



The European Consumers' Organisation  
Bureau Européen des Unions de Consommateurs

European Commission  
DG Market

1049 Brussels

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## ***PROFESSIONAL QUALIFICATIONS DIRECTIVE***

### To whom it may concern

BEUC welcomes the opportunity to contribute to the public consultation on the Directive on the mutual recognition of professional qualifications. At the moment we are not in the position to respond to the specific questions identified in the consultation document but we would like to highlight some key principles from the consumer perspective which we hope will guide the revision of the current legislation.

The mutual recognition of professional qualifications is one of the building blocks of the Internal market and BEUC understands the need to revise the existing legislation taking into account the shortage of highly specialised workers, the EU enlargement, the education reforms in various Member States as well as the scientific and technical progress.

In order to fully exploit the economic and social benefits of the Directive and for the Single market to deliver to consumers it is of outmost importance to maintain and reinforce not only the mutual confidence between the national competent authorities but also **consumer trust**.

We support the simplification of procedures and the reduction of the current barriers to intra-EU mobility as long as they do not have any impact on the **safety** and the **quality** of the services, including in the case of professionals who move temporarily.

Consumers should be reassured that whoever provides them a professional service in any EU Member States is fully trained and qualified. Facilitating the free movement of workers should not lead to downgrading the training requirements. Rather, especially for those professions that fall under the scope of the automatic recognition, we support the increase of **training requirements**, in particular in relation to continuing professional education. We also call for more transparency regarding the content of education programmes and for an update of the training subjects according to scientific and technical progress.

Adequate mechanisms should be in place to make sure that a professional speaks fluently the **language** of the country where he/she operates. This is a pre-condition to ensure the quality and safety of the service and consumer satisfaction. In certain circumstances a misunderstanding due to language difficulties might put consumers' health at risk (e.g. explanation regarding the appropriate use of a medicine by a pharmacist or communication about previous conditions between a patient and a surgeon). In some cases consumers might benefit from having the possibility of being accompanied by a professional in another Member State (e.g. an architect assisting a client renovating his/her house in another country) in order to communicate in their mother tongue.

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Consumers have the **right to know** what are the qualifications of their service providers, including specific information on any restrictions on their practice. For health care professionals this right is clearly affirmed in the Directive on the application of patients rights in cross border health care (Art. 4 and Art. 6) and this should be extended also to other professions. In this respect public access to a database might be more useful and effective than a professional card or passport and could be applied to all professionals and not only those moving to another country.

If a **card** will be introduced, it is important to make sure that it is meaningful for consumers, that it is cost/effective especially considering the limited number of those using it, that the information it contains is timely updated, that it is not possible to counterfeit it and most of all that is backed by a well functioning information system.

More generally BEUC will support any measures aimed at enhancing the cooperation between competent authorities and the provision of information to consumers. To this end we also suggest extending the **alert mechanism** for cases of malpractices to health professionals. Finally, we call for the introduction of all the necessary **safeguards** to prevent cases of professionals sanctioned for serious misconduct in a country starting practicing again in another Member State or health professionals putting consumers' life at risk because of lack of a proper assessment of the fitness to work by the competent bodies of the receiving country<sup>1</sup>.

We wish that the revision of the Directive will constitute an opportunity to enhance the quality and safety of the services provided around Europe and increase consumer confidence in the Single Market.

Yours sincerely,



Monique Goyens  
Director General

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<sup>1</sup> "Patient killed unlawfully by overseas doctor" <http://news.bbc.co.uk/2/hi/health/8497911.stm>