

**Scoreboard on the Professional
Qualifications Directive (Directive 2005/36/EC)**

**Second version
15 April 2010**

Disclaimer: This document is based on information provided by Member States and is not binding on the European Commission as an Institution.

Part I - Overall picture

The transposition period for Directive 2005/36/EC expired on 20 October 2007

Member States	Transposition completed ? (Yes or No)	Table of concordance provided? (Yes or No)	Judgement by the Court of Justice (Reference)	Contact point set up (Yes or No)
Austria	NO	NO	C-477/08 of 24.9.2009	YES
Belgium	NO	PARTLY	C-469/08 of 09.09.2009	YES
Bulgaria	YES	YES		YES
Cyprus	YES	NO		YES
Czech Republic	YES	YES		YES
Denmark	YES	YES		YES
Germany	YES	NO	C-505/08 of 17.12.2009	YES
Estonia	YES	NO		YES
Greece	NO	NO	C-465/08 of 02.07.2009	YES
Spain	YES	NO		YES
Finland	YES	PARTLY		YES
France	NO	YES	C-468/08 of 01.10/2009	YES
Hungary	YES	YES		YES
Ireland	YES	YES		YES
Italy	YES	YES		YES
Lithuania	YES	YES		YES
Luxembourg	NO	NO	C-567/08 of 02.07.2009	YES
Latvia	YES	NO		YES
Malta	YES	NO		YES
Netherlands	YES	YES		YES
Poland	YES	YES		YES
Portugal	YES	NO		YES
Romania	YES	YES		YES
Sweden	YES	YES		YES
Slovenia	Yes	YES		YES
Slovakia	YES	NO		YES
United Kingdom	YES	YES	C – 556/08 of 09.07.2009	YES

Part II - Number of measures communicated and expected timeframe for completion of transposition

Directive 2005/36/EC consolidated 15 previous Directives. It affects more than 800 different professions regulated by Member States across the EU. Accordingly, some Member States had to adopt a significant number of measures.

Countries	Transposition completed ? (Yes or No)	If not, expected date for completion?	Number of communications to Commission to date
Austria	NO	Spring 2010	113
Belgium	NO	Spring 2010	34
Bulgaria	YES		6
Cyprus	YES		15
Czech Republic	YES		27
Denmark	YES		129
Germany	YES		203
Estonia	YES		9
Greece	NO	May 2010	0
Spain	YES		24
Finland	YES		17
France	NO	April 2010	117
Hungary	YES		38
Ireland	YES		32
Italy	YES		7
Lithuania	YES		33
Luxembourg	NO	?	4
Latvia	YES		24
Malta	YES		8
Netherlands	YES		72
Poland	YES		60
Portugal	YES		2
Romania	YES		23
Sweden	YES		60
Slovenia	YES		17
Slovakia	YES		36
United Kingdom	YES		77

Part III – Temporary provision of services (TPS)

Directive 2005/36/EC facilitates temporary provision of services by replacing the previous system of prior check of qualifications by the simpler, optional, system of prior declaration. However, due to the need to protect consumers, a prior check of qualifications may be maintained for professions having public health or safety implications (Article 7(4) of the Directive). The Table below indicates the options Member States have implemented.

Countries	Are provisions on TPS fully implemented ? (Yes or No)	If yes, is a declaration required ? (Yes or No)	If a declaration is required, is it for all professions ? (Yes or No)	Are there cases where a declaration is not required? (Yes or No)	Is Article 7(4)¹ implemented ? (Yes or No)
Austria	YES	YES	NO	YES	YES
Belgium	NO	YES	YES	NO	YES
Bulgaria	YES	YES	YES	NO	YES
Cyprus	YES	YES	YES	NO	YES
Czech Republic	YES	YES	YES	NO	YES
Denmark	YES	YES	NO	YES	YES
Germany	YES	YES	YES	NO	YES
Estonia	YES	YES	YES	NO	YES
Greece	NO	?	?	?	?
Spain	YES	YES	YES	NO	YES
Finland	YES	YES	NO	YES	YES
France	YES	YES	NO	YES	YES
Hungary	YES	YES	NO	YES	YES
Ireland	YES	YES	YES	NO	YES
Italy	YES	YES	YES	NO	YES
Lithuania	YES	YES	YES	NO	YES
Luxembourg	YES	YES	YES	NO	YES
Latvia	YES	YES	YES	NO	YES
Malta	YES	YES	YES	NO	YES
Netherlands	YES	YES	NO	YES	YES
Poland	YES	YES	YES	NO	YES
Portugal	YES	YES	YES	NO	YES
Romania	YES	YES	YES	NO	YES
Sweden	YES	YES	NO	YES	YES
Slovenia	YES	YES	NO	YES	YES
Slovakia	YES	YES	NO	YES	YES
United Kingdom	YES	YES	YES	NO	YES

¹ Article 7(4) of Directive 2005/36/EC allows Member States to provide for a prior check of qualifications for professions having public health or safety implications

Part IV – Permanent establishment

Directive 2005/36/EC provides for mutual recognition mechanisms whenever a profession is regulated in a host Member State. Three different mechanisms have to be distinguished.

- Automatic recognition of qualifications for seven "sectoral" professions where training conditions are harmonised (doctors, dentists, pharmacists, veterinary surgeons, midwives, nurses and architects).
- Automatic recognition for professions in craft, industry and commerce sectors on the basis of a number of years of professional experience.
- The "general system" under which the host Member State decides on a case by case basis applies to all other regulated professions.

Countries	Are all <u>sectoral</u> professions covered? (Yes or No)	Are professions in <u>craft, industry and commerce</u> sector covered? (Yes or No)?	Is the general system implemented? (Yes or No)
Austria	YES	YES	YES
Belgium	YES	YES	YES
Bulgaria	YES	YES	YES
Cyprus	YES	YES	YES
Czech Republic	YES	YES	YES
Denmark	YES	YES	YES
Germany	YES	YES	YES
Estonia	YES	YES	PARTLY
Greece	NO	NO	NO
Spain	YES	YES	YES
Finland	YES	YES	YES
France	YES	YES	YES
Hungary	YES	YES	YES
Ireland	YES	YES	YES
Italy	YES	YES	YES
Lithuania	YES	YES	YES
Luxembourg	NO	YES	YES
Latvia	YES	YES	YES
Malta	YES	YES	YES
Netherlands	YES	YES	YES
Poland	YES	YES	YES
Portugal	YES	YES	YES
Romania	YES	YES	YES
Sweden	YES	YES	YES
Slovenia	YES	YES	YES
Slovakia	?	?	?
United Kingdom	YES	YES	YES