



European Association for Chemical and Molecular Sciences
Europäische Vereinigung für Chemische und Molekulare Wissenschaften
Association Européenne pour les Sciences Chimiques et Moléculaires
EuCheMS aisbl, Avenue E. van Nieuwenhuise 4, B-1160 Brussels
ID 03492856440-03

Questions of Green Paper on “Modernising the Professional Qualification Directive”

The European Association for Chemical and Molecular Sciences (EuCheMS), a not-for-profit organisation, represents more than 150.000 chemists in academia, industry, government and professional organisations in more than 40 countries across Europe. EuCheMS is therefore, interested in modernising the Professional Qualification Directive. As the professional mobility is still low in the EU, even though it is a key element of Europe’s competitiveness, EuCheMS supports any ideas for facilitating mobility within the Single Market. The first priority is the improvement of the recognition procedure of professional qualifications between Member States. The below EuCheMS contribution is of course limited to questions of interest to chemical profession.

Question 1.

EuCheMS supports a possible role of IMI for facilitating the cooperation between the competent authorities of the Member States and for speeding up the procedures. A compilation of an open inventory on professional holders of the European Professional Card will probably reduce the time required for mobility within the Single Market. However, the rules for the release of the card must be strictly followed by all Member States.

Question 2.

- a) For the temporary mobility, option 1 is preferable. On the earlier demand of the EC, EuCheMS (formerly ECCC) created for chemists a professional “card” or “distinction”, called “European Chemist”¹.
- b) In case of automatic recognition of the qualification, the card must accelerate the recognition procedure. Special situation applies to chemical profession because it is regulated in few countries only. It should be therefore easier to get their qualifications recognised in such countries than in other Member States. Same should be the case for “European Chemist”. This opinion is supported by the response of Mr Monto on behalf of the EC from January 27, 1997 on enquiry of Mr Michael Eliot (P-4107/06 of Jan, 10, 1997) which acknowledged the registered chemists by ECCC and asked for waiver from the requirements of article 4/89/48/EEC (CF, CASE C-240/98 Vassopolou 1989.)
- c) For card holders that are not subjected to automatic recognition the card should accelerate the recognition procedure.

Question 3.

EuCheMS agrees that there would be important advantages by inserting the principle of partial access and specific criteria for its application into the Directive. It implies that an equal instructive level will have an equal professional qualification in the receiving Member States.

Question 4.

EuCheMS supports lowering the current threshold of two-thirds of the Member States to one third as a condition for creation of a common platform. A Single Market (based on the proportionality principle) shall not constitute a barrier for service providers from non-

¹ "EURCHEM" – The crown jewel on a European chemistry education ladder, Pavel DRAŠAR, Sergio FACCHETTI, Richard J. WHEWELL, ECTN, Employability of Chemistry First Cycle Graduates



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participating Member States. In the Single Market test the professional associations/organisations should also be involved.

Question 5.

It was never brought to EuCheMS attention about any regulated profession where EU citizens might effectively face such situations.

Question 6.

An obligation for Member States to ensure information about the competent authorities and the required documents for the recognition of professional qualifications through a central on line access point in each Member State is necessary.

EuCheMS does not support the suggestion of an obligation to enable on-line completion of recognition procedures for all professionals. EuCheMS has created among chemists a scheme of professional qualification across EU, however, it is implemented in various ways in different Member States, due to various traditions and procedures.

On the contrary, EuCheMS is in favour of an e-government portal allowing service providers to obtain necessary on-line information and, if requested, to complete electronically the necessary procedures.

Question 7.

EuCheMS agrees that the requirement of two years' professional experience in the case of a professional chemist coming from a 'non-regulated' Member State should be lifted in case of consumers crossing borders and not choosing a local professional in the host Member State. The host Member State shall not be entitled to require a prior declaration in this case. However, the consumers should be informed about any possible difference. If a professional chemist is coming from a 'non-regulated' Member State and is registered by ECCC (now EuCheMS), the answer is again supported by the response of Mr Monto (see reply to question 2).

Question 8.

EuCheMS disagrees. The notion of "regulated education and training" cannot encompass all training recognised by a Member State when relevant to a profession. Even if a regulated education can improve the vocational training, for instance in communication, training and professional experience must be specific for most of the scientific professions.

Question 9.

The classification outlined in Article 11, including Annex II of the Directive shall not be deleted. In chemistry, at least, the levels of qualification are specific and essential for the consumers.

Question 10.

In agreement with the response to question 9, article 11 shall not be deleted. However, if a decision will be taken for the deletion of this article, the step 4 seems more suitable for the implementation of compensation measures. As a matter of fact, according to codes of conduct, all professionals are required to update and improve their skills on regular bases in order to maintain the highest standard of competences. The only condition should be the existence of a harmonized system in all Member States, in particular concerning content, duration and frequency.



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Question 11.

The extension of the Directive to those graduated from academic education who wish to complete a period of supervised practical experience in the profession abroad should be supported. If specific and defined conditions are fulfilled the difference between countries will be reduced.

Question 12.

The option 2 is preferable in particular when a professional is struck off the register. The option shall not be limited to health professionals.

Question 14.

A three-phase approach to modernisation of the minimum training requirements under the Directive is supported. However, an evaluation process profession-by-profession should be activated.

Question 17.

The obligation for the Member States to make notification of new education and training programmes and to submit a report to the Commission on the compliance of each programme is supported. Moreover, a joint university-professional organisations body should be set up for the evaluation of the compliance at a national level. A contribution to advanced education can also be given by some Commission Directorates, in particular the Joint Research Centre can contribute in the field of chemistry and engineering.

Question 23.

The option 4 is preferable after being evaluated profession-by-profession.

Question 24.

EuCheMS considers necessary adjustments to the treatment of EU citizens holding third country qualifications under the Directive, for example by proportionally adapting the three years rule in Article 3 (3). In general, EuCheMS does not agree to apply such adjustment for third country nationals, including those falling under the European Neighbourhood Policy, who benefit from an equal treatment clause under relevant European legislation. Educational system and level of acquired skills and competences should be compared first.