

Dear Sir/Ms

My comments are my own alone and do not represent any other body.

They concern the UK –

1. Occupational health physicians and other practitioners
2. Entrepreneurialism in the healthcare market.

1. The UK has a Common Law system that means that health risk in workforces is based on risk assessment. I note that in Roman Law states, such as Germany and France, codification means that employers are mandated by law to have occupational health and rehabilitation services. France, Germany and other EU states have very good coverage, the UK and others do not. For example, I understand that the UK has approximately 10% of the number of occupational health specialists as France has *medicin du travail*, albeit doing a different job? There is no equivalent of the BG's in Germany.

Whilst the Black report has recently highlighted some of these structural issues, would the EU consider legislation to harmonise the picture across Europe and create the capacity and infrastructure necessary to deliver these and other related aims?

2. With regard to entrepreneurialism, the occupational health market is liberalised in the UK and many such small firms exist. However, in the absence of specific legislation, as the Health and Safety Executive has confirmed in contract research, the risk and cost of occupational ill health and general lack of fitness to work is passed from employer to employee and State by the simple expedient of dismissal (termination of the employee contract). Therefore, occupational health services remain underdeveloped in the UK and the free market model clearly does not work to achieve your stated aims.

With regard to wider health services, the NHS dominates the UK market in a way that would be incompatible with the EU Treaties and competition law in the private sector.

I have only just seen this and have rushed my reply, so apologies for not referencing these comments appropriately.

Yours,

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