

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

QUESTIONNAIRE FOR PHARMACISTS

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

1. Please describe the government structure of the competent authority or authorities in charge of the recognition and of sanctions/restriction to practice.

The Ministry of the health is the competent authority.

2. To what extent have the system of automatic recognition and the general system been a success? How do you see the costs and benefits for patients and for your organisation? Can you give concrete examples. 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
- automatic recognition based on acquired rights

The automatic recognition works well.

3. Is the general system (as described in article 10) 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.

The general system is applied when the conditions for the automatic recognition are not met. Sometimes it is difficult to compare different educations so to justify compensation measures.

4. 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))?

Sometimes the ministry of the health has difficulties to verify the experience and the right acquired in a third country. It could be useful to understand the methods to recognition in other EU members so to avoid problems with these recognitions.

5. 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?

The Ministry of the health accepts only paper applications. The documents can be sent by email to give a provisional assessment.

6. 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.

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 since the directive has been transposed in your country (can you provide any statistics per month, per year)²?

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?

The migrant must be legally established, exhibit a certificate from competent authority and a certificate of good standing.

- 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?

It is useful to know the duration, frequency, place of the activity.

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

A prior declaration is necessary to know the migrant's qualification.

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

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

10. Do you have concrete examples of abuse or misuse of this new possibility for pharmacists? Have you been confronted to problems with regards to patient safety on this issue?

C MINIMUM TRAINING REQUIREMENTS

11. 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?
12. To what extent are the common minimum requirements for training set out in Title III Chapter III of Directive 2005/36/EC in line with scientific progress and professional needs in the last ten years? Are the knowledge and skills outlined in Article 24.3 still relevant and up to date? Please specify. What about the conditions relating to the duration of training?
13. 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?
14. To what extent are the existing Directive provisions (see recital 39 and Article 22(b) on continuous professional development (continuous training) adequate? What is your definition of CPD/continuous training? Is continuous training mandatory in your country and what are the exact conditions?

D. ADMINISTRATIVE COOPERATION (THIS SECTION APPLIES TO ESTABLISHMENT AS TO PROVISION OF SERVICES)

15. To which extent does administrative cooperation, as outlined in Articles 8, 50, and 56 of the Directive, simplify procedures for the migrant professionals? Can you give your own experience?

Administrative cooperation is very useful.

16. 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?

Ministry of the health, competent authority, is registered in IMI.

17. 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 it be issued by a competent authority?

Ministry of the health is puzzled about professional card.

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

E. OTHER OBSERVATIONS

19. 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?

The Ministry of the health thinks that it should be important to check language skill.

20. Please fill free to add any comment you want on the directive 2005/36/EC
