0,7% of GDP.

IV. Which criteria?

- Revising upon the same principles used for services: **necessity and proportionality**.
- Screening process: some **objective criteria**:
 - Related to activities where damage to consumers can be serious and irreversible: Health, security,
 - There must be a direct relation.
 - No other less restrictive means are available or equally effective. Qualification requirements may not always be the best regulation available.
- **In Spain**, the Law on Professional Services will materialise the results of this screening.

V. Summarising

- The PQD is a useful tool for facilitating mobility, but the current approach may not be enough.
- Excessive number and disproportionate scope of regulated professions are important obstacles to internal market.
- There are relevant economic gains from reducing the excessive regulation of professions.
- The screening process can apply the principles of necessity and proportionality.
- Spain is moving forward. Is there room for action at European level?



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Thank you for your attention

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