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#### 'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	ST 7894/24 + ADD 1 - C(2024) 1357 Final
Subject:	Commission Delegated Decision of 5.3.202 amending Directive 2005/36/EC of the European Parliament and of the Council as regards the evidence of formal qualifications and the titles of training courses - Intention not to raise objections

1. On 5 March 2024, the Commission submitted the above draft Delegated Decision to the Council, which amends Annex V to Directive 2005/36/EC ('the Professional Qualifications Directive')<sup>1</sup>, as amended by Directive 2013/55/EU<sup>2</sup> which lists evidence of qualifications that are subject to automatic cross-border recognition. The delegated act is in accordance with Article 21a(4) of Directive 2005/36/EC.

<sup>1</sup> 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).

<sup>2</sup> 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. According to Directive 2005/36/EC, the following professions may qualify for automatic recognition of their qualification in another Member State, under certain conditions, for the purpose of access to and practise of a regulated profession: architect, doctor of medicine and numerous medical specialities, dental practitioner and several dental specialities, midwife, nurse responsible for general care, pharmacist, and veterinary surgeon. The automatic recognition is subject to the minimum training requirements, set out in Title III, Chapter III of the Professional Qualifications Directive.
3. A different procedure applies for the profession of architect. Member States are consulted about whether new titles or programmes should be included in Annex V of the Professional Qualifications Directive. Such a consultation is included in this Delegated Decision.
4. The Council had until 17 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 7894/24 + 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 adopted and published after 6 May 2024, in accordance with Article 57c of Directive 2005/36/EC<sup>3</sup>.

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<sup>3</sup> The latest consolidated version is of 03/03/2024.