

## **UPDATE TO THE COUNCIL ON EUROPEAN DIRECTIVES EEC 89/48 AND 92/51**

This report has been prepared as an update for members. It gives a synopsis of events that have occurred since June 2002 in the EU parliament and have a bearing on the work of the HPC.

### **INFRACTION PROCEEDINGS**

The EU Commission have recently named 4 member states that are due to appear at the European Court of Justice with infraction proceedings against them arising from the directive on the recognition of professional qualifications.

- Austria – discrimination in favour of native doctors
- Austria - lab technicians, radiology technicians and orthoptists being unable to practice independently, only on an employed basis.
- Greece – optician's shops can only be owned by native persons qualified as opticians and only 1 shop each
- Greece, Portugal and Finland – for not transposing EU legislation into national legislation

### **EU PALIAMENT HEARING ON PROPOSALS – 1 OCTOBER**

The following is a synopsis of a long and complex day:

Germany – clarification required did not like 16 week clause  
Doctors - not enough public protection  
Dentists – did not like 16 week clause want exception made for dentistry  
Architects – undermining public protection  
Lawyers – not in proposal and would like it to stay that way  
Pharmaceuticals – did not like 16 week clause or single committee clause  
Vets – free movement at expense of public protection  
Midwives – 16 week clause unacceptable  
Italy – need transparent training  
Auditors – want to be exempt from the proposals  
Psychologists – welcome proposals and like common platforms  
Italy – proposal avoids complexity

### **UPDATE ON AURE**

AURE (The Alliance of Health Regulators on Europe) of which the HPC are members have had considerable success in raising awareness through publicity, effective lobbying and networking with Euro MPs and various committees over the last 5 months.

My thanks to the Council members who assisted this venture with their own contacts.

AURE has been represented at 9 European meetings. Additionally we are taking advantage of having a number of UK regulators going to Europe on separate business but including AURE concerns at their meetings.

A number of influential EU committees have now drafted their amendments to the proposal that incorporate Members' concerns particularly on the '16 week' amendment (being allowed to work for 16 weeks in a year without any requirement to be registered).

John Bowis EEP and draftsman to the Committee on Environment, Public Health and Consumer policy has drafted an amendment that excludes healthcare practitioners from the proposal. The Committee on Youth, Culture, Education, Media and Sport has voiced a number of similar concerns to those of the Council. However, the Committee on Petitions is not so well disposed towards the Council's point of view.

There will be a vote on this proposal in the EU Parliament plenary in early December and at that point it would be best to re-evaluate on the future of AURE. There is a plenary vote in Strasbourg in January 2003 but this is usually in agreement with that of the EU Parliament.

#### **COMMON PLATFORMS**

There are moves in Europe for professional associations to set up 'common platforms'. The physiotherapists are meeting in Berlin in November to discuss one such initiative. HPC is being represented.

It would appear that EU money is being made available to fund initiatives of this nature. The current understanding is that if 6 or more member states agree to a common platform it will be imposed on the remaining member states.

#### **CROSS PARLIAMENTARY BRIEFING**

There was a committee meeting on this issue in the House of Lords on 31 November. Regulators, consumer representatives and MPs expressed their concern about a number of issues including the 16 week proposal, language competence and the lack of advisory committees. A number of parliamentary committees agreed to pick up this issue and discuss it further.