



Brussels, 19 April 2024
(OR. en)

9063/24

ETS 3
MI 421
COMPET 439
EDUC 134
DELA CT 103

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	ST 7585/24 + ADD 1 - C(2024) 1319 Final
Subject:	Commission Delegated Directive (EU) .../... of 4.3.2024 amending Directive 2005/36/EC of the European Parliament and of the Council as regards the minimum training requirements for the professions of nurse responsible for general care, dental practitioner and pharmacist - Intention not to raise objections

1. On 4 March 2024, the Commission submitted the above draft Delegated Directive to the Council, which updates Directive 2005/36/EC on the recognition of professional qualifications ('the Professional Qualifications Directive')¹, in accordance with its Articles 21(6), 31(2), 34(2), and 44(2), and on the basis of Directive 2013/55/EU², which is a partial revision of the Professional Qualifications Directive.

¹ Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255 30.9.2005, p. 22).

² Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System (OJ L 354, 28.12.2013, p. 132).

2. The 2011 Green Paper³ called for the need to modernise the harmonised minimum training requirements, but in different phases. The national authorities, training institutions, and professional organisations indicated that the professions covered by the Title III of Chapter III of the Professional Qualifications Directive, including nurses responsible for general care, dental practitioners, and pharmacists, have significantly evolved since their minimum training requirements had been harmonised. Certain changes to the requirements were made by Directive 2013/55/EU, but without a comprehensive review of the respective Annex V to the Professional Qualifications Directive.
3. Directive 2013/55/EU provides for delegated acts to introduce updates, if necessary, to the minimum training requirements in order to adapt them to scientific and technical progress. The reason for including multiple updates in one delegated act is that they all enable the update of the minimum training requirements for the professions covered by Chapter III of Title III of the Professional Qualifications Directive.
4. The Council had until 10 April 2024 to object to the delegated act or ask for an extension. No delegation made any comments within the deadline.
5. Against this background, the Permanent Representatives Committee could invite the Council to confirm the non-opposition to the delegated act, as laid out in document ST 7585/24 + ADD 1 as an item without discussion at one of its forthcoming meetings, and that the Commission and the European Parliament are to be informed thereof. This implies that unless the European Parliament objects to it, the delegated act shall be published and adopted after 5 May 2024, in accordance with Article 57c of Directive 2005/36/EC⁴.

³ Green Paper: Modernising the Professional Qualifications Directive, COM(2011)367 final.

⁴ The latest consolidated version is of 03/03/2024.