

## CEPLIS

This is, in brief, some news from the breakfast CEPLIS organised at the European Parliament in Brussels for the members of the SME Intergroup to discuss the Proportionality Test and other issues of the Services Package regarding the Liberal Professions.

First, our event was well attended. Over seventy participants showed up, 5 MEP's (Andreas Schwab, Othmar Karas, Maria Grapini, Michael Theurer, Reinhard Butikofer, Kay Swinburne), numerous representatives of professional associations EU-wide.

Second, the positions advanced to rapporteur Andreas Schwab, MEP are quite close to the one of CEPLIS, adopted at the General Assembly meeting in Malta last June. Our views, presented by First Vice-President Gaetano Stella were echoed by most of the stakeholders who were present in the room.

Third, this was a great day for CEPLIS' visibility. Our role as a forum for the professions are a multiplier in the eyes of the EU institutions present was particularly highlighted.

Below, in bullets, you will find some of the most important points we have cherry-picked raised by those who took the floor

**Andreas SCHWAB** MEP and IMCO coordinator (EPP), Rapporteur on the proposal for a Directive on a Proportionality test before adoption of new regulation of professions.

- • Proportionality is a must, it is a requirement of the Treaty. No one should put proportionality is question.
- • Professional regulation is not a key issue for cross-border service delivery
- • The Directive on Proportionality needs to be proportionate itself, and allow Member States some margin of discretion.

- • If there is a national public law organizing the professions in Chambers, then this type of organization should be seen as justified.
- • Health professions should be excluded from the scope of the future Directive.
- • E-card: the Commission is falling short of what the stakeholders could have expected.

**Martin FROHN**, Head of Unit "Professional Qualifications and Skills", DG GROW, European

Commission

- • Exclusion of the health professions from the scope of the future Directive would be incoherent as they are a major part of the Qualifications Directive and were included in the mutual evaluation. After all if regulation is indeed there for reasons of public health and safety it would be easy to demonstrate it
- • The implementation of the Qualifications Directive is deficient. The Commission is envisaging enforcement.
- • The results of the exercise that was asked by the Commission and executed by the Member States were not as conclusive as desired. Member States had to perform assessments which were not as thorough as expected. The Commission has decided to adopt binding rules and Member States are not against it.
- • Every stakeholder's essential preoccupation is different.

**Gaetano STELLA**, First Vice-President CEPLIS, President of Confprofessioni

- • Distinction between Services E-Card and European professional card needs to be clarified.
- • The "State of origin" principle needs to be avoided.
- • The proportionality test and the assessment on national rules should be accompanied by clear guidelines that help Member States in their implementation within their legislative systems.
- • We believe that the adoption of a new legislation that would require Member States to abide with the proportionality test would cause considerable confusion amongst national administrations and professional bodies, bringing about negative consequences for the Internal Market.
- • The notification procedure does not appear to ensure any effective utility and that on the contrary, it risks entailing an excessive influence/ interference of the European Commission on the decisions of Member States.
- • The exclusion of healthcare professions from the scope of the Directive is required, as they are already excluded from the "Services" Directive.

**Klaus Wolfgang THÜRRIEDL**, European Council of Engineers Chambers

- • Do we need independent engineering anymore? Need to answer tough questions for the future

**Markus STOCK**, Austrian Chamber of Commerce

- • The Commission should be stronger with implementation and enforcement. All healthcare professions should be excluded and not just the ones exercised in hospitals.

**Edward Van Rossen**, Union Nationale Des Professions Libérales Belges

- • We fully agree with the EU propositions but Member States have to share their respective info and new regulations. The multilateral coordination between MS is not sufficient. Martin FROHN agrees with this assertion and stresses the fact that it is not up to the Commission to do that, it is up to the associations themselves.

**Mark SEYCHELL**, Maltese Chamber of Commerce

- • The Margin of error permitted should be mentioned in the text.