

Introduction :

The Professional Qualifications Directive was approved by the EU Parliament on 9 October and adopted by the EU Council on 15 November 2013. Publication in the Official Journal is expected still this year.

The Directive aims at making professional recognition easier and thus at strengthening professional mobility in Europe. The **main features** of the new Directive include the creation of a European Professional Card (EPC), changes to the current system, such as the insertion of the principle of partial access to certain professions and the clarification of training requirements, as well as measures for a better use of existing instruments such as the Internal Market Information System (IMI).

European Professional Card :

The European Professional Card is covered under Article 4a-e of the Directive. It will be an electronic certificate issued by the professional's country of departure that will facilitate automatic recognition in the host country (the country where the professional seeks to establish himself). The introduction of professional cards will be considered for a particular profession where there is a clear interest from professionals, the national authorities and the business community; the mobility of the professionals concerned has significant potential and the profession is regulated in a significant number of member states.

A regulated profession means that access to the profession is subject to a person holding a specific qualification, such as a university diploma and that activities are reserved to holders of such qualifications. The new directive seeks to reduce the number of regulated professions (currently some 800 across the 27 EU member states) and to remove unjustified regulatory barriers. In non-regulated countries a public competent authority for issuing the cards has to be named.

A « Call for Expression of Interest in the EPC » was launched and closed on 22 November. FEANI and ENAEE, together with seven FEANI National Members have expressed an interest in being involved for the EPC for the « engineering profession ». Upon receipt of such « expressions of interest », the EU Commission will put a « Focus Group » together, consisting of some 30 persons. A first meeting of this Group was expected to be held on 13 December, however, in view of the many « expressions » received, the new date would be 31 January 2014. The results of this call for expression of interest have been published on 6 December 2013 on:

http://ec.europa.eu/internal_market/qualifications/docs/policy_developments/131206_results-call-for-interest_en.pdf

Competent authorities shall issue the EPC, i.e. create a file in IMI. The implementing acts must ensure the uniform application of the provisions on the EPC (the format of the EPC, which documents are required for opening an IMI-file, the processing of written applications, the translations to be provided by the applicant, details of the documents required and procedures for making and processing payment for an EPC, measures necessary to ensure integrity, confidentiality and accuracy of information contained in the EPC). The application for an EPC must be acknowledged by the competent authority of the home member state.

For the purpose of establishment, the issuance of an EPC shall not provide an automatic right to practice a particular profession if there are registration requirements or other central procedures already in place in the host member state before an EPC is introduced for that profession.

The EPC will contain the holder's name, surname, date and place of birth, profession, formal qualifications and the applicable regime, competent authorities involved, card number, security features and reference to a valid proof of identity. Information relating to professional experience acquired, or compensation measures passed by the holder of the EPC, shall be included in the IMI-file. Art. 4c-d also provide for the EPC for the temporary and occasional provision of services (18 months).

Other elements :

The Directive only applies to professionals who want to pursue the same profession in another member state. There are cases where the activities concerned are part of a profession with a larger scope of activities in the host member state. If the differences between the fields of activity are so large that in reality a full programme of education and training is required from the professional to compensate for shortcomings and if the professional so requests, a host member state shall under these circumstances grant **partial access** (Art.4f).

The host MS may still require the applicant to complete an adaptation period of up to three years or to take an aptitude test if : e.g. the regulated profession in the host MS comprises one or more regulated professional activities which do not exist in the corresponding profession in the applicant's home MS, and the training required in the host MS covers substantially different matters from those covered by the applicant's attestation of competence or evidence of formal qualifications.

While taking into account the competence of member states to decide on the qualifications required for the pursuit of professions in their territory and on the organisation of their education systems, the development of **common training principles** (Art. 49a-b) will try to better respond to the needs of the professions. The profession to which the common training framework could apply or the education and training leading to the profession, must be regulated in at least one third of the Member States. The knowledge, skills and competences can be acquired as part of a general training course at a university or HEI, or as a part of a vocational training course. Qualifications obtained under common training frameworks, based on a common set of knowledge, skills and competences or standardised training tests, will automatically be recognised by member states. In addition, these common training frameworks will not be based on the five qualifications levels of Art. 11 of the Directive, but on EQF-levels. Reference to ECTS-credits is now included in Article 11 as an equivalent for the duration of studies. Professional associations and organisations which are representative at national or Union level will be able to propose common training principles.

Given that national rules organising the access to regulated professions should not constitute an obstacle to the mobility of young graduates, when a graduate completes a **professional traineeship** (Art. 55a) in another member state, the traineeship will be recognised when the graduate applies for accessing a regulated profession in the home member state.