

CFE PROFESSIONAL LAW REPORT 2006/01

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LATEST EUROPEAN DEVELOPMENTS

Recognition of professional qualifications

► **Reform of the system for the recognition of professional qualifications**

The Commission website showing the reform of the system for the recognition of professional qualifications has been updated. (Only the French version is currently updated, the other language versions will follow).

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► **Infringement procedures against Portugal, Greece and France**

The Commission has taken action against Portugal, Greece and France to correct breaches of EU law on professional qualifications. Portugal will be referred to the European Court of Justice over its recognition procedures for architecture qualifications issued in other Member States, as will Greece over its recognition procedures for optician qualifications. The Commission has also formally requested France to modify its laws in four cases: recognition of third-country diplomas already recognised by another Member State; collective agreements for recognition of social worker qualifications; the recognition procedure for estate agent qualifications issued in other Member States; and the temporary provision of services by doctors, dentists and midwives established in another Member State.

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Services in the Internal Market

► **Competitiveness (Internal Market, Industry and Research) council meeting, 28-29 November 2005**

The Council made the following conclusions:

- On scope, there is general agreement that any further exemptions must be clear and concrete so as to give certainty to business. Some Member States want to be able to exclude services of general interest which they will define; others do not support this.
- On worker protection, a majority of Member States do not want the rules in the Posting of Workers Directive to be affected by this Directive. This Directive should be neutral for worker protection.
- On Free Movement of Services (also known as Country of origin), there are different views on how to facilitate free movement of services. It is clear that this area needs more work to find the right balance between free movement of services and the pursuit of legitimate public policy objectives.
- The Council will await the EP's opinion and the Commission's revised proposal.

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► Services directive clears first hurdle in Parliament

Plans to facilitate the provision of services in the EU single market took a major step forward at Parliament when the Internal Market Committee voted at first reading on the report tabled by Evelyne Gebhardt (PES, DE). Among other points, MEPs decided services of general economic interest should be included in the scope of the directive. This had been one of the most hotly debated issues. In its amended version the report was adopted by a large majority (25 votes to 10, with 5 abstentions including that of the rapporteur herself). Negotiations between the political groups will continue up to the first reading vote by the full Parliament, which is scheduled for February 2006.

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The Report: [EN](#)

3rd Money laundering Directive**► Lawyers and notaries invited to give their views on anti-money laundering obligations**

The Commission has published an online questionnaire on how individual legal professionals and law firms apply anti-money laundering obligations. The information gathered will be used for the preparation of a report on implementation of the second anti-money laundering Directive to be submitted to the European Parliament and the Council in 2006. Direct involvement of individual legal professionals and law firms in the preparation of the report is a prerequisite to ensuring that it properly reflects their practical experience and the potential difficulties they encounter in fulfilling their obligations. Respondents are invited to give their views on questions related to the effectiveness of the reporting obligation, compliance costs and the impact of the Directive on the demand for legal services, among others.

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Competition in professional services**► UK Presidency Conference on "Better Regulation of Professional Services"**

Commissioner Neelie Kroes, in charge of Competition Policy, addressed the conference participants by saying: "Better regulation features as a cornerstone of the reinvigorated Lisbon Strategy. Regulation should support European competitiveness rather than hinder it, and foster growth and jobs. This means regulation that is proportionate, grounded on clear evidence, and where the benefits of the rules clearly justify the cost. The better regulation agenda therefore rightly includes both improving new legislation and simplifying existing regulation too, as well as reviewing or abolishing obsolete rules."

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