

Special report

The recognition of professional qualifications in the EU

An essential mechanism, but used sparsely and inconsistently



EUROPEAN
COURT
OF AUDITORS

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Executive summary

I The Treaty on the Functioning of the EU guarantees EU citizens the right to move freely for professional purposes and to establish their business in another member state. However, they may face obstacles to labour mobility such as difficulties in gaining recognition of their professional qualifications, particularly if member states regulate access to certain professions.

II The EU adopted the Directive on the recognition of professional qualifications in 2005. It aims to prevent member states from imposing excessive conditions on citizens from one EU member state wishing to carry out a regulated profession in another. The professional qualifications framework is also intended to guarantee that the services provided in any member state meet the same “public health and safety” standards. This Directive was updated in 2013 and had to be transposed into national law by 2016.

III We examined how effectively the Commission ensured the right of EU citizens working in regulated professions to move freely between member states for professional purposes or to establish businesses. We examined whether the Commission was successful in encouraging member states to reduce the number of regulated professions and to what extent citizens used the systems that had been set up. We also checked whether member states applied their systems in an effective way and we assessed the usefulness of the new elements introduced in the revised Directive. Finally, we looked at whether the Commission coordinated and monitored data provided by the member states effectively, and whether readily accessible, complete, and consistent information was provided to citizens.

IV We expect our audit to contribute to an assessment of how the Directive has been applied for the benefit of citizens, and to highlight areas where coordination and monitoring could be improved.

V Overall, we conclude that the recognition of professional qualifications in the EU is an essential mechanism, but it is used sparsely and inconsistently. Our findings were as follows.

- Many professions are still regulated by member states and our calculations indicate that around 6 % of citizens moving to another member state make use of the systems of recognition of professional qualification. Most EU labour mobility is not subject to recognition of professional qualifications.

- The application of the Directive by the member states has shortcomings. These directly affect citizens wishing to pursue a regulated profession in another member state. The shortcomings include the lack of electronic procedures and the differences between fees charged for recognition by member states. Some authorities require more documents and do more checks than the Directive allows for, thus taking longer to decide on the recognition of professional qualifications than the maximum time laid down in the Directive.
- Citizens and authorities did not make wide use of the new measures introduced in the revised Directive in 2013, such as the European Professional Card, partial access to a profession, or common training principles. Making the use of the Internal Market Information System mandatory for the notifications of automatically recognised qualifications was a positive change and improved the exchange of information between competent authorities from different member states. Overall, however, the new measures provided little added value in practice.
- Competent authorities did not take the alerts encoded in the Internal Market Information System by other member states into account when granting recognition of professional qualifications, even when they were for substantial reasons, such as misconduct, ongoing disciplinary measures or criminal convictions.
- The periodic update of qualifications for the automatic system of professional recognition is an important step forward, but the process is cumbersome, and there are no deadlines for the Commission to complete it.
- The Commission has addressed transposition issues through infringement procedures, but weaknesses persist in the application of the Directive in the member states.
- The information provided to citizens wishing to pursue a regulated profession in another member state is generally accessible but often unreliable and inconsistent.

VI Based on these conclusions, we recommend that the Commission ensures:

- uniform application of the recognition system;
- integration of the alert mechanism in the recognition procedure;
- an annual update of the lists of qualifications in certain sectors (listed in Annex V to the Directive) where professional recognition may be automatic and a shorter deadline for taking recognition decisions through the automatic system for sectoral professions; and
- reliable and consistent information for citizens.

Introduction

Free movement of labour, services and freedom of establishment

01 The [Treaty on the Functioning of the EU](#) guarantees the free movement of labour and services and freedom of establishment within the EU single market. It allows all EU citizens, whether employed (“workers”) or self-employed, to move freely between member states for professional purposes or to establish their business. These rights are part of the four fundamental freedoms of the EU (free movement of goods, services, capital and labour).

02 Citizens may face different obstacles to labour mobility, difficulties in recognition of professional qualifications being one of them¹. Other potential obstacles may include differences in social security arrangements, and the non-harmonisation of pension or health insurance schemes among member states.

Recognition of professional qualifications

03 Member states have the right to lay down rules for access to professions. When rules are laid down for specific professions, these professions are then called “regulated professions”.

04 Recognition of professional qualifications (RPQ) is intended for citizens who acquire their professional qualification in one member state (home country), and wish to pursue a regulated profession in another member state (host country). They need to have their professional qualifications recognised by the host country to carry out their professions. Without this recognition, they can still move and work abroad but without being able to exercise their intended profession. The concept of recognition of professional qualifications differs from that of academic qualifications. The latter, governed by the [Lisbon Convention](#), is linked to education and the right to study abroad and gain recognition for those studies.

05 In September 2005, the European Parliament and the Council adopted the [RPQ Directive](#), which consolidated the previous EU legal framework. It defined “regulated

¹ [ECA special report 06/2018 on the free movement of workers.](#)

profession” and specified certain requirements to be met by member states during RPQ procedures in order to foster the free movement of workers, businesses or service providers. The Directive covers the European Economic Area consisting of the 27 EU member states, plus Iceland, Liechtenstein, and Norway. *Figure 1* shows the most mobile regulated professions in the EU.

Figure 1 – The 25 most mobile regulated professions in the EU, by number of total decisions declared by the competent authorities in the 27 member states, for 2017-2021

Nurse	26 624
Secondary school teacher	25 707
Doctor of medicine	25 162
Ski instructor	13 375
Physiotherapist	12 963
Dental practitioner	11 291
Child care worker	6 471
Nursing assistant and health care assistant	6 210
Veterinary surgeon	5 553
Fork lift truck operator	5 378
Primary school teacher	3 954
Tourist guide	3 205
Ski and / or mountain / canyon guide / mountain leader	2 913
Pharmacist	2 867
Kindergarten teacher / nursery school teacher / preparatory school teacher	2 795
Joiner / carpenter	2 610
Architect	2 137
Sports instructor	2 096
Midwife	2 015
Painter / decorator	1 981
Civil engineer	1 966
Welder / steel worker	1 901
Psychologist	1 894
Loader	1 732
Lawyer / barrister / solicitor	1 593

Source: ECA, based on [Commission data](#) extracted in October 2023.

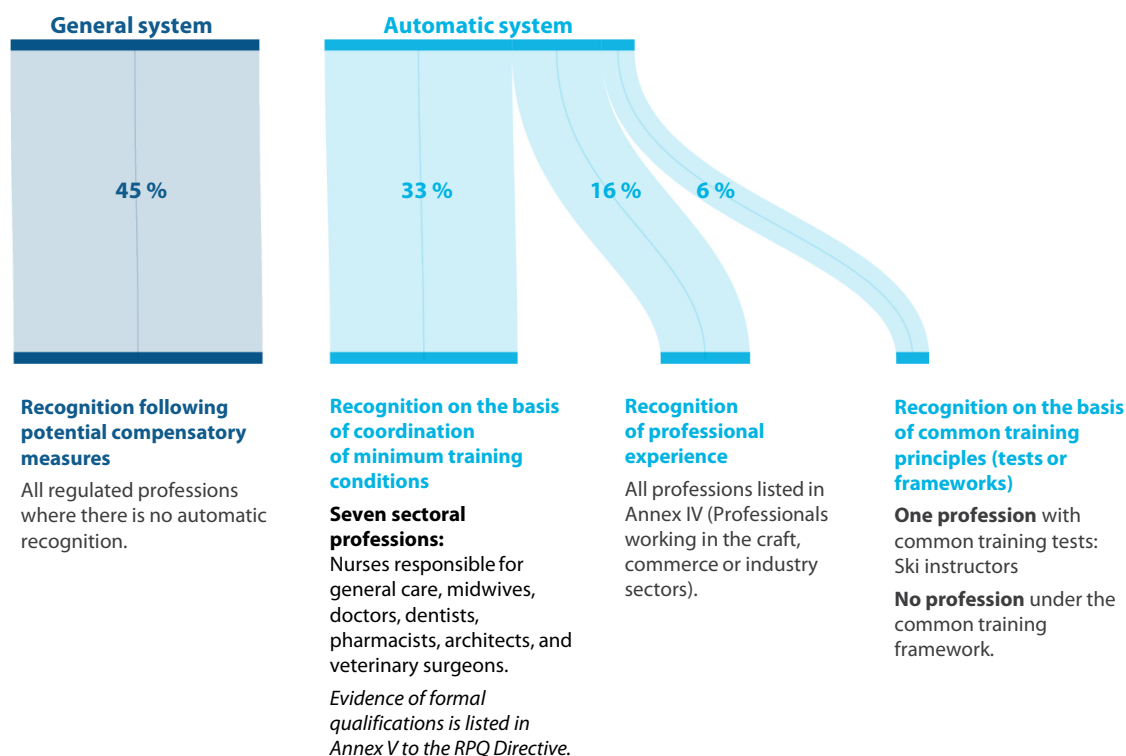
06 The RPQ Directive does not apply to:

- non-regulated professions in the host country even if that profession is regulated in the home country;
- activities or professions connected to the state and the exercise of official authority, i.e. state officials;
- notaries.

07 There are two main RPQ systems, see [Figure 2](#).

- The automatic system, which includes three types of recognition, applies to (1) seven sectoral professions; (2) ski instructors; and (3) professions in craft, commerce and industry sectors. These professions are amongst the most mobile ones according to the data presented in [Figure 1](#). Under the automatic system, competent authorities should automatically approve applications without comparing qualifications against national requirements, based on documents provided by citizens.
- The general system applies to all other regulated professions and, unlike for the automatic system, compensation measures may apply. These consist of an adaptation period (during which the profession can be exercised, but only under supervision), or a test imposed by competent authorities. The competent authorities in the host country decide whether to impose compensation measures on a case-by-case basis. Compensation measures can only be imposed if there is a substantial difference in training between the home and the host country for the same profession and this difference cannot be made up for by professional experience or lifelong learning.

Figure 2 – Automatic and general RPQ systems in the EU (since 2016)



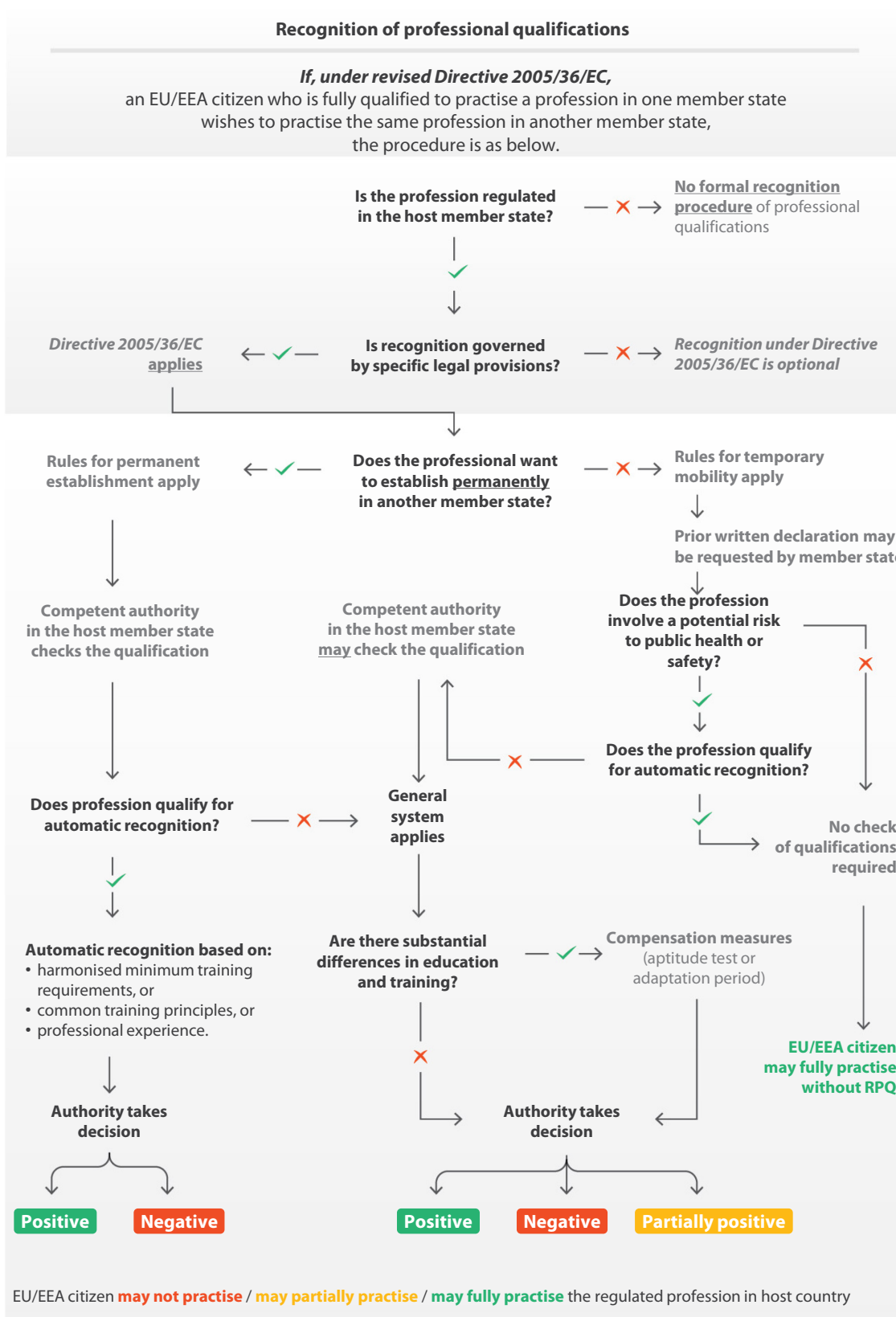
Note: The percentages show the share of RPQ decisions issued per recognition system (general 45 % and automatic 55 %).

Source: ECA, based on the RPQ Directive and on Commission data for 2017-2021, retrieved in November 2023.

08 Citizens may work abroad on a temporary or permanent basis. The RPQ Directive has different sets of rules for each case. As a principle, access to regulated professions for temporary mobility should be more straightforward. In these cases, host countries may ask citizens to declare their intention to pursue their activity in that country before they start and may also undertake “prior checks” of those citizens’ qualifications, under specific conditions.

09 The decision tree in *Figure 3* shows how the RPQ procedure works. The first question is whether a profession is regulated or not. If it is, and recognition of qualifications is required, the decision tree shows the different steps leading to the decision by the competent authority. These steps in the decision-making process under the RPQ Directive are shown with “yes” (v) and “no” (x).

Figure 3 – Description of the RPQ procedure, including possible decisions issued by competent authorities



Source: ECA, based on revised RPQ Directive.

10 Every year, member states must declare RPQ decisions on the Regulated Professions Database (RPD), which is the IT tool maintained by the Commission to inform citizens about RPQ-related matters. In 2024, the Commission plans to begin migrating the information contained in the RPD to the Internal Market Information System (IMI).

11 In practice, the recognition of professional qualifications constitutes only one procedural step for citizens who wish to pursue a regulated profession abroad. For certain professions, an authorisation to practice (e.g. for healthcare professions), or a business permit (e.g. for craft professions) may be also required. These aspects are not covered by the RPQ Directive. However, member states might offer, for certain professions, an “all-in” procedure including both RPQ and a business permit or authorisation to practice.

12 In May 2010, at the request of the President of the Commission, Mario Monti prepared a [report](#) on a new strategy for the single market. The report concluded that the mutual RPQ between member states should be further clarified and there was still resistance at member state level to recognising foreign qualifications. He had two main recommendations for RPQ: extending the automatic system and strengthening transparency.

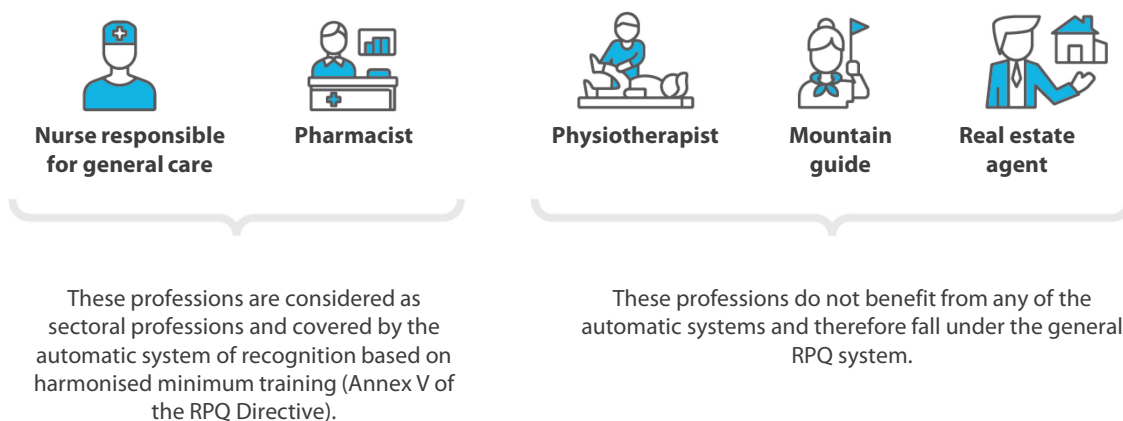
13 In November 2013, the European Parliament and the Council revised the RPQ Directive (through [Directive 2013/55/EU](#)). Member states had to transpose it into their legislation by January 2016. The revised RPQ Directive includes the elements shown below.

- Partial access to a professional activity, deriving from decisions of the European Court of Justice². This allows citizens not qualified for all parts of a regulated profession in the host member state to pursue it partially.
- Common training principles (training frameworks or tests). These principles represent an additional automatic RPQ system to that for the seven sectoral professions. Currently this additional system only applies to ski instructors, see [Figure 2](#).

² Judgment of 19 January 2006 in [Case C-330/03](#) – hydraulic civil engineer, complemented by Judgment of 27 June 2013 in [Case C-575/11](#) – physiotherapist.

- Mandatory use of the Internal Market Information System for notifications of automatically recognised diplomas (Annex V to the Directive), and cooperation procedures, i.e. European Professional Card (EPC) and alert mechanism.
- An enhanced role for points of single contact in the member states for RPQ, with the requirement for them to provide minimum electronically available information on their websites.
- The EPC, a fully electronic means of recognising qualifications, processed through the Internal Market Information System and available for five professions, see [Figure 4](#).

Figure 4 – Five professions eligible for the European Professional Card



Source: ECA based on the RPQ Directive.

14 In April 2024, the President of the Jacques Delors Institute, Enrico Letta, presented the report requested by the European Council: [Much more than a market](#). The report aims to contribute to the reflection on the future of the single market with concrete proposals. It calls for the extension of the system of automatic recognition of professional qualifications and a review of the need for and extent of professional regulation. As part of the single market to strengthen health and access to medicines, it asks the EU to actively promote the mutual recognition of professional qualifications in pharmaceutical professions.

Roles and responsibilities

15 The Directorate General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) is responsible for most internal market topics, including RPQ. It initiates proposals on RPQ and ensures timely incorporation of directives into member state law, as well as their implementation. If a member state fails in this regard, the Commission may take appropriate enforcement actions.

16 DG GROW has further responsibilities:

- coordinating the policy area, and chairing the Group of Coordinators, composed of one national coordinator per member state with expertise in the field of RPQ, each of whom is responsible for promoting uniform application of the RPQ Directive and collecting all relevant information;
- monitoring the system, e.g. based on information from the member states on the Regulated Professions Database, plus reports provided by the member states every second year with key statistical and proportionality data, including why they are regulating certain professions;
- adopting delegated acts (e.g. for the update of Annex V to the RPQ Directive listing the evidence of formal qualifications for the automatic system) and implementing acts clarifying certain aspects of RPQ, such as the procedure for issuing the European Professional Card;
- reporting every 5 years on the implementation of the RPQ Directive;
- providing and maintaining IT tools (the Regulated Professions Database, soon to be migrated to the Internal Market Information System, and Your Europe) to make information on RPQ available for citizens. DG GROW relies on member states' input for the content.

17 In addition to processing the applications for recognition of professional qualifications, member states have the following responsibilities:

- appointing a national coordinator, forming part of the Group of Coordinators;
- submitting reports to the Commission every second year (see paragraph 16, second indent);
- providing the Commission with the list of regulated professions and filling in the Regulated Professions Database;
- cooperating with other member states and the Commission through the Internal Market Information System;
- supporting and informing citizens during their recognition procedure.

Audit scope and approach

18 We examined how effectively the Commission ensured the right of EU citizens working in regulated professions to move freely between member states for professional purposes. In particular, we examined whether:

- the Commission was successful in encouraging member states to reduce the number of regulated professions and the RPQ systems were widely used by citizens;
- member states applied the RPQ system in an effective way and for the benefit of citizens;
- the new elements to facilitate recognition in the revised Directive were actually used;
- the Commission coordinated and monitored statistics and data provided by the member states and addressed transposition issues regarding the RPQ Directive in the member states effectively;
- the Commission and member states provided citizens with readily accessible, complete, and consistent information on RPQ.

19 Our audit covered the period from 2013 when the RPQ Directive was revised, up to the latest developments in the context of the European Year of Skills 2023. Our main auditee was the Commission, in particular DG GROW. We also interviewed DG EMPL and Eurostat, the Commission's directorate-general for European official statistics.

20 We focused on four professions: nurse responsible for general care, secondary school teacher, carpenter/joiner, and civil engineer. These professions have been identified in [reports from the European Labour Authority](#) as experiencing (the most) widespread labour shortages in the EU. Furthermore, they are among the 25 most mobile professions (see [Figure 1](#)), and they cover all RPQ systems (see [Figure 3](#)) including specific measures, such as the European Professional Card and partial access (see paragraph [13](#)). We also considered the most recent developments in this field, such as the integration of the Regulated Professions Database into the Internal Market Information System.

21 For this audit, we visited four member states (Austria, Belgium, Czechia, and Luxembourg) where we met representatives from 21 national or regional authorities responsible for the four sampled professions see [Annex I](#) and the national coordinators for the RPQ Directive. The selection of member states was mainly based on the number of RPQ decisions and declarations (of intention to provide services on a temporary basis) but also for geographical balance. In these four member states, we carried out walk-through-tests on the websites to verify reliability, accessibility, and completeness of information provided to citizens on RPQ.

22 Furthermore, we carried out a survey with 3 100 member state bodies registered by the Commission as competent authorities in the Internal Market Information System module for professional qualifications in all 27 member states. Nearly 850 authorities (27 %) replied. The response rate per member state is available in [Annex II](#). The results of our survey are disclosed as open data, available online and published anonymously.

23 Moreover, we interviewed representatives of the European Labour Authority (ELA) and the European Centre for the Development of Vocational Training (Cedefop), the European Economic and Social Committee (EESC), the European Institute for Gender Equality (EIGE) and the European Ombudsman ([Annex III](#)).

24 We did not address:

- RPQ procedures for citizens who obtained qualifications outside the EU;
- the system for recognition of academic qualifications.

25 This special report is intended to identify whether the RPQ Directive has been applied effectively for the benefit of citizens and contribute to analysis of this policy area, especially in the context of the [European Year of Skills 2023](#).

Observations

The number of regulated professions in the EU remains high, while the EU systems for recognising professional qualifications are sparsely used

26 Member states may set rules to access certain professions. While the existence of regulation does not prevent citizens from going to work in another member state, the need to get recognition of a professional qualification may represent a barrier if citizens want to carry out their activity in another member state. If they fail to obtain this recognition, they may be obliged to seek alternative work that does not match their qualifications, and possibly earn less.

27 Between 2012 and 2014, the European Council identified regulation of professions as an obstacle to the internal market and **asked** member states to reduce the number of regulated professions and remove unnecessary or disproportionate barriers for entry to regulated professions. In 2012, the European Parliament **called** on the Commission to identify areas where member states were blocking access to regulated professions disproportionately.

The Commission's actions to encourage member states to reduce the number of regulated professions lack results

28 Acknowledging that the level of regulation in the member states may vary for each single profession, we expected to see that Commission actions were encouraging member states to reduce the number of regulated professions and that citizens were using the RPQ systems to get their professional qualifications recognised.

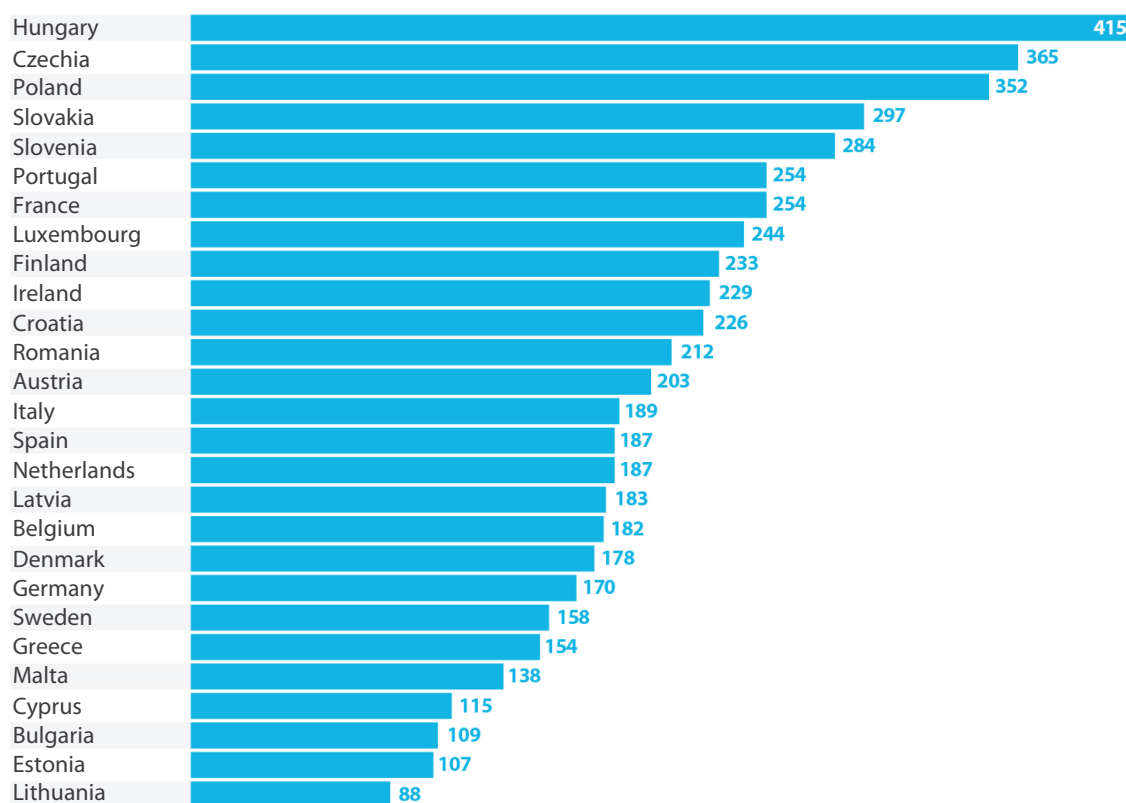
29 The Commission conducted a “mutual evaluation” exercise starting in 2014 to encourage member states to properly assess the reasons for regulating professions. The objective was for member states to assess their regulation of professions and therefore to achieve a reduction in the number of regulated professions. Member states were required to submit national action plans to the Commission by 2016.

30 Based on this exercise, and as part of the European Semester process, the Commission issued six country-specific recommendations in relation to regulated professions in 2017, 2018 and 2019 for two member states: Austria and Luxembourg.

31 Despite these efforts, however, we found that the situation deteriorated. The combined data on professions that are regulated in the member states show that the total increased from around 5 400 in 2016 to around 5 700 in 2023 (average per member state: 212 regulated professions).

32 Moreover, according to this data, in 2023, the number of regulated professions in the EU labour market continued to vary considerably between member states. For example, Hungary regulates nearly five times more professions than Lithuania (with 415 vs 88 professions), see *Figure 5*.

Figure 5 – Number of regulated professions per member state, 2023



Source: ECA, based on the Regulated Professions Database.

33 Despite its actions on the preparation of (regulatory) restrictiveness indicators, the Commission did not assess the outcome of this exercise in terms of number of deregulated professions. The only evidence we could gather was a comparison between the total number of regulated professions based on (i) a [study](#) funded by the European Commission in 2016, (ii) a [Parliament study of 2019](#), and (iii) the total of regulated professions listed on the Regulated Professions Database in December 2023.

34 In 2018, a [Proportionality Directive](#) was adopted to complement the RPQ Directive. It obliged member states to introduce impact assessments, based on proportionate criteria, when proposing new regulated professions or amending requirements to existing ones. All four member states we visited had carried out proportionality tests. However, the assessment was not reviewed by an external body, except in Luxembourg, see [Box 1](#).

Box 1

Good practice in Luxembourg: the [Council of State](#) has a role in the proportionality assessment of legislation

The Council of State is a constitutional institution that is not part of the Luxembourg government. It provides reports or opinions on all government and parliament bills and draft regulations. Since the introduction in Luxembourg of an obligatory proportionality test for legislation, the Council of State has requested that a proportionality test should be attached to the bills sent for assessment.

In 2022 and 2023 the Council of State blocked two new Luxembourgish regulations concerning access to healthcare professions because of unsatisfactory proportionality tests.

35 Such an independent third-party review is not a requirement arising from the Proportionality nor the RPQ Directives. However, we consider this useful to avoid excessive regulation in member states.

The EU system for the recognition of professional qualifications is estimated to be used in around 6 % of the cases of EU mobility

36 Our exchanges with Eurostat, Cedefop and DG GROW revealed that no specific statistics are produced on the use of the RPQ systems compared to the total number of citizens involved in EU mobility. We obtained data on (i) immigration by age group and citizenship, i.e. “EU movers” to another member state, aged 20-64, and (ii) the total number of RPQ decisions declared by the competent authorities as required by the Regulated Professions Database. Using this data for the period 2017-2019, we calculated that RPQ decisions affected around 6 % of EU citizens aged 20-64 years who moved to another member state (i.e. approximately 141 000 RPQ decisions declared compared to 2 256 000 total EU movers). Our estimation is based on available data and its intrinsic limitations, e.g. people of working age including potentially, students, the early retired or persons not active on the labour market.

37 Currently, there is no data from the Commission making it possible to assess how many EU citizens with a professional qualification have moved to a host country but do not exercise their profession there because their qualification was not recognised. There is also no information, such as from a survey, which would indicate how many citizens have decided not to move because of difficulties in getting their qualifications recognised. These data gaps significantly impede a comprehensive assessment of how effectively the EU ensures the right of citizens working in regulated professions to move freely between member states for professional reasons, or establish their businesses there.

Application of the Directive on professional qualifications still has shortcomings

Lack of electronic procedures

38 Under the Directive, member states must ensure that citizens who wish to have their profession recognised abroad have access to an online procedure. [The Single Digital Gateway \(SDG\) Regulation](#) reinforces and clarifies the obligation for member states to have e-RPQ procedures available. The deadline for member states to implement the SDG Regulation was 31 December 2023. At the time of our field work between June 2023 and October 2023, most member states we visited had not yet implemented this requirement. Member states are responsible for implementing the SDG Regulation.

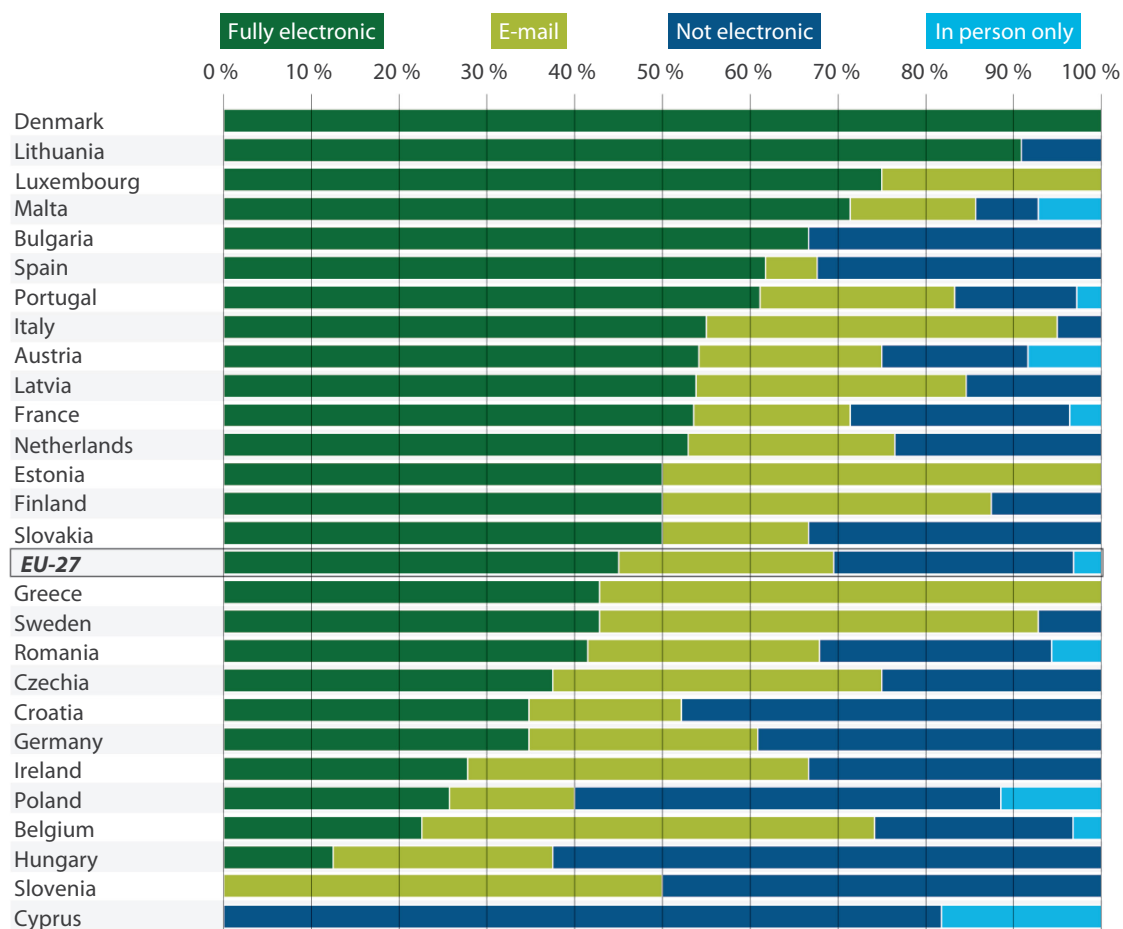
39 The [Handbook on the implementation of the Services Directive](#)³ provides a definition of the electronic procedure: this should allow completion of all steps in a structured way using one service channel. A procedure which requires citizens to produce a physical document (requiring a user to download a form, which then must be printed, filled in by hand, scanned, uploaded, and attached to an email for submission to the relevant authorities) does not meet that standard and therefore does not comply with the requirement of being fully electronic.

40 Through our survey, we examined the different ways that citizens could make RPQ applications, see [Figure 6](#). The replies we received showed that a large majority of competent authorities in most member states are still developing fully electronic procedures. Only Danish and Estonian competent authorities said they allowed

³ [Directive 2006/123/EC](#).

fully online procedures, or use of email, without requesting additional physical documents, for all regulated professions. However, the response rate was relatively low (13 % and 33 % respectively, see [Annex I](#)). In contrast, Cyprus (where 36 % of the competent authorities responded) always requests physical documents and even sometimes requires citizens to be present for the recognition of their professional qualifications.

Figure 6 – Respondents’ replies regarding proportion of electronic procedures in the member states, September 2023



Note: Dark green shows compliance with the RPQ Directive and the SDG Regulation. Light green shows compliance with the RPQ Directive only. Dark blue and light blue show non-compliance with the RPQ Directive and the SDG Regulation.

Source: ECA, based on questions 7 and 7.1 of the survey.

41 Practices differed significantly between the member states we visited. [Box 2](#) shows examples, including where we found Czechia and Luxembourg to be non-compliant with the Directive.

Box 2**Availability of electronic RPQ procedures for selected professions:
carpenter, civil engineer, and secondary school teacher**

Member state	Compliant?	Description
Austria	Yes	There are dedicated online platforms or standard emails are accepted, without paper documents.
Belgium	Yes	There are dedicated online platforms or standard emails are accepted, without paper documents.
Czechia	No	Data Box and certified electronic signatures are accepted but require additional administrative procedures (going to the embassy for non-Czech residents or filling in paper documents for e-signature).
Luxembourg	No	All authorities used online platforms or email, and one authority requested submission of missing documents by post. For temporary mobility, one authority requested e-signature, as in Czechia.

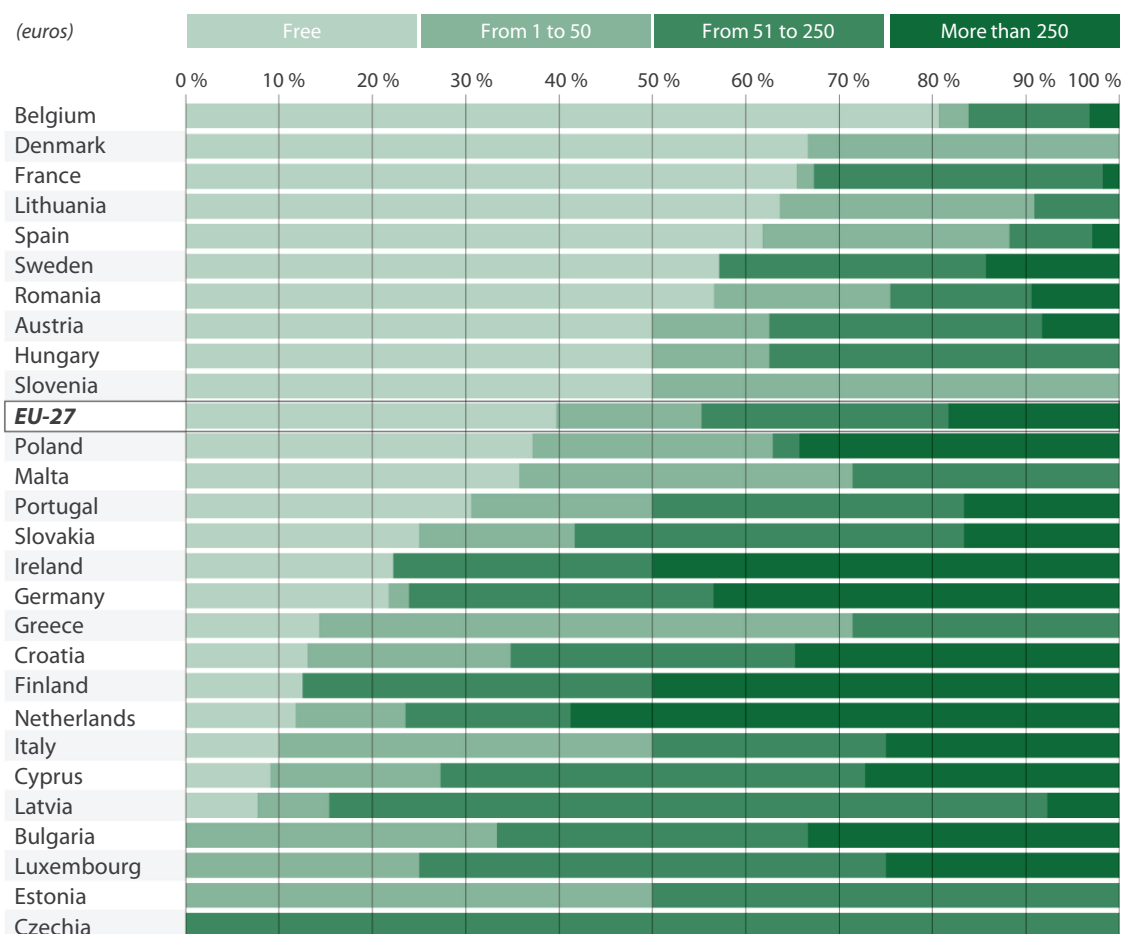
Note: Our analysis excludes nurses responsible for general care, as they can always benefit from the European Professional Card, which is fully electronic.

Fees for recognition of professional qualifications differ considerably between member states and lack justification

42 Studies by the Organisation for Economic Co-operation and Development and the European Parliament’s policy department have identified the fees charged to citizens for the RPQ as one of the obstacles to the free movement of skilled workers. A code of conduct for dealing with RPQ procedures approved by the Group of Coordinators specifies that RPQ fees should be communicated transparently to citizens and should not exceed the costs incurred by the competent authority.

43 Our survey allowed us to obtain a benchmark of fees charged to citizens for the RPQ procedure, see [Figure 7](#).

Figure 7 – Average fee charged per application



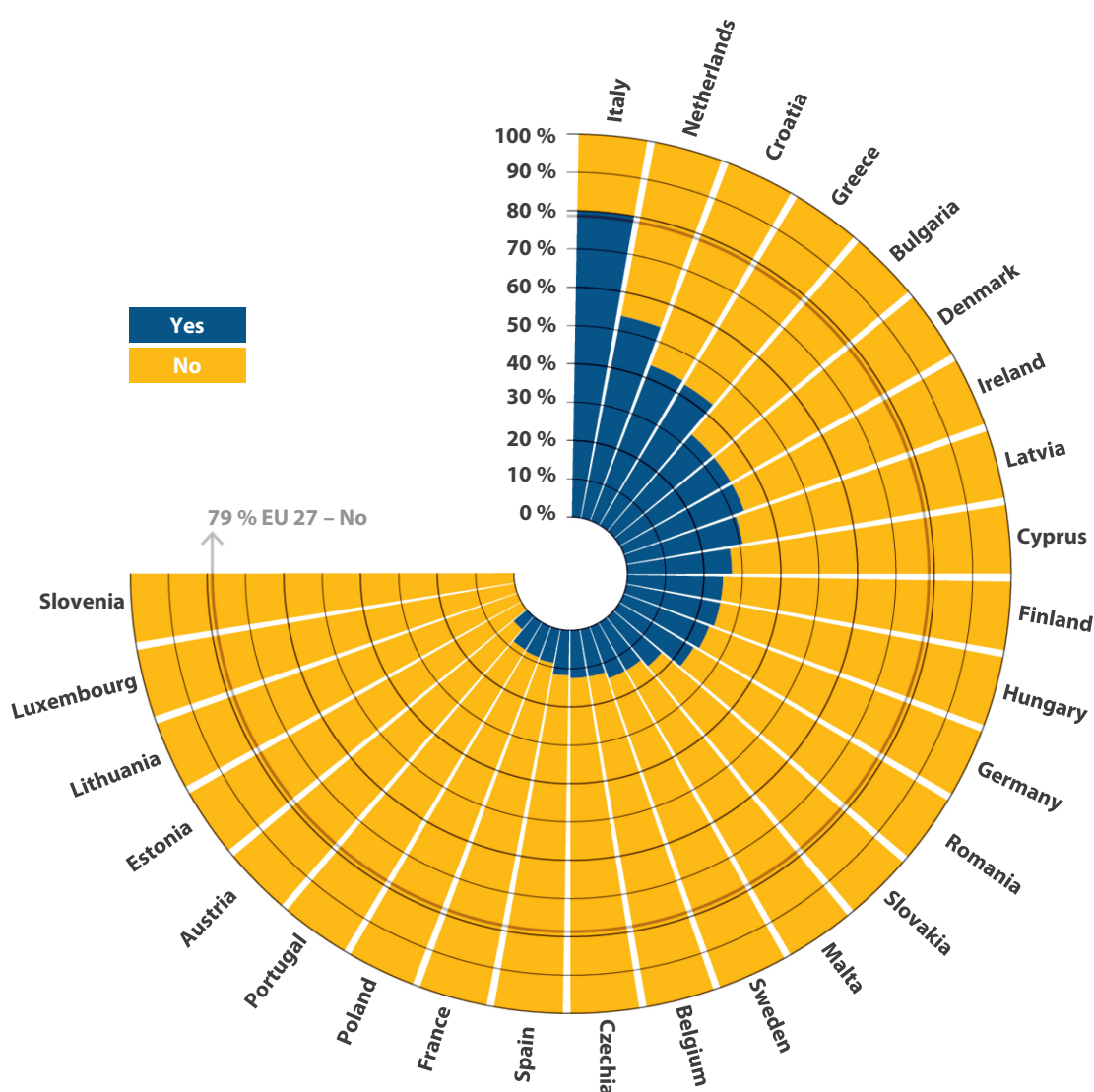
Source: ECA, based on question 5 of survey.

44 From the responses, we noted that the fees differed considerably between member states and competent authorities (from €0 for certain professions, to €17 500 for pilots in one member state). In Belgium, most of the RPQ procedures are free of charge (81 % of cases). We confirmed this during our visit to Belgium, where seven out

of the eight competent authorities we met did not charge fees for the application for recognition of professional qualifications.

45 Finally, a large share of competent authorities in our survey (close to 80 %) could not explain the basis for the fees charged to applicants, see [Figure 8](#). Of those who said they were aware of the approximate administrative costs, 12 % of respondents replied that the fee charged was above the cost incurred.

Figure 8 – Competent authorities declaring themselves aware of their actual administrative costs for an RPQ application



Source: ECA, based on question 6 of the survey.

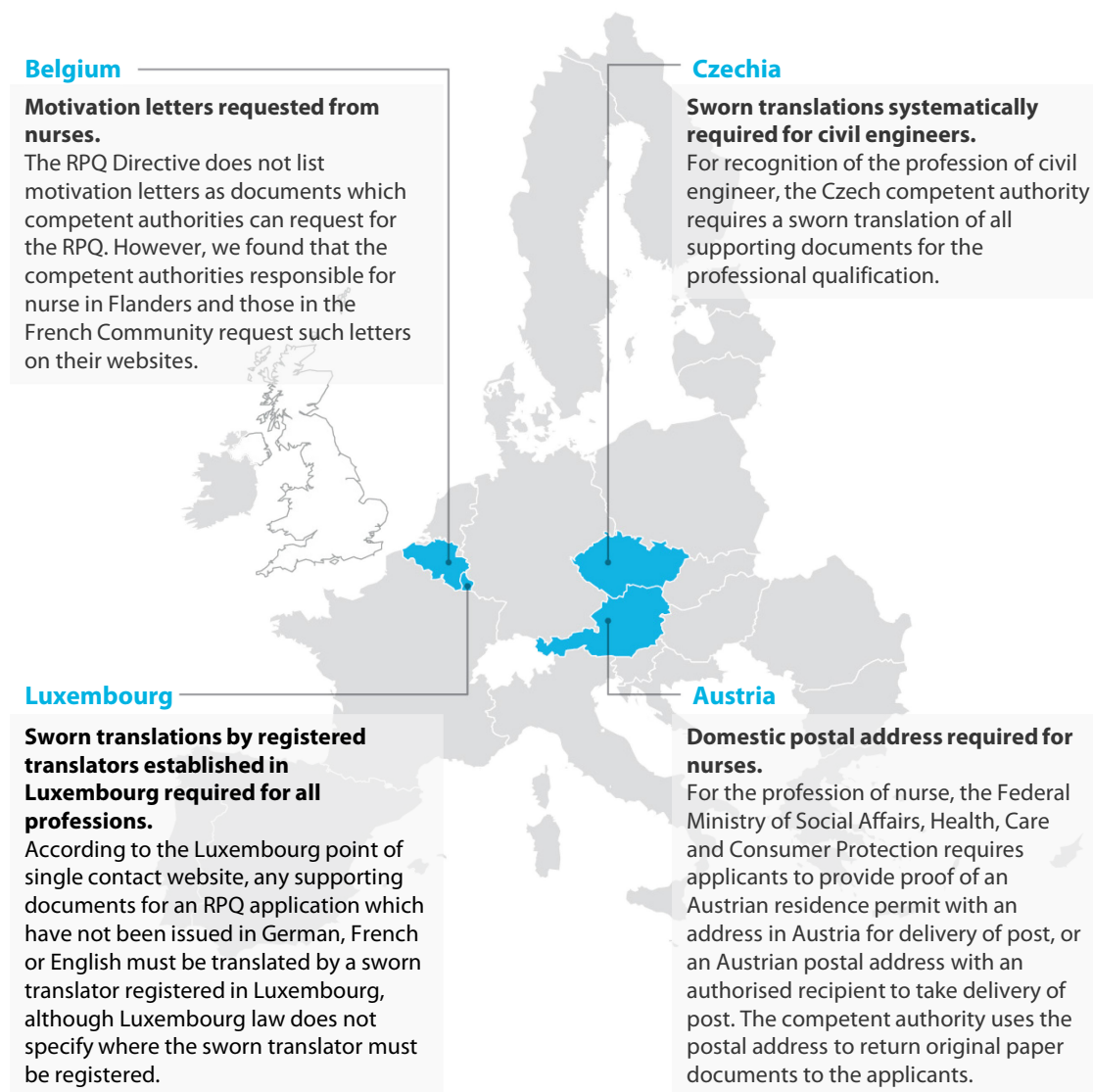
46 The authorities we met in all four member states we visited provided us with information on the fees charged for applications, but it remained unclear on what basis the fees had been calculated. None of the authorities was able to identify the actual costs incurred by their administration for carrying out an RPQ procedure.

Documents requested sometimes exceed requirements

47 The RPQ Directive lists the documents that competent authorities are allowed to request from citizens during the RPQ, both for permanent establishment and for temporary mobility if checks apply. Excessive document requests are an additional administrative burden for applicants. During our audit in the four visited member states, we looked at what was requested on each of their websites during the application procedure, and how this complied with the Directive.

48 In three of the four member states (Austria, Czechia and Luxembourg) we found cases of non-compliance with the code of conduct as regards the documents that can be requested by authorities. The case of Belgium can be considered as not in line with the Directive, see [Figure 9](#).

Figure 9 – Examples of document requirements beyond those set out in the Directive and/or the code of conduct



Source: ECA, based on-the-spot visits and the checks on the member states' websites.

Compensation measures remain disproportionate

49 Compensation measures can consist of an adaptation period or a test (see paragraph 07). As a general principle, citizens should be allowed to choose the type of compensation measure. However, the Directive allows for derogations, for example, the requirement to have knowledge of national law, which must be an essential and constant aspect of the professional activity, and necessary to provide advice or assistance (e.g. lawyers).

50 Our analysis of the Regulated Professions Database for the period 2017-2021 showed that around 35 000 RPQ decisions issued by member state authorities included compensation measures. This represents 17 % of all decisions.

51 Similarly, in response to our survey, around 250 competent authorities (30 %) declared that they had asked applicants to undergo compensation measures. More than 50 % of these (130) indicated that they had not given the applicant the choice of compensation measures. Of those authorities imposing compensation measures, more than 70 % claimed that knowledge of the member state's law was required to pursue the profession. The survey responses also show that this requirement was applied broadly, e.g. to massage therapists, security guards or divers.

52 We also analysed whether compensation measures were correctly applied in the member states we visited for the professions we looked at. We found different practices in the four member states visited for this audit. See [Box 3](#).

Box 3

Examples of the use of compensation measures

Profession of carpenter/joiner in Czechia and Belgium

Czechia and Belgium (Wallonia and Brussels-Capital region) do not require compensation measures for carpenters/joiners. This practice helps applicants because the RPQ is smoother. The authorities we met applied the rules of the RPQ Directive in a way that was most favourable for applicants.

Profession of civil engineer in Austria and Czechia

Austria and Czechia have imposed compensation measures systematically on citizens with foreign qualifications seeking to pursue the activity of civil engineer on their territory.

This runs contrary to the provision in the RPQ Directive that decisions on compensation measures should be made on a case-by-case basis and compensation measures should *only* apply if there are *substantial differences* in training between the home and host member states, see paragraph [07](#).

Different application of prior checks amongst member states for temporary mobility

53 Prior checks are allowed for (sectoral) professions with “public health or safety implications” which do not benefit from the automatic RPQ system, and where the risk arising from the lack of professional qualifications would be so high that a prior check is necessary (proportionality principle). The Directive does not clearly define which professions are concerned by this concept.

54 We assessed whether competent authorities imposed mandatory prior checks of professional qualifications in cases of temporary mobility, see paragraph **08**. The Commission identified prior checks as an important barrier in the single market, see **Box 4**.

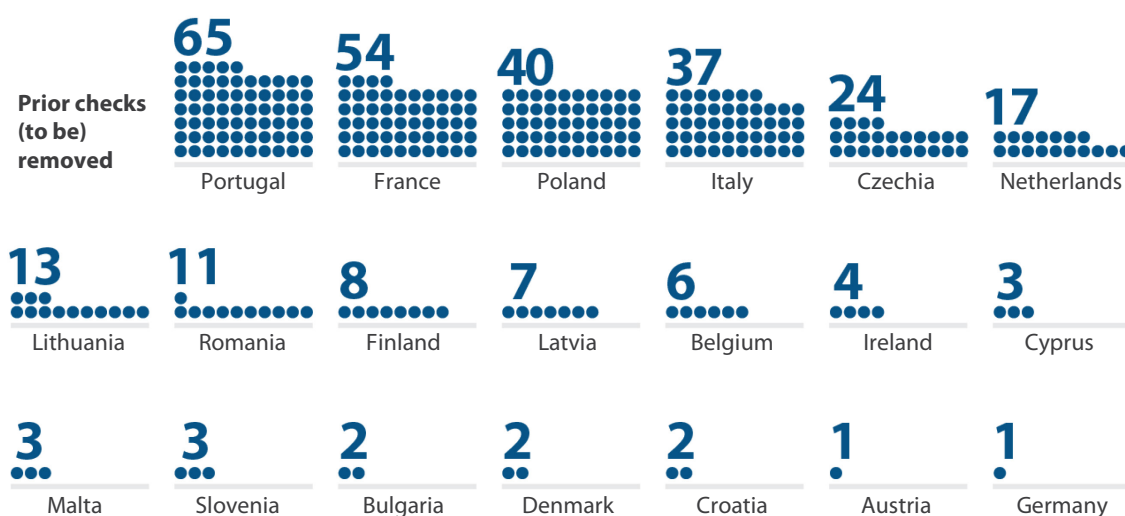
Box 4

Commission identified prior checks as a major barrier in the single market

In 2020, the Commission set up [the Single Market Enforcement Taskforce \(SMET\)](#) to remove barriers to the single market. Prior checks were identified as significant obstacles to labour mobility, as they could prolong the RPQ procedure if authorities requested extra documents from citizens. Consequently, the Commission has asked member states to examine their requirements for prior checks.

55 According to the [SMET report 2022-2023](#), member states did prior checks for more than 800 professions. In total, 20 member states undertook to remove prior checks. Portugal, France, and Poland made the largest commitments. Overall, member states undertook to remove close to 300 prior checks by July 2023, see [Figure 10](#). The top three professions subject to prior check removal were nursing activities, sport instructors, and professions in the field of construction, including engineering.

Figure 10 – Number of prior checks (to be) removed by member states, (on a voluntary basis)



Source: ECA, based on Commission data, February 2024.

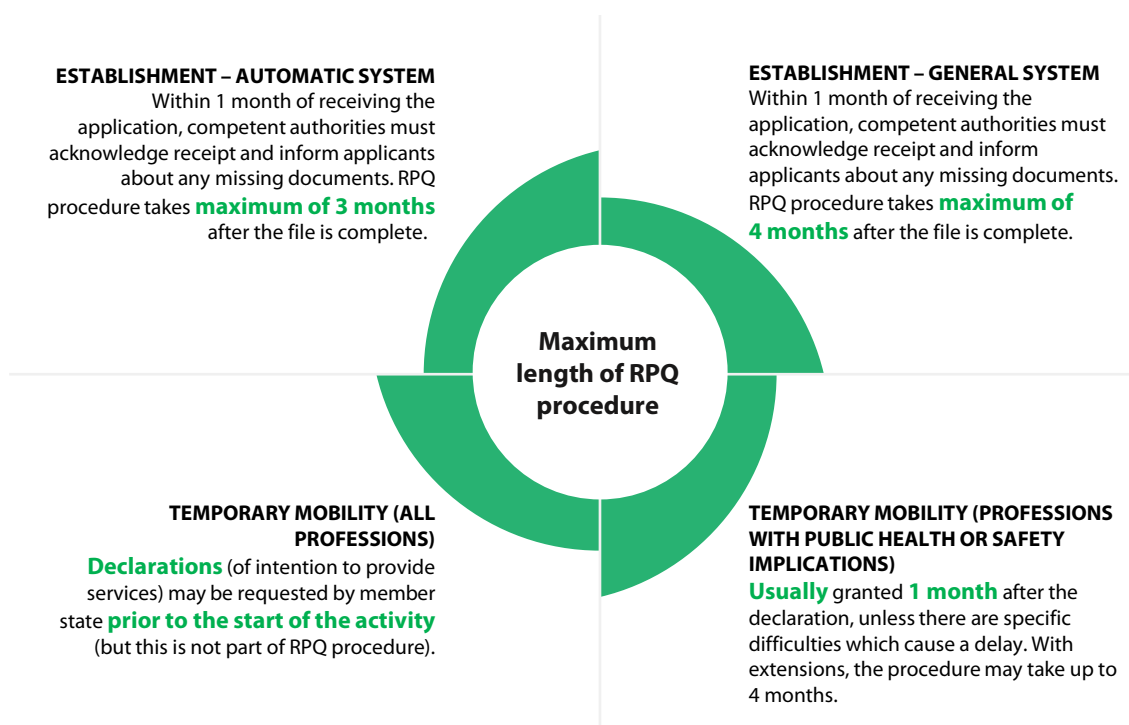
56 The deadline to update the Regulated Professions Database to reflect the changes was July 2023. However, by February 2024, nearly 100 professions, mainly in Portugal, Czechia, and Poland, had not yet been updated in the database.

57 In the member states we visited, Austria, Belgium and Luxembourg did not apply prior checks for temporary mobility during the period 2017-2021 for any of the professions we had selected for our audit. However, the competent authorities for civil engineers in Czechia systematically checked those qualifications in cases of temporary mobility. The authorities claimed that this profession had “public health and safety” implications. According to the current RPQ Directive, such a prior check is possible *only* where the purpose of the check is to avoid serious damage to the health or safety of the service recipient due to a lack of professional qualification of the service provider. Against this backdrop, we consider that these systematic checks are non-proportionate.

Member states fail to track the length of the recognition procedure

58 Rules on the maximum length of the RPQ procedure are set out in the RPQ Directive. *Figure 11* summarises the different deadlines provided for in the Directive.

Figure 11 – Maximum length of RPQ procedures for establishment and temporary mobility



Source: : ECA, based on the RPQ Directive.

59 In our survey of competent authorities, we also asked them to estimate the average length of the RPQ procedure for permanent establishment, for both automatic and general systems, from the moment that the authorities had a complete file.

60 Out the replies to the survey regarding the automatic system, half of those from Spain and a few from France and Germany indicated that the length of the procedure for issuing the RPQ decision was 4 months or more, starting from when the file was complete, although the Directive allows a maximum of 3 months. These non-compliance cases represent 3 % of all responses on the automatic system, see [Figure 12](#).

Figure 12 – Automatic system – Estimated average of compliant and non-compliant RPQ procedures (in terms of length) as self-declared by member states



Source: ECA, based on the replies to questions 12.2 to 12.4 of the survey.

61 Similarly, we asked competent authorities to estimate the length of the RPQ procedure for the general system, starting from when the file was complete, see [Figure 13](#).

Figure 13 – General system – Estimated average of compliant and non-compliant RPQ procedures (in terms of length) as self-declared by member states



Source: ECA, based on question 12.1 of the survey.

62 Out the replies to the survey regarding the general system, 40 % of those from Latvia, a material share from France and from Spain, and a few replies from Germany, Croatia, Austria, and Belgium indicated that the length of the procedure for issuing the RPQ decision (starting from when the file was complete) exceeded the 4 months set in the Directive. All the declared non-compliance cases represent 4 % of all responses on the general system. In particular:

- several authorities in Latvia, France, Germany, and Croatia took 5 to 6 months to complete the procedure, on average;
- one authority in Belgium took 9 months, on average; and
- three authorities in Spain and one in France took between 6 months and a year.

63 During our audit visits to the four selected member states, we interviewed 21 competent authorities responsible for the four sampled professions (see [Annex I](#)). When we asked them for the evidence substantiating the length of the procedure per profession, 18 authorities confirmed that they did not track it. We found that two Belgian Flemish competent authorities had recently started to keep such records, although this was not long enough for us to review their statistics. The Austrian Federal Ministry of Labour and Economy could only retrieve the information on the length of the procedure manually for civil engineers; these statistics were, however, only generated for the purpose of our audit.

64 Our audit also revealed a practice not in line with the Directive which increases the risks of making the RPQ procedure disproportionately long, see [Box 5](#).

Box 5

Length of RPQ procedure in Luxembourg is non-compliant for temporary mobility in professions with health and safety implications

As a rule, host member states can require citizens to declare their intention to pursue their activity in that country before they start. Subsequently, the competent authority may decide to verify the qualifications of the citizen if the activity has an impact on “public health or safety”, a procedure known as prior checks. This procedure should be quick, generally 1 month. However, our testing of [guichet.lu](#) (the Luxembourgish point of single contact) revealed that the Luxembourg authorities apply reverse rules. They first require citizens to obtain a “standard” RPQ decision within the same deadlines as for establishment, a process that can take up to 4 months. Only after this is the applicant allowed to send the declaration for temporary mobility.

The elements to facilitate recognition introduced in the revised Directive are not widely used

Mixed results for use of the European professional card

65 The application for and issuance of the European Professional Card is done through a fully electronic system. Introduced in 2016, the card is currently available for five professions, see [Figure 4](#). The profession of nurse responsible for general care, one of those in our sample, is eligible for the European Professional Card. One of its advantages is transparency: the length of the procedure to obtain the card and the number issued are automatically tracked in the Internal Market Information System. The Commission has advertised the use of the European Professional Card on [social media](#), see [Figure 14](#).

Figure 14 – The European Professional Card as advertised by the Commission on social media



Source: The European Union, YouTube (https://www.youtube.com/watch?v=N3if_6ZHsMM). DG GROW. Click on the image to play the video.

66 For the period 2017-2021, we assessed whether the European Professional Card was used by EU citizens wishing to pursue one of the five professions it covers. We compared the number of cards issued with the total number of decisions declared by competent authorities in the Regulated Professions Database, as shown in [Figure 20](#).

67 We found that the European Professional Card is most widely used for two professions, namely mountain guides and real estate agents. At the same time, it is not widely used for professions with the automatic system, especially for nurses responsible for general care, where only 5 % of decisions were for European Professional Cards. This finding is corroborated by our findings during our visit to Czechia, where, from 2017 to 2021, there were only two such decisions for nurses, out of almost 500 in total.

68 This may be due to one of the key downsides of the European Professional Card, namely its cost. To issue a European Professional Card, home and host member states are entitled to charge a fee, and the costs of the procedure may represent an additional labour mobility obstacle for citizens. In the example used in the Commission's video, nurses responsible for general care who obtained their qualification in Portugal and wish to pursue their activity in Austria, are charged a fee by both member states for the European Professional Card. Instead of paying €180-€250 for the standard recognition procedure in Austria, nurses relocating from Portugal to Austria would in fact pay around 20 % more in fees to get their qualification recognised with the European Professional Card, as illustrated in the fee simulator in [Figure 15](#).

Figure 15 – European Professional Card fee simulator, based on the example of nurse responsible for general care

Advantages of the European Professional Card

Check if you can apply with the EPC

Choose a situation

Did you obtain your professional qualification from an EU country?

Procedure and deadlines

What's your situation?

I am moving permanently and want to practice my profession in my host country

I want to provide my services temporarily in my host country

Check the EPC formalities in your country

Simulator

Let your employers check the validity of your EPC

Check the EPC formalities in your country

Simulator

! Results are indicative only, fees may have changed. If the simulator doesn't offer you certain options, it means that the countries concerned have not yet provided the relevant information. You can still access the EPC procedure and submit an application; the authorities will inform you of the document requirements and currently applicable fees.

Home country *	<input type="text" value="Portugal"/>
Host country *	<input type="text" value="Austria"/>
Profession *	<input type="text" value="Nurse responsible for general care"/>
Purpose *	<input type="text" value="Establishment"/>
Can you benefit from automatic recognition ? *	<input type="text" value="Yes"/>

Fees applied by your home country:

45 EUR

Fees applied by the host country:

180 EUR - 250 EUR

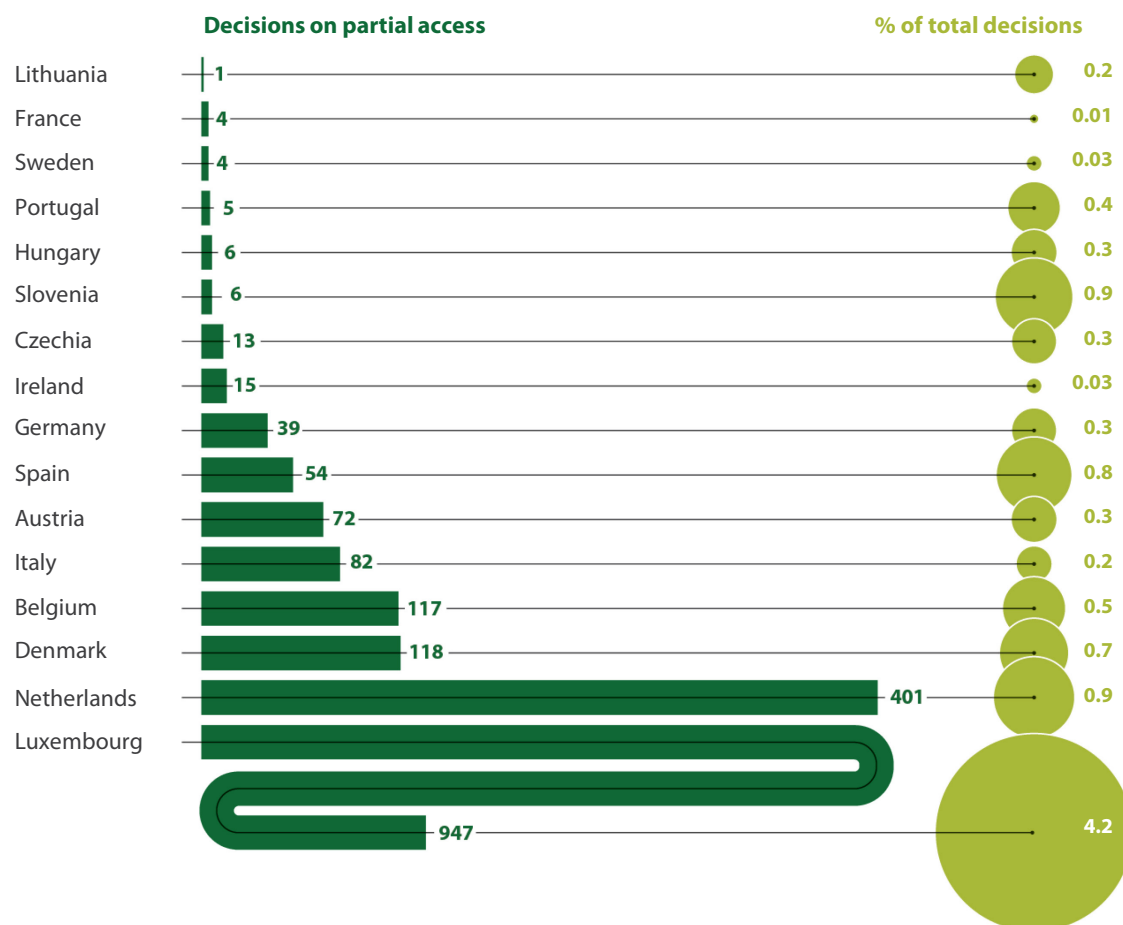
Note: The simulator specifies that the fees are indicative and may be subject to change. The actual fees are confirmed when the application is made.

Source: The European Union, based on [Your Europe website](#), December 2023.

Partial access used for fewer than 1 % of all decisions issued

69 Our analysis of the Regulated Professions Database data for the period 2017-2021, see paragraph **13**, showed that partial access to a profession was used in 16 member states. However, it represented fewer than 1 % of the total decisions taken by all EU competent authorities. Luxembourg accounted for around half of these decisions with 947 RPQ decisions, representing around 4.2 % of the total, see [Figure 16](#).

Figure 16 – Use of partial access (2017-2021) by member states



Source: ECA, based on Commission data provided in November 2023.

70 In the four member states we visited, partial access was mainly used for teachers (in Belgium and Czechia), healthcare professions (nursery nurse in Luxembourg, surgery technology assistant in Austria) and craft professions (joiner, carpenter, and roofer in Czechia).

Common training principles currently apply only to ski instructors

71 Finally, we assessed whether there was use of the common training principles, as provided for in the revised RPQ Directive, including, on the one hand, the common training framework and, on the other hand, the common training test.

72 One of the conditions for including new professions in the common training principles is that those professions, or the education and training leading to qualification for those professions, should be regulated in at least one third of the member states. We found that the common training framework had not been used so far because the quota of one third of the member states could not be reached,

together with the difficulty of finding sufficient common aspects in different training courses and regulatory frameworks across member states.

73 The Commission is exploring, together with the member states, whether it is possible to establish a common training framework for the profession of physiotherapist, although no specific plans had been developed at the time of our audit. It is not clear how the common training framework will be implemented and to what extent this will differ from the minimum harmonised training conditions (see [Figure 2](#)).

74 The common training test currently applies only to the profession of ski instructors. However, we could not audit this measure in detail as the profession is not regulated in all member states and, in our sample, only Austria regulates it. Nevertheless, the Austrian authorities confirmed that the common training test for ski instructors was useful. Based on the Regulated Professions Database, ski instructor was the fourth most mobile profession during the period 2017-2021, see [Figure 1](#).

The Internal Market Information System facilitates cooperation between member states and the Commission

Internal Market Information System for professional qualifications is not user friendly but is widely used by competent authorities

75 The revision of the RPQ Directive extended the mandatory use of the Internal Market Information System to notifications of automatically recognised professions (Annex V to the Directive) and to the newly introduced cooperation procedures: European Professional Card and alert mechanism, see [Figure 17](#). During our audit, we assessed whether the Internal Market Information System was found to be useful and was used by competent authorities.

Figure 17 – Mandatory use of the Internal Market Information System (IMI): authority to authority, and authority to the Commission

Authority to authority	Administrative cooperation on individual RPQ applications
	Insertion of alerts
Authority to the Commission	Notifications for update of Annex V (sectoral professions)
	Planned migration from RPD to IMI starting in 2024

Source: ECA, based on RPQ Directive, IMI Regulation and Commission Implementing Decision (EU) 2023/423.

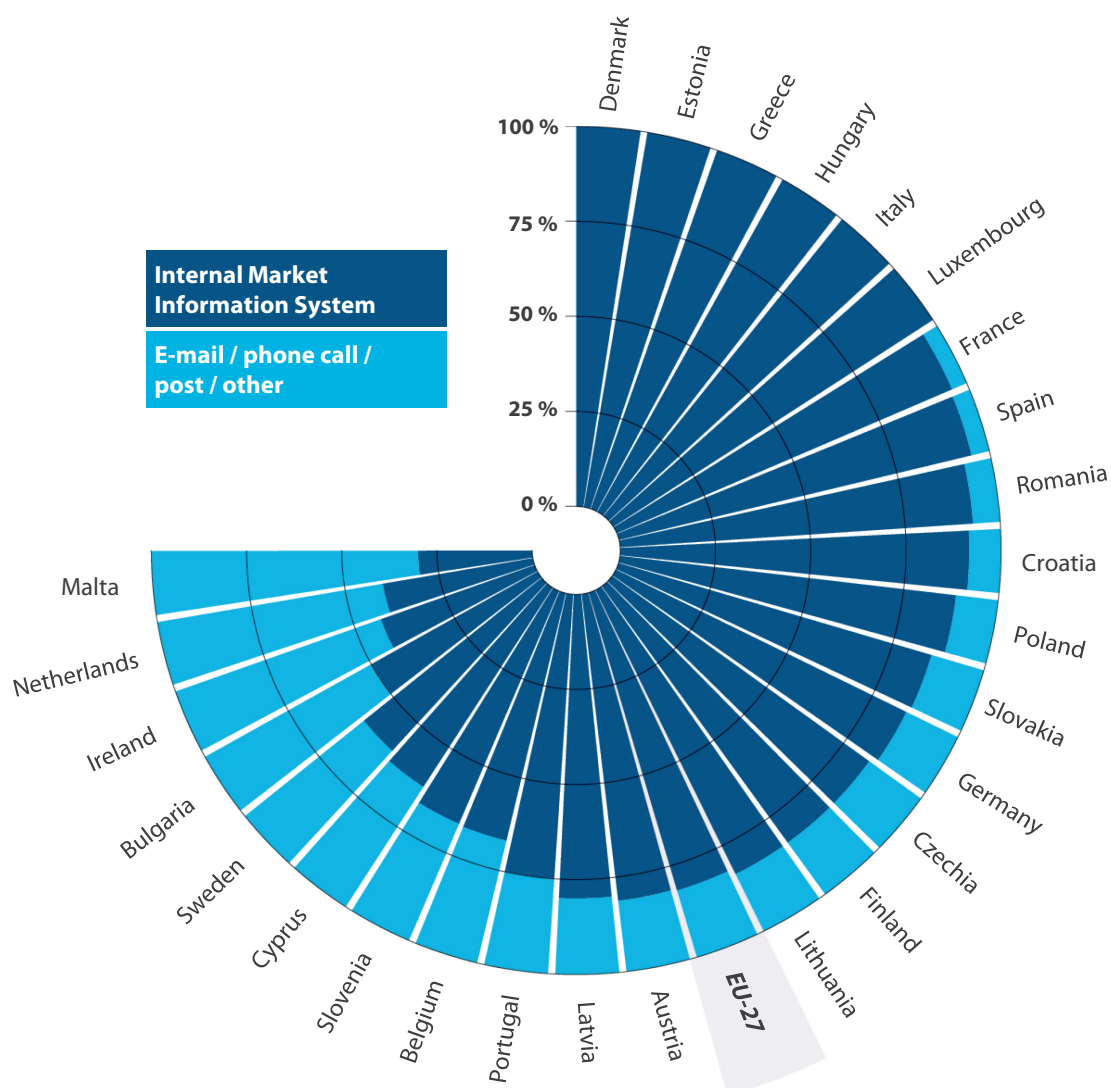
76 Among survey respondents, 40 % declared that the Internal Market Information System was difficult to use in the professional qualifications area due to its rigid structure, despite the training assistance provided by the Commission. In the four member states we visited, competent authorities we met confirmed their use of the tool, finding it generally useful, e.g. to identify competent authorities in the home member states.

77 Based on the survey and our audit visits, we identified the following shortcomings within the Internal Market Information System.

- **The tool is not user friendly:** it contains six clusters of pre-defined categories of questions with nearly 100 pre-defined underlying questions. While this structured approach ensures compliance with the legislation, the exhaustive nature of the questions makes it time consuming for users to find the question applying to them.
- **The list of competent authorities is not up to date:** to carry out our survey, 12 member states had to provide the audit team with the list of authorities responsible for RPQ because the information contained in the Internal Market Information System was outdated. Despite requests from the Commission for member states to update their lists, this was not done consistently.
- **There are delays by home countries in responding to requests:** without a legal deadline, the requests in the Internal Market Information System are not always answered in a timely manner (according to member states we visited, this should be within 2 weeks). From 2017 to 2021, more than 50 000 requests were submitted by member states to other member states on individual applications; 28 % of the requests, i.e. approximately 15 000 requests, had not been replied to within 2 weeks. These delays then affect the length of the recognition procedure in the host member state.

78 Against this background, competent authorities in the member states we visited said even if they use IMI to initiate the request, they tend to use other means of communication for (the follow-up of) their requests, mainly email or telephone. Out of all authorities who replied to our survey, 82 % use the Internal Market Information System at some point of the procedure. However, we again noted large differences between member states, see [Figure 18](#).

Figure 18 – Respondents in the member states using the Internal Market Information System for professional qualifications



Source: ECA based on question 13.1 of the survey.

Authorities are overwhelmed by alerts and do not make them part of the recognition procedure

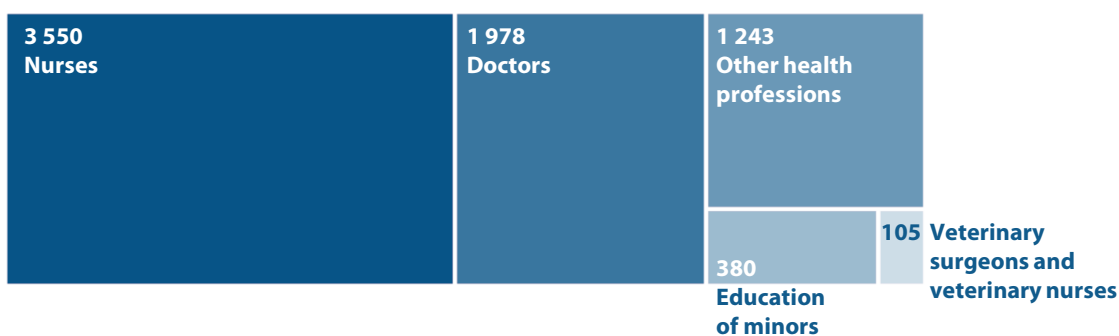
79 The revised Directive introduced an alert mechanism between member state authorities. It is intended to ensure a high level of health and consumer protection. The revised Directive introduces the obligation for competent authorities to input alerts in the Internal Market Information System for “substantial reasons”, so other member states may use that information for their individual recognition procedures. Currently, there is no formal legal definition of a substantial reason, and it is up to the member states to assess what is included: misconduct, ongoing disciplinary measures, or criminal convictions. Alerts may also address non-substantial cases and administrative issues such as non-payment of professional membership fees. Lastly,

falsified evidence of qualifications is another type of alert and part of a separate IMI module. These alerts are always based on a court decision.

80 Under the current RPQ Directive and Internal Market Information System Regulation, it is not mandatory for competent authorities to consult the alert module for substantial reasons before taking a RPQ decision.

81 From 2017 to 2021, member states entered more than 25 000 alerts in the alert mechanism in total (substantial and administrative reasons). Approximately a quarter of these were for substantial reasons, half of those for the profession of nurse, and 5 % for professions related to the education of minors, see [Figure 19](#).

Figure 19 – Alerts sent for substantial reasons by profession, EU-27, 2017-2021



Source: ECA, based on Commission data received in December 2023.

82 We found that, due to the high number of alerts, authorities in the member states we visited did not check them when reviewing individual RPQ applications.

Annex V to the Directive listing the evidence of formal qualifications needed for automatic recognition is a cumbersome and lengthy process, but useful

83 Citizens can gain automatic recognition of their qualifications based on those listed in Annex V to the RPQ Directive. To ensure smooth processing of applications, Annex V must be updated on a regular basis, ideally **once a year**. The update starts with notifications from member states to the Commission entered via the Internal Market Information System, see [Figure 17](#). The Commission reviews this information and adopts a delegated act. This process of updating Annex V aims to guarantee mutual trust between authorities and enable applications to be processed quickly. However, a great deal of administrative work is needed to keep Annex V up to date.

84 Since 2013, the Commission has adopted seven delegated acts, the last was adopted during our audit, see [Table 1](#).

Table 1 – Details on the seven delegated acts for the update of Annex V

Legal Text	Date of adoption	Number of months since last update
Revised RPQ Directive (2013/55/UE)	20.11.2013	
Delegated Act 2016/790	13.1.2016	26
Delegated Act 2017/2113	11.9.2017	20
Delegated Act 2019/608	16.1.2019	16
Delegated Act 2020/548	23.1.2020	12
Delegated Act 2021/2183	25.8.2021	19
Delegated Act 2023/2383	23.5.2023	21
Delegated Act 2024/1395	5.3.2024	10
AVERAGE		18

Source: ECA based on delegated acts.

85 We found that, on average, Annex V updates take 1 ½ years, which increases the risks that holders of recent qualifications do not benefit from the automatic system. Furthermore, there were no clear deadlines for the Commission to review member states' notifications and publish the corresponding delegated acts.

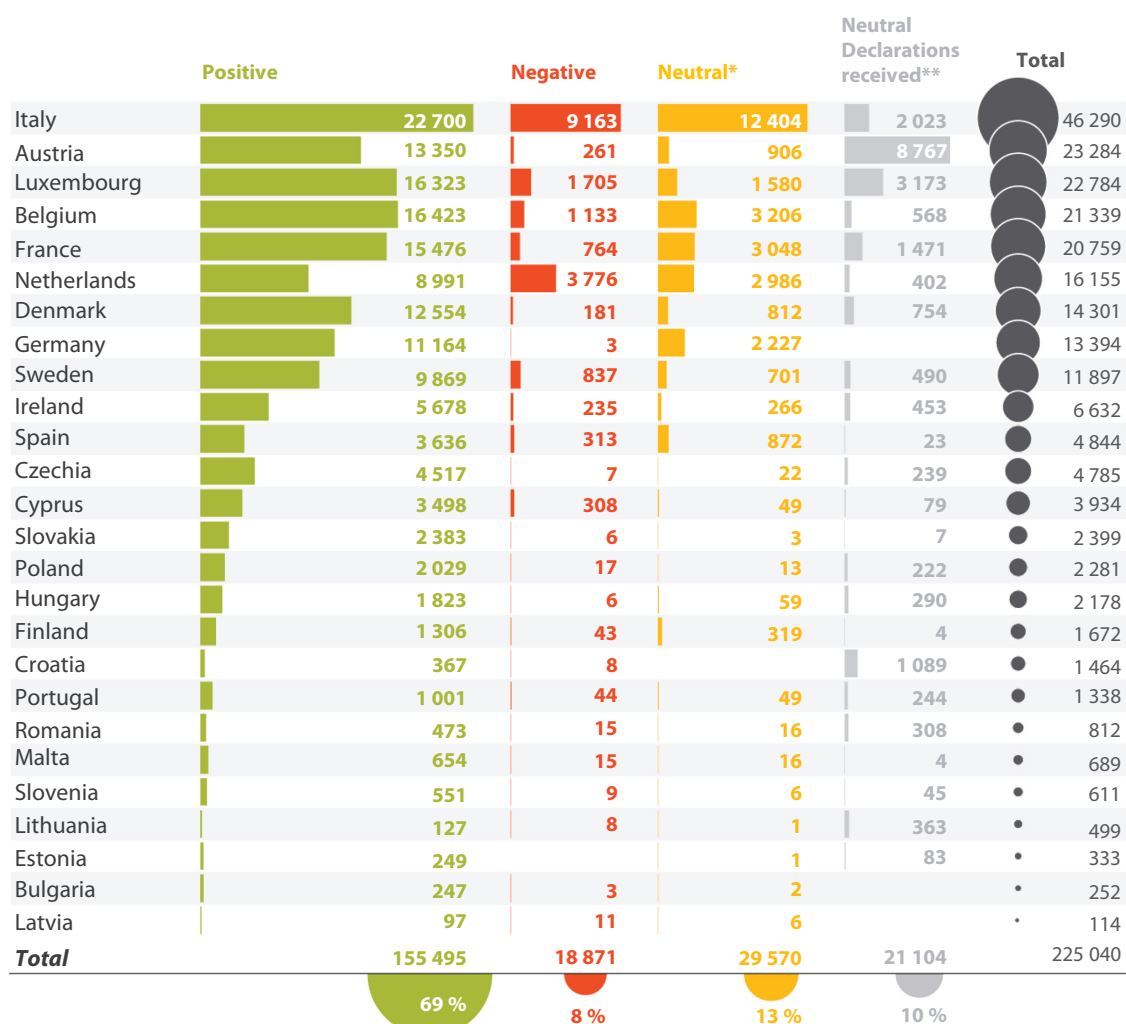
86 Finally, we found that the most widely used automatic RPQ system is that based on minimum training requirements. It applies to the seven sectoral professions (see [Figure 2](#)), of which nurse responsible for general care is included in our sample. There are currently no plans to extend this system to further professions.

The Commission's follow-up of data and reports is weak

The Commission did not sufficiently follow up data in the Regulated Professions Database and reports submitted by member states every second year

87 The RPQ Directive obliges member states to report statistical data every second year (see paragraph 17). Member states should also report RPQ decisions in the Regulated Professions Database. We examined whether the Commission had monitored the reports and statistics provided by the member states. For the period 2017-2021, more than 225 000 RPQ decisions were issued by the 27 member states, of which more than 150 000 were positive (69 %), almost 20 000 were negative (8 %), and the remaining were “neutral” (23 %). The neutral decisions covered those without a final outcome (13 %), and declarations under temporary mobility where there had been no checks of qualifications (10 %), see [Figure 20](#).

Figure 20 – Recognition decisions taken by competent authorities in the member states for the period 2017-2021



→ * Undergoing adaptation period, being examined, appeal

→ ** Except cases covered by Art. 7(4) (prior checks)

Source: ECA, based on Commission data received in November 2023.

88 We compared the reports sent to the Commission for all member states. We found that seven member states⁴ had not sent any report since 2017. We observed discrepancies in relation to the reporting period covered by the member states in their reports, and the information covered. We could not find guidelines provided by the Commission on how to present such reports.

⁴ Austria, Cyprus, Czechia, Greece, Latvia, Luxembourg, and Slovenia.

89 Regarding the way to report data on the Regulated Professions Database, the Commission issued guidelines. However, these does not clarify how to classify the decisions in all cases in the Database, for example when a decision includes a test as a compensation measure, it is uncertain for authorities whether to declare it as a neutral or positive decision (see [Annex IV](#)).

90 We also found that the Commission did not carry out plausibility checks of the statistical data in the Regulated Professions Database and did not contact the member states concerned.

91 During our audit, we found instances of unreliable data, and underdeclared numbers of decisions in the database.

- Based on our visits to four member states, we found that the number of decisions issued by the competent authorities and the number declared in their internal system did not always correspond to the Regulated Professions Database;
- According to the data provided by the Commission, Greece did not report any statistical data for the period 2017-2021.
- Between March 2023 and November 2023, the Czech authorities declared a significant number of additional decisions for the period 2017-2021 (+ 22 %). This indicates that their decisions were initially underreported by Czechia.
- In Austria, recognition decisions taken by competent authorities in the regions were generally not declared in the database. The IT tool did not allow a separate interface per region while, according to the authorities, this would be required as different regions or provinces were responsible for the same profession. Furthermore, we found that all decisions were input manually, contributing to a high error risk. In our discussions with the Commission, we found that data contained in the Regulated Professions Database was due to be migrated to the Internal Market Information System at the beginning of 2024. However, there are currently no clear plans on how to resolve the issues of missing declarations and the risks associated with manual input.
- Even though Germany is the [main destination country](#) for EU citizens, the number of decisions reported in the database accounts only for 6 % of the total decisions. In November 2023, we found that the German ministry in charge did not have the sufficient human resources to enter all decisions in the Regulated Professions Database for the period 2017-2021. However, they had provided the Commission

with Excel files containing the statistics as it was not possible to upload data automatically but had not entered these decisions in the database.

92 From 2016 and every 2 years thereafter, the revised Directive introduced new obligations for member states to report on any requirements to regulate professions which have been removed or made less stringent (i.e., subsequent national action plans). This obligation was introduced at the same time as the proposal on the Proportionality Directive. We assessed whether the Commission had monitored such reports from the member states. We found that nine member states⁵ had not published any report between 2017-2021, and five⁶ had only filed some of the required reports. The Commission told us that the reports were only mandatory when requirements had been removed or made less stringent. However, we found that Czechia did not submit a report in January 2024 although access to nine regulated professions had been made less stringent in 2023.

93 In addition to these reporting requirements, member states must also keep the Regulated Professions Database (professions tab) up to date. The Commission informed us that, in the context of the RPQ Directive, they did not consider they had a role in formally checking the reasons given for proportionality. However, they did partially check the quality of the data submitted by member states by assessing whether information had been entered in the appropriate fields.

The Commission has addressed transposition issues through infringement procedures, but member states have not yet taken all necessary corrective action to fully apply the Directive

94 In 2018 and 2019, the Commission launched infringement procedures related to professional qualifications. All member states were concerned.

95 In February 2024, 12 member states still had outstanding infringements, and 75 issues remained in all member states, although this was a reduction compared to March 2020 (130 open issues), see [Annex V](#). The Commission outsourced a significant part of the work linked to identifying potential breaches in the transposition of the Directive to an external consultant.

⁵ Bulgaria, Cyprus, Estonia, Greece, Ireland, Lithuania, Luxembourg, Portugal and Spain.

⁶ Czechia, Germany, Malta, Romania, and Slovakia provided the information for one year only.

The information provided to citizens by the Commission and the member states is accessible but inconsistent

96 Citizens can find RPQ information on a variety of websites: [Your Europe](#) (DG GROW), the [Regulated Professions Database](#) (DG GROW), the national [points of single contact](#) (e-government portals providing online information), and the sites of competent member state authorities. We assessed whether, by searching these websites, citizens can find the minimum information they need, such as:

- list of professions that are regulated in different member states;
- list of professions subject to prior check of qualifications;
- list of professions covered by the European Professional Card;
- the requirements and information for RPQ procedures;
- fees for getting qualifications recognised;
- details on how to appeal.

97 We also checked whether citizens benefit from readily accessible information on the recognition of professional qualifications from the Commission and member states, and whether the information from those different sources was complete, reliable and consistent.

All member states we visited have improved accessibility of information for citizens since 2019

98 In 2019, the Commission checked whether RPQ information was available online on points of single contact websites. It sent letters of formal notice to all member states on the availability of online information about: applicable rules to obtain recognition of qualifications, online procedures and formalities for accessing regulated professions, and online assistance on how specific requirements are interpreted and handled. During our fieldwork between May and October 2023, we also looked at RPQ information available online and checked whether there had been any improvements since 2019.

99 We found that progress had been made in all four member states we visited, as citizens could find at least the minimum information they required online. This information was available in at least one official language of the member state and in English.

The RPQ information provided to citizens on Commission and member state websites is not always consistent and reliable

100 We also checked whether the online information provided by the member states tied in with the information provided on the Commission's websites. For the four member states we visited, the list of professions subject to the European Professional Card on EU websites was the same as that shown on national websites. However, we found discrepancies in all four member states in the list of regulated professions, see [Box 6](#).

Box 6

Discrepancies in lists of regulated professions

The Regulated Professions Database (RPD) contained fewer regulated professions for Austria (point of single contact Vienna), Belgium and Czechia than the lists held by each member state. Austria had 31 additional professions, Belgium had 142, and Czechia had 36. This was mainly due to specialisations in healthcare professions.

In Vienna, there were also differences in other professions, such as social pedagogy, companies offering lift maintenance, and other specific professions in education, training, or transport. In Belgium, the national list detailed all regulated professions by community or region, so they appeared several times on the Belgian list but only once in the RPD. However, in Czechia, professions in the nuclear and mining sectors were on the national list and not the RPD.

In Luxembourg, by contrast, the RPD contained 171 more regulated professions than the national list. This was the case for all sectors, including specialisations in healthcare and professions in the trade, craft, and industry sectors (e.g. butcher, baker, hairdresser, beautician).

101 We compared the lists of professions with public health and safety implications between the RPD and the member state lists and found them to be inconsistent. These lists are used to determine whether there is a need for a citizen to undergo prior checks for temporary mobility, see paragraph [53](#). [Box 7](#) illustrates examples in the member states we visited.

Box 7**Discrepancies in lists of professions subject to prior checks**

We found that for Belgium, Czechia and Luxembourg, the RPD listed more professions subject to prior checks for cases of temporary mobility than the member state lists (a difference of 22 professions for Belgium, 21 for Czechia and 32 for Luxembourg). Again, this was mainly due to specialisations in healthcare professions.

In Belgium, the mapping of professions was different in the two lists. Furthermore, the professions of physiotherapist, fire fighter and civil protection officer were subject to prior checks according to the member state list but not according to the RPD.

In Czechia, prior checks had been removed for several professions following the 2020 Single Market Enforcement Taskforce (SMET) exercise, but the RPD had not been updated by the time of our audit.

In Austria (point of single contact Vienna), we could not reconcile the information from different sources on professions subject to prior checks. The RPD listed 62 professions, while the point of single contact website in German listed 74 professions, and in English it listed 56 professions. The professions were also set out differently in the German and English versions.

102 Generally, we found that the Regulated Professions Database included the most up-to-date information regarding regulated professions. However, at the time of our audit, none of the points of single contact websites in the member states we visited provided citizens with a direct link to the Regulated Professions Database.

Conclusions and recommendations

103 EU citizens have the right to work in any EU member state. The EU monitors citizens' rights to labour mobility for regulated professions. Using its coordination role in employment matters, it adopted the Directive on the recognition of professional qualifications in 2005. The Directive aims to prevent member states from imposing excessive conditions on citizens from one EU member state wishing to carry out a regulated profession in another. The professional qualifications framework is also intended to guarantee that the services provided in any member state meet the same public health and safety standards.

104 We conclude that the recognition of professional qualifications in the EU is an essential mechanism, but it is used sparsely and inconsistently for the exercise of a regulated profession in another member state.

105 We added up the number of professions regulated in the EU and found that 5 700 professions were still regulated in 2023 (average of 212 per member state) and that potentially 6 % of citizens who moved to another member state during 2017-2019 made use of the systems of recognition of professional qualifications. The data available does not allow us to assess how many EU citizens have moved to another member state but cannot exercise their profession there because it is regulated by the host state and their qualification has not been recognised. There is also no data on how many citizens have not moved because of difficulty in getting their qualifications recognised (paragraphs [26](#) to [37](#)).

106 We found that the application of the Directive by the member states has shortcomings which directly affect those citizens wishing to pursue a regulated profession in another member state. We noted a lack of electronic procedures, the charges to use the recognition procedure being set arbitrarily and differing considerably among the member states, authorities requiring more documents than laid down in the Directive and the code of conduct, imposition of excessive prior checks and compensation measures, and procedures longer than provided for (paragraphs [38](#) to [64](#)).

107 The Directive, revised in 2013, was intended to modernise the recognition procedure. We found that, except for the Internal Market Information System, citizens and authorities did not make wide use of the new measures and therefore the review has had little added value in practice. We found that the European Professional Card was made available for professions that sometimes also benefit from the automatic

system and that the procedure might have higher costs than the standard procedure. Furthermore, member states have hardly used the possibility of granting partial access, with fewer than 1 % of the total recognition decisions being taken for partial access. Finally, more than 10 years after the revision, new recognition procedures based on common training principles have only been developed (and therefore used) for one profession (paragraphs 65 to 74).

108 The revised Directive made the use of the Internal Market Information System mandatory for professional qualifications which, despite the challenges associated with its use, it had facilitated cooperation among member states and between them and the Commission. However, when granting recognition of professional qualifications, competent authorities did not consider the alerts encoded in the system by other member states, even when they concerned substantial reasons for which currently there is no formal legal definition. Substantial reasons could include past misconduct, disciplinary measures or criminal convictions. Finally, Annex V listing the qualifications for the seven sectoral professions is a key part of the Directive for mutual trust between competent authorities, but there are no deadlines for the Commission to update it (paragraphs 75 to 86).

109 We also found that the Commission had addressed the transposition issues to ensure the proper functioning of the EU system to recognise professional qualifications, but that it did not sufficiently follow up the member states' practical application of the Directive and whether they had met their reporting obligations (paragraphs 87 to 95).

110 Finally, we found that the information provided to citizens wishing to pursue a regulated profession in another member state has become more accessible, but that it is still often unreliable and inconsistent (paragraphs 96 to 102).

111 Based on our findings, we recommend:

Recommendation 1 – Ensure uniform application of the RPQ system

The Commission should:

- (a) clarify, such as by means of proposing changes in the legislation or issuing Commission recommendations:
 - the importance for the Commission and/or an independent body to review the proportionality tests carried out by the member states;
 - the concept of public health and safety implications, to avoid a restrictive interpretation of the rules by authorities that would hinder an effective procedure on the recognition of professional qualifications; and
- (b) monitor the effectiveness of the whole system and take timely and effective remedial action if weaknesses are identified, particularly focusing on obtaining harmonised data from member states in line with their reporting obligations and ensuring deadlines established in the Directive are respected for each of the different recognition procedures.

Target implementation date: 2025.

Recommendation 2 – Integrate the alert mechanism into the recognition procedure

The Commission should:

- (a) for the alert mechanism, clarify, such as by means of an implementing act, the concept of “substantial reasons”; and
- (b) make it obligatory for member states to use the alert mechanism under the Internal Market Information System during the recognition procedures, ensuring that alerts received for substantial reasons are treated appropriately. This is of particular relevance for professionals who are in direct contact with patients or minors.

Target implementation date: as soon as possible and at the latest by 2025.

Recommendation 3 – Update Annex V and reduce deadline for recognition through the automatic system for sectoral professions

When proposing changes to the legislation, the Commission should consider:

- (a) requiring an annual update of Annex V to the Directive; and
- (b) for the automatic system based on Annex V, reducing the deadline for competent authorities to issue a substantiated decision to 1 month from the date on which the applicant's complete file was submitted.

Target implementation date: 2026.

Recommendation 4 – Ensure provision of reliable and consistent information for citizens

The Commission should encourage member states to provide citizens with a single source of information at EU level (or reference to it), and ensure that the information provided – including e.g. whether a specific profession is regulated, subject to prior checks, or compensation measures, and the expected fees for the recognition procedure – is reliable at all times.

Target implementation date: 2025.

This report was adopted by Chamber II, headed by Mrs Annemie Turtelboom, Member of the Court of Auditors, in Luxembourg at its meeting of 15 May 2024.

For the Court of Auditors

Tony Murphy
President

Annexes

Annex I – Organisations we met and interviewed in the member states

Stakeholder	Role / Responsibility	Name of the organisation
Austria		
Competent authorities for sampled professions	Competent authority for profession of civil engineer	Bundesministerium für Arbeit und Wirtschaft (Federal Ministry for Labour and Economy)
	Competent authority for profession of carpenter (establishment)	Amt der Wiener Landesregierung (Government of the Region of Vienna)
	Competent authority for profession of carpenter (temporary mobility)	Bundesministerium für Arbeit und Wirtschaft (Federal Ministry for Labour and Economy)
	Competent authority for profession of secondary school teacher	Bundesministerium für Bildung, Wissenschaft und Forschung (Federal Ministry of Education, Science and Research)
	Competent authority for profession of secondary school teacher (Vienna)	Bildungsdirektion für Wien (Education Directorate for the City of Vienna)
	Competent authority for profession of nurse responsible for general care	Bundesministerium für Soziales, Gesundheit, Pflege und Konsumentenschutz (Federal Ministry for Social Affairs, Health, Care and Consumer Protection)
Other stakeholders	SOLVIT	Bundesministerium für Arbeit und Wirtschaft (Federal Ministry for Labour and Economy)
	Assistance Centre	Bundesministerium für Arbeit und Wirtschaft (Federal Ministry for Labour and Economy)
	National Academic Recognition Information Centres in the EU	Bundesministerium für Arbeit und Wirtschaft (Federal Ministry for Labour and Economy)
	Point of Single Contact, Vienna	Amt der Wiener Landesregierung (Government of the Region of Vienna)
	For profession of civil engineer	Kammer der Architekten und Ingenieurkonsulenten für Wien, Niederösterreich und Burgenland (Chamber of Civil Engineers for Vienna, Lower Austria, and Burgenland)
	(Austrian) Public Employment Service	Arbeitsmarktservice Wien – Landesgeschäftsstelle

Stakeholder	Role / Responsibility	Name of the organisation
	For third country nationals	Österreichischer Integrationsfonds (Austrian Integration Fund)
	For third country nationals	Bundeskanzleramt (The Austrian Federal Chancellery)
	Counselling and assistance in the recognition process	Anlaufstelle Wien (AST Wien) – Perspektive, Beratungszentrum für Migranten und Migrantinnen
Belgium		
Competent authorities for sampled professions	Competent authority for profession of carpenter – Walloon Region	Service public de Wallonie, Département du Développement économique
	Competent authority for profession of carpenter – Brussels-Capital Region	Service public régional de Bruxelles
	Competent authority for profession of secondary school teacher – French Community	Fédération Wallonie-Bruxelles, Administration générale de l'Enseignement – Direction générale de l'Enseignement supérieur, de l'Enseignement tout au long de la vie et de la Recherche scientifique and Direction générale des personnels de l'enseignement
	Competent authority for profession of secondary school teacher – Flemish Community	Agentschap voor Onderwijsdiensten (AGODI)
	Competent authority for profession of nurse responsible for general care (Federal level)	Service Public Fédéral Santé Publique / Federale Overheidsdienst Volksgezondheid / Föderale Öffentliche Dienst Volksgesundheit
	Competent authority for profession of nurse responsible for general care – Flemish Community	Vlaams Agentschap Zorg en Gezondheid
	Competent authority for profession of nurse responsible for general care – French Community	Fédération Wallonie-Bruxelles, Administration générale de l'Enseignement – Direction générale de l'Enseignement supérieur, de l'Enseignement tout au long de la vie et de la Recherche scientifique – Direction de l'agrément des prestataires de soins de santé
	Competent authority for profession of nurse responsible for general care – German (speaking) Community	Ministerium der Deutschsprachigen Gemeinschaft, Fachbereich Gesundheit und Senioren

Stakeholder	Role / Responsibility	Name of the organisation
Other stakeholders	National IMI Coordinator	Service Public Fédéral Économie, PME, Classes moyennes et Énergie / Federale Overheidsdienst Economie, KMO, Middenstand en Energie / Föderale Öffentliche Dienst Wirtschaft, KMB, Mittelstand und Energie
	Assistance centre	Service Public Fédéral Économie, PME, Classes moyennes et Énergie / Federale Overheidsdienst Economie, KMO, Middenstand en Energie / Föderale Öffentliche Dienst Wirtschaft, KMB, Mittelstand und Energie
	Point of Single Contact	Service Public Fédéral Économie, PME, Classes moyennes et Énergie / Federale Overheidsdienst Economie, KMO, Middenstand en Energie / Föderale Öffentliche Dienst Wirtschaft, KMB, Mittelstand und Energie Service Public Fédéral Stratégie & Appui / Federale Overheidsdienst Beleid & Ondersteuning / Föderale Öffentliche Dienst Politik und Unterstützung
	For profession of civil engineer (EU level, but met during the visit in Belgium)	ENGINEERS EUROPE
	For profession of secondary school teacher (EU level, but met during the visit in Belgium)	European Trade Union Committee for Education
	For profession of nurse responsible for general care (EU level, but met during the visit in Belgium)	European Federation of Nurses Associations
	For profession of nurse responsible for general care	L'Union Générale des Infirmiers de Belgique
	For profession of nurse responsible for general care	Fédération Nationale des Infirmiers de Belgique
	Public service policy and support	Service Public Fédéral Stratégie & Appui / Federale Overheidsdienst Beleid & Ondersteuning / Föderale Öffentliche Dienst Politik und Unterstützung
Czechia		
Competent authorities for sampled professions	Competent authority for profession of civil engineer	Česká komora autorizovaných inženýrů a techniků činných ve výstavbě (Czech Chamber of Authorized Engineers and Technicians Active in Construction)

Stakeholder	Role / Responsibility	Name of the organisation
	Competent authority for profession of carpenter	Ministerstvo průmyslu a obchodu, odbor živností a spotřebitelské legislativy (Ministry of Industry and Trade, Trade Licencing and Consumer Legislation department)
	Competent authority for profession of secondary school teacher	Ministerstvo školství, mládeže a tělovýchovy (Ministry of Education, Youth and Sports)
	Competent authority for profession of nurse responsible for general care	Ministerstvo zdravotnictví, odbor ošetrovatelství a nelékařských povolání (Ministry of Health, Department of Nursing Professions and Other Healthcare Professions)
Other stakeholders	SOLVIT	Ministerstvo průmyslu a obchodu, odbor evropských záležitostí a vnitřního trhu (Ministry of Industry and Trade, European Affairs and Internal Market department)
	Assistance Centre	Ministerstvo školství, mládeže a tělovýchovy (Ministry of Education, Youth and Sports)
	National IMI Coordinator	Ministerstvo průmyslu a obchodu, odbor evropských záležitostí a vnitřního trhu (Ministry of Industry and Trade, European Affairs and Internal Market department)
	Point of Single Contact	Ministerstvo průmyslu a obchodu (Ministry of Industry and Trade)
	For profession of carpenter	Hospodářská komora České republiky (Chamber of Commerce of the Czech Republic)
	For profession of nurse responsible for general care	Česká asociace sester (Czech Nurse Association)
Luxembourg		
Competent authorities for sampled professions	Competent authority for profession of civil engineer	Ministère de l'Enseignement supérieur et de la Recherche (Ministry of Higher Education and Research)
	Competent authority for profession of carpenter	Ministère de l'Économie – Direction Générale PME et Entrepreneuriat (Ministry of Economy – General Directorate for SMEs & Entrepreneurship)
	Competent authority for profession of carpenter	Ministère de l'Éducation nationale, de l'Enfance et de la Jeunesse (Ministry of Education, Children and Youth)
	Competent authority for profession of nurse responsible for general care	Ministère de la Santé (Ministry of Health)

Stakeholder	Role / Responsibility	Name of the organisation
Other stakeholders	SOLVIT	Ministère de l'Économie (Ministry of Economy)
	Assistance Centre	Ministère de l'Enseignement supérieur et de la Recherche (Ministry of Higher Education and Research)
	National IMI Coordinator	Ministère de la Fonction publique (Ministry of Civil Service)
	Ombudsman	
European Commission and other bodies		
European Commission, DG GROW European Commission, DG EMPL Eurostat, the Commission's directorate-general for statistics The European Labour Authority The European Centre for the Development of Vocational Training The European Economic and Social Committee The European Institute for Gender Equality The European Ombudsman		

Source: ECA.

Annex II – Response rate to survey per member state



Source: ECA, based on survey.

Annex III – Key actors in the RPQ

	Key actors	Roles and responsibilities
EU level	European Commission	Ensures uniform application of EU law Specific responsibilities under Directive 2005/36/EC
	European Labour Authority (ELA)	Supports enforcement of EU rules on labour mobility
	European Economic and Social Committee (EESC)	Composed of employers' and workers' organisations and consulted in the ordinary legislative procedure
	European Ombudsman	Helps EU citizens facing problems with the EU's administration by investigating complaints about maladministration
	European Court of Justice (CJEU)	Rules on infringement cases referred by the Commission
EU / Member state	Single Market Enforcement Task Force (SMET)	High-level forum of Commission and member states that identifies barriers to the single market and implements solutions
	Group of Coordinators	Coordinates activities of competent authorities and promotes uniform application of EU law in the field of RPQ
Member state level	National ministries (national coordinators)	Transpose and implement the relevant RPQ directives
	Competent authorities	Take decisions that grant or refuse access to regulated professions
	Points of single contact (PSC)	E-government portals allowing completion of electronic administrative procedures
	National assistance centres	Provide information on the recognition procedure and the rules in force in each member state
	National SOLVIT centres	Find solutions to problems caused by incorrect application of single market legislation
	National Ombudsmen	Help citizens facing problems with member state administrations by investigating complaints about maladministration

Source: ECA.

Annex IV – Different types of competent authority decisions

Outcome	System	Types of decisions / declarations under Directive 2005/36/EC	Deadline
Positive	Establishment	Automatic positive decision for sectoral professions (Annex V) Positive decision for automatic system based on professional experience recognition (Annex IV)	3 months
		Positive with no compensation measures imposed (general system) Positive after aptitude test (general system) Positive after adaptation period (general system) Partial access granted based on Article 4f of the Directive	4 months
	Temporary provision of services	No check of qualifications – positive automatic (Article 7(4), (a)) Check of qualifications concerning regulated professions that have public health or safety implications – positive automatic (Article 7.4.(b)) Check of qualifications concerning regulated professions that have public health or safety implications - positive after compensation measure (Article 7(4) (b)) No reaction within deadline – implicit positive decision (Article 7 (4), penultimate paragraph)	1 month when public health and safety impact (+ 1 month if difficulties)
Negative	Establishment	Automatic negative decision for sectoral professions (Annex V) Negative decision for automatic system based on professional experience (Annex IV)	3 months
		Negative automatic, general system Negative after aptitude test (general system) Negative after adaptation period (general system) Partial access refused (including rejections for overriding reasons of general interest – Article 4f (2))	4 months
	Temporary provision of services	Check of qualifications concerning regulated professions that have public health or safety implications negative automatic (Article 7 (4) (b)) Check of qualifications concerning regulated professions that have public health or safety implications – negative after compensation measure (Article 7 (4) (b))	3 months (1 for decision + 1 for difficulties + 1 for compensation measure)
Neutral (prior declaration)	Temporary provision of services	Declarations received by the host country concerning regulated professions that have <u>no</u> public health or safety implications	Written declaration made in advance
Neutral (others)	Establishment/ Temporary provision of services	Under examination (all cases where no final decision has been taken for whatever reason by competent authorities) Undergoing adaptation period Appeal under Article 51(3)	As soon as possible

Note: Deadlines for decisions on establishment only: period of 1 month for authorities to confirm receipt of the application and inform applicant about any missing documents. This is different from the deadline for a recognition decision after receipt of the complete file.

Source: ECA, based on information received from the Commission.

Annex V – Issues identified by the Commission in the member states

	Issues raised	Profession	Article RPQ Directive	Open issues in member states (3.2020)	Open issues in member states (2.2024)
Sectoral professions	<i>Ensuring sufficient training duration in years, and training hours, where required (and European Credit Transfer and Accumulation System (ECTS) on an optional basis only)</i>	<i>Doctor, specialised doctor</i>	24, 25, 28	0	1
		<i>Nurse responsible for general care</i>	31	3	2
		<i>Dentist, specialised dentist</i>	34, 35	0	1
		<i>Veterinary surgeon</i>	38	0	0
		<i>Midwife</i>	40, 41	1	1
		<i>Pharmacist</i>	44	0	0
		<i>Architect</i>	46	0	0
	<i>New list of competences</i>	<i>Nurse responsible for general care</i>	31(7)	1	0
	<i>Knowledge and skills updates</i>	<i>Doctor</i>	24(3)	0	0
		<i>Nurse responsible for general care</i>	31(6)	0	0
		<i>Veterinary surgeon</i>	38(3)	0	0
		<i>Midwife</i>	40(3)	0	0
		<i>Pharmacist</i>	44(3)	0	0
		<i>Architect</i>	46(2)	0	0
	<i>Ensuring proper ratio between theoretical and clinical parts of training, and/or coordinating between theoretical and clinical training</i>	<i>Doctor, specialised doctor</i>		0	0
		<i>Nurse responsible for general care</i>	31	0	0
		<i>Midwife</i>		1	0
	<i>Ensuring access to the minimum list of professional activities</i>	<i>General practitioner (pursuit of the activity)</i>	29	1	0
		<i>Dentist</i>	36	0	0
		<i>Midwife</i>	42	1	1
<i>Pharmacist</i>		45	1	1	
<i>Architect</i>		48	0	0	

	Issues raised	Profession	Article RPQ Directive	Open issues in member states (3.2020)	Open issues in member states (2.2024)	
	<i>Ensuring minimum conditions for traineeships/practical or clinical training</i>	<i>Doctor, specialised doctor</i>	28(3), 25(3)		0	
		<i>Nurse responsible for general care</i>	31(5)		0	
		<i>Architect</i>	46(4)	0	0	
	<i>General acquired rights and other acquired rights referred to in Article 23</i>	<i>Doctor, specialised doctor</i>	23		0	0
		<i>Nurse responsible for general care</i>	23		0	0
		<i>Dentist, specialised dentist</i>	23		0	0
		<i>Veterinary surgeon</i>	23		0	0
		<i>Midwife</i>	23		0	0
		<i>Pharmacist</i>	23		0	0
		<i>Architect</i>	23		0	0
	<i>Profession-specific acquired rights</i>	<i>Doctor, specialised doctor</i>	27, 30		1	0
		<i>Nurse responsible for general care</i>	33, 33a		1	0
		<i>Dentist, specialised dentist</i>	37		0	1
		<i>Midwife</i>	43, 43a		1	0
		<i>Architect</i>	49		0	0
	<i>Other issues (minimum training subjects listed in Annex V)</i>	<i>Doctor, specialised doctor</i>	Annex V		0	0
		<i>Nurse responsible for general care</i>	Annex V		0	0
		<i>Dentist, specialised dentist</i>	Annex V		0	0
		<i>Veterinary surgeon</i>	Annex V		1	0
<i>Midwife</i>		Annex V		0	0	
<i>Pharmacist</i>		Annex V		0	0	
<i>Other issues (access conditions for specialised dentists, opening up new pharmacies, specific derogations for architects, remuneration for trainee specialists in medical training, approval by health insurance funds)</i>	<i>Dentist, specialised dentist, doctor, specialised doctor, pharmacist, architect</i>	35(1), 21(4), 25(3), 47, 55		0	0	
<i>Changes to qualification levels</i>		11, 13		1	2	

	Issues raised	Profession	Article RPQ Directive	Open issues in member states (3.2020)	Open issues in member states (2.2024)
General system of recognition	<i>Mobility of professionals from non-regulating to regulating member states (1 year's professional experience)</i>		13	2	3
	<i>Revised provisions on the imposition of compensation measures</i>		14	2	3
	<i>Other issues (for example, non-application of the general system of recognition for sectoral professions, if conditions for automatic recognition are not fulfilled)</i>		10	1	1
			12		
Temporary service provision	<i>Asking for proof of 2 years' professional experience (when only 1 year can be required) when the profession is not regulated in the home member state; or requiring professional experience to be acquired in one member state; or no exemption in cases of regulated education and training</i>		5(1)(b)	1	3
			7(2)(d)		
	<i>Unjustified enquiries about the services to be provided, or requests for documents going beyond the list in Article 7(2)</i>		7(1)-(2)	6	4
	<i>Validity of prior declarations in the entire territory of the host member state</i>		7(2a)	0	1
	<i>Failure to ensure that an applicant be able to provide his service within 1 month of the competent authorities' having decided to impose a prior aptitude test (Article 7(4))</i>		7(4) 3rd sub-paragraph	1	0

	Issues raised	Profession	Article RPQ Directive	Open issues in member states (3.2020)	Open issues in member states (2.2024)
	<i>Systematic application of prior checks of qualifications under Article 7(4); application of prior checks to professions which do not appear to have public health and safety implications for the recipient of services, or to the professions which benefit from automatic recognition; failure to comply with a requirement to ensure that checks do not go beyond what is necessary</i>		7(4)	3	2
	<i>Imposing on service providers professional rules that are not directly linked to professional qualifications</i>		5(3)	4	4
	<i>Automatic/pro forma registration of service providers without guarantees that this would not delay or complicate the provision of services, or entail additional costs for service providers; exemption of foreign service providers from the requirements relating to registration with a public social security body</i>		6	4	3
	<i>Other issues (for example, administrative cooperation, principle of temporary or occasional provision of services, all Title II not transposed for specific profession(s), obligations to inform service recipients, use of professional title)</i>		Title II, 5(1), 7(3), 8, 9	4	4
Transparency	<i>Failure to list existing regulated professions, specifying the activities covered by each profession, a list of regulated education and training, and training with a special structure</i>		59(1)	1	4
	<i>Failure to list professions for which a check of qualifications is deemed necessary prior to the first provision of services under Article 7(4), including adequate justifications</i>		59(2)	1	1

	Issues raised	Profession	Article RPQ Directive	Open issues in member states (3.2020)	Open issues in member states (2.2024)
	<i>Lack of proportionality assessments of existing requirements (prior to Jan 2016)</i>		59(3) & (5)	2	2
	<i>Failure to provide National Action Plans</i>		59(5)	3	1
	<i>Lack of proportionality assessments of new or amended requirements (introduced after Jan 2016)</i>		59(3) & 59(5), 2nd sentence	2	2
	<i>Failure to submit biannual reports about requirements removed or made less stringent</i>		59(6)	1	1
	<i>Failure to submit biannual reports, including statistics and the main problems arising from the application of the Directive</i>		60(1)	0	2
Partial access	<i>Exclusion of certain professions from the principle of partial access (exclusion of 'sectoral' professions per se, unjustified exclusion of other professions, no case-by-case assessment)</i>		4f	3	3
	<i>Other issues</i>			0	0
Language controls	<i>Only the knowledge of one official language of the host member state may be required</i>		53(2)	1	1
	<i>Systematic language checks may only be applied for professionals whose job has implications for patient safety</i>		53(3)	1	2
	<i>Language controls should not be limited to mandatory language tests</i>		53(4)	5	2
	<i>Other issues</i>		53(4)	0	1
Traineeships	<i>Recognition of professional traineeships</i>		55a	2	3
European Professional Card (EPC)	<i>Deadlines, including extension of deadlines</i>		4c(1), 4d	0	0
	<i>Tacit recognition if there is no decision or a failure to organise a test</i>		4d(5)	0	0

	Issues raised	Profession	Article RPQ Directive	Open issues in member states (3.2020)	Open issues in member states (2.2024)
	<i>EPC not fully transposed for some professions or in parts of the MS in question</i>		4d	0	0
	<i>The role of home MS improperly defined</i>		4b(3), Implementing Regulation (EU) 2015/983	0	1
	<i>Failure to designate competent authorities</i>		4a(6)	1	0
	<i>Other issues (for example, possibilities of appeals, document requirements, EPC revocation, ambiguous wording)</i>			0	1
Alert mechanism	<i>Deadlines to send alerts</i>		56a(2), 56a(3)	0	0
	<i>Alert not implemented for some professions or in parts of the MS in question</i>		56a(1),(2), (3))	0	2
	<i>No, or few, alerts sent</i>		56a	0	0
	<i>Alert not implemented at all</i>		56a	1	0
	<i>Other issues (for example, data protection, deletion of data, obligation to inform the professional concerned, access to remedies, types of decisions covered)</i>		56a(1), 56a(5)-(7)	0	1
Access to online information, procedures and reduction of red tape	<i>Illegal practices concerning requests for documents (documents going beyond what is permitted under the Directive, unjustified translations, certified copies, etc.)</i>		7(2), 50, Annex VII, & 49, 56 TFEU	4	7
	<i>Assistance centres</i>		57b	0	0

	Issues raised	Profession	Article RPQ Directive	Open issues in member states (3.2020)	Open issues in member states (2.2024)
	<i>Availability of information through points of single contact</i>		57	28	0
	<i>Availability of online procedures (and option to complete them online)</i>		57a	28	0
Other issues	<i>Definitions (such as aptitude test, regulated profession)</i>		3	2	1
	<i>Scope of application of the revised Directive, first recognition of third country qualifications, relationship to other EU instruments</i>		2	1	1
	<i>Principle of automatic recognition for professions with harmonised training requirements or for craft, trade and industry professions</i>	130	21	0	1
			15-17		
<i>Acknowledgement of receipt of documents within 1 month and info about missing documents</i>		51	1	1	
				130	75

Source: ECA, based on Commission information, February 2024.

Abbreviations

Cedefop: European Centre for the Development of Vocational Training

DG GROW: Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

EESC: European Economic and Social Committee

EIGE: European Institute for Gender Equality

ELA: European Labour Authority

EPC: European Professional Card

IMI: Internal Market Information System

RPD: Regulated Professions Database

RPQ: Recognition of professional qualifications

SDG: Single Digital Gateway

TFEU: Treaty on the Functioning of the European Union

Replies of the Commission

<https://www.eca.europa.eu/en/publications/sr-2024-10>

Timeline

<https://www.eca.europa.eu/en/publications/sr-2024-10>

Audit team

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This performance audit was carried out by Audit Chamber II Investment for cohesion, growth and inclusion spending areas, headed by ECA Member Annemie Turtelboom. The audit was led by ECA Member Stef Blok, supported by Johan Adriaan Lok, Head of Private Office and Laurence Szwajkajzer, Private Office Attaché and Head of Task; Maria Eulàlia Reverté i Casas; Principal Manager; Zuzana Pikulova, Rene Reiterer, Jussi Bright, Lena Rangus, Borja Martin Simon and Petra Verhasselt, Auditors. Jennifer Schofield provided linguistic support; Giuliana Lucchese provided graphic design support, and Britta Middelberg provided survey support.



From left to right: Borja Martin Simon, Jennifer Schofield, Lena Rangus, Stef Blok, Rene Reiterer, Britta Middelberg, Zuzana Pikulova, Laurence Szwajkajzer, Giuliana Lucchese, Jussi Bright, Maria Eulàlia Reverté i Casas, Johan Adriaan Lok.

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While member states may set rules for access to professions, the TFEU guarantees the free movement of labour and services and freedom of establishment within the EU single market. In 2005, the European Parliament and the Council adopted a directive on recognition of professional qualifications with the aim of preventing member states from imposing excessive conditions on citizens wishing to exercise these rights. We examined how effectively the Commission ensured uniform application of the directive. We conclude that the recognition of professional qualifications in the EU is an essential mechanism, but used sparsely and inconsistently for exercising the right to pursue a profession in another member state. The application of the directive still has shortcomings and the information provided to citizens is not always reliable.

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OF AUDITORS



Publications Office
of the European Union

EUROPEAN COURT OF AUDITORS
12, rue Alcide De Gasperi
1615 Luxembourg
LUXEMBOURG

Tel. +352 4398-1

Enquiries: eca.europa.eu/en/contact

Website: eca.europa.eu

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