

**Evaluating the Professional Qualifications Directive
Experience reports from competent authorities**

The Chamber of Veterinary
Surgeons of the Czech Republic

POSSIBLE QUESTIONNAIRE FOR EACH SECTORAL PROFESSION

A. RECOGNITION PROCEDURE IN CASE OF MIGRATION ON A PERMANENT BASIS

1. Do you accept applications from EU citizens for the recognition of foreign diplomas sent by email or requests made on line? Under which conditions can they send documents and declarations electronically? What are your experiences in this respect?

Answer:

We accept only original paperprinted documents in order to eliminate risks of phalsification. All documents must be officially translated into the Czech language.

In legislative process in this country is proposal of the new Draft of Recognition of Professional Qualification Act now, which should make possible presenting of copies of these documents and confirmation of relevant facts via IMI System.

2. What is the yearly number of applications for recognition from 2000 to 2009? Please submit specific data for applications for automatic recognition based on diplomas, automatic recognition based on acquired rights (as from 2005), and recognition based on the general system¹.

Answer:

	Recognition based on diplomas	Automatic recognition based on acquired rights	Recognition based on the general system
2004	0	6	0
2005	11	7	0
2006	9	9	0
2007	12	6	0
2008	12	2	0
2009	20	3	0

Remark: Data are in evidence since the admission of the Czech republic to EU (2004).

3. To what extent have the system of automatic recognition and the general system been a success? How do you see the costs and benefits? Specify in particular whether automatic recognition based on diploma, Annex V and the current notification system represent an efficient way to facilitate automatic recognition. Please submit comments for:

- automatic recognition based on diploma

Answer:

System of automatic recognition based on diploma was very seldom used in our country. We had mostly the applicants from the new EU MS (Slovakia, Poland, Hungary etc.), where we recalled to the system of

¹ Please provide this information unless it has already been provided to the Commission in the Database or the implementation reports.

recognition based on acquired rights. For the future we expect increase of applications under the system based on diploma. Benefit of this system is of course in decrease of bureaucracy and simplification of administration.

- automatic recognition based on acquired rights

Answer:

We have had mostly the applications from the new EU MSs (Slovakia, Poland, Hungary etc.), where we have used the system of recognition based on acquired rights. We have very good administrative commutation with their mother professional organizations. We use this advantage for exchanging the information about applicant and checking the rules of acquired rights.

- recognition based on the general system.

Answer:

We had no application in the system based on the general system.

4. Is the general system applied in your country each time the conditions for automatic recognition are not met? Are there major difficulties in the recognition procedure under the general system? Please include any comments you may have on the implementation of compensation measures.

Answer:

We had no application in the system based on the general system.

5. What is your experience with the recognition procedure for EU citizens with professional qualifications obtained in a third country and already recognised in a first Member State (see Articles 2(2) and 3(3))?

Answer:

We had no experience with application of professional qualification obtained in a third country and already recognised in a first Member State. We handle the applications with professional qualification obtained in a third country usually as a first Member State. We check whether the obtained qualification fulfil the directive requirements for the automatic recognition and usually we also require additional examination, which is on the level of our Statutory Examination required for the exercise of veterinary profession by a veterinary surgeon.

6. Please describe the government structure of the competent authority or authorities in charge of the recognition.

Answer:

Ministry of Education, Youth and Sport of the Czech Republic is the governmental authority in the field of recognition of professional qualification in the Czech Republic. The Chamber of Veterinary Surgeons of the Czech Republic is a Competent Authority - regulatory body for the recognition of professional qualification for the profession of veterinary surgeon. The Chamber is competent to decide matters concerning the professional exercise of veterinary surgeons.

B. TEMPORARY MOBILITY (OF A SELF-EMPLOYED OR AN EMPLOYED WORKER)

7. Are EU citizens interested in using the provisions for exercising their professional activities on a temporary and occasional basis in your Member State? How many citizens used this new system in 2008 and 2009 (per month, per year)²?

Answer:

² Please provide this information unless it has already been provided to the Commission in the Database or the implementation reports.

Possibility to provide veterinary services on a temporary and occasional basis in the Czech republic is used mostly in border regions with Austria, Slovakia, Poland and Germany. There is no valid evidence due to lack of possible ways of administrative control.

8. How are the provisions of Directive 2005/36/EC concerning temporary mobility applied by the competent authorities in practice taking into account the relevant provisions of the Code of Conduct? For instance:
- How is the "legal establishment" criteria foreseen by Article 5(1) (a) interpreted in practice? What conditions does a migrant need to fulfil in his home Member State in order to be able to provide services?

Answer:

The migrant must announce to the Chamber the intention to provide veterinary services on a temporary and occasional basis. In the application migrant specify:

- for how long will be the service provided and
 - where is going to be service provided.
-
- How are the "temporary and occasional basis" criteria foreseen by Article 5.2 interpreted in practice? Do Member States assess duration, frequency, regularity and continuity of an activity and if so according to which criteria?

Answer:

Each application is evaluated on the individual basis. The Chamber - before making required decision - considers duration, frequency, regularity and continuity of future service providing. In the practice we didn't have a lot of applications and there was no problem to decide between temporary and occasionally service provisions or practice establishment.

9. Why is a prior declaration system necessary? What do competent authorities do with the information received? Are other possibilities conceivable?

Answer:

The announcing system is useful to collect relevant data about the situation on a veterinary service market. Announcing system is based on a voluntary data providing by the hosting person and certainly there are quite a problem with enforcing.

C MINIMUM TRAINING REQUIREMENTS

10. To what extent are the common minimum training requirements set out in Title III Chapter III of Directive 2005/36/EC and the compulsory training subjects as defined in Annex V in line with scientific progress and professional needs? Furthermore, are the knowledge and skills required by the directive still relevant and up to date? Please specify. What about the conditions relating to the duration of training?

Answer:

It is a very broad question. FVE has issued position document where are the possible ways for next development of minimal training and educational requirements for the veterinary profession specified. The Chamber agree with that position and would like to participate in the future development of minimal requirement for veterinary training.

11. The Directive is based on mutual trust between Member States. To what extent is such trust actually achieved? Are training programmes accredited in your country? Does accreditation of a training program in another Member State enhance trust or is it not relevant?

Answer:

We think that there is a very good cooperation between the member states through IMI system or individual contact with professional organizations in EU. Training program in both veterinary faculties (Faculty of Veterinary Medicine and Faculty of Veterinary Hygiene and Ecology) has fully accredited study programs. Accredited study programs in other member states has relevant credit for recognition of professional qualification.

12. To what extent are the existing Directive provisions (see recital 39 and Article 22(b) on continuous professional development (continuous training) adequate? Is continuous training mandatory in your country and what are the exact conditions?

Answer:

Continuous training in veterinary medicine is in the Czech Republic for each member of the Chamber recommended by law. Each veterinary surgeon providing veterinary service in the Czech Republic has to be a member of the Chamber. The Chamber itself organizes CPD courses for the continuous training in veterinary medicine.

D. ADMINISTRATIVE COOPERATION

13. To which extent does administrative cooperation, as outlined in Articles 8, 50, and 56 of the Directive, simplify procedures for the migrant professionals?

Answer:

There is a very good cooperation between the member states through IMI system or individual contact with professional organizations in EU

14. Is the competent authority in your country registered with IMI? Under which circumstances does your competent authority use IMI? If not registered, why not and what would be the conditions for changing this situation?

Answer:

The Chamber is registered authority in IMI system. IMI system is used for checking the information about applicant in the recognition of professional qualification proceedings.

15. How could a professional card (see Recital 32 of the Directive) facilitate recognition of professional qualifications and provision of temporary services? Under which conditions could professional associations issue it?

Answer:

We don't have much experience or enthusiasm for professional cards. We think that the question of professional card is the matter of each member state and its professional organization.

16. How do you share information about suspensions/restrictions with competent authorities in other Member States? Could more be done in this respect?

Answer:

There is no factual and/or regular sharing of information about suspension/restriction decisions. The information is to be expectedly provided by the applicant.

E. OTHER OBSERVATIONS

17. How and when are the necessary language skills of migrants checked after recognition of the professional qualifications? Are you aware of any complaints (especially from patients/clients/employers) about insufficient language skills of migrants?

Answer:

Language skills of incoming migrants are checked in the practice directly by potential employer. We don't have and we are not afraid of complaints, because our opinion is that it is the problem of supply and demand.
