

Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (Text with EEA relevance)

TITLE I

**GENERAL PROVISIONS**

*Article 1*

**Purpose**

This Directive establishes rules according to which a Member State which makes access to or pursuit of a regulated profession in its territory contingent upon possession of specific professional qualifications (referred to hereinafter as the host Member State) shall recognise professional qualifications obtained in one or more other Member States (referred to hereinafter as the home Member State) and which allow the holder of the said qualifications to pursue the same profession there, for access to and pursuit of that profession.

[<sup>F1</sup>This Directive also establishes rules concerning partial access to a regulated profession and recognition of professional traineeships pursued in another Member State.]

**Textual Amendments**

- F1** Inserted by [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 \('the IMI Regulation'\)](#) (Text with EEA relevance).

*Article 2*

**Scope**

1 This Directive shall apply to all nationals of a Member State wishing to pursue a regulated profession in a Member State, including those belonging to the liberal professions, other than that in which they obtained their professional qualifications, on either a self-employed or employed basis.

[<sup>F1</sup>This Directive shall also apply to all nationals of a Member State who have pursued a professional traineeship outside the home Member State.]

2 Each Member State may permit Member State nationals in possession of evidence of professional qualifications not obtained in a Member State to pursue a regulated profession within the meaning of Article 3(1)(a) on its territory in accordance with its rules. In the case of professions covered by Title III, Chapter III, this initial recognition shall respect the minimum training conditions laid down in that Chapter.

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3 Where, for a given regulated profession, other specific arrangements directly related to the recognition of professional qualifications are established in a separate instrument of Community law, the corresponding provisions of this Directive shall not apply.

[<sup>F14</sup> This Directive shall not apply to notaries who are appointed by an official act of government.]

#### Textual Amendments

- F1** Inserted by 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 ('the IMI Regulation') (Text with EEA relevance).

### Article 3

#### Definitions

- 1 For the purposes of this Directive, the following definitions apply:
- a 'regulated profession': a professional activity or group of professional activities, access to which, the pursuit of which, or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative, regulatory or administrative provisions to the possession of specific professional qualifications; in particular, the use of a professional title limited by legislative, regulatory or administrative provisions to holders of a given professional qualification shall constitute a mode of pursuit. Where the first sentence of this definition does not apply, a profession referred to in paragraph 2 shall be treated as a regulated profession;
  - b 'professional qualifications': qualifications attested by evidence of formal qualifications, an attestation of competence referred to in Article 11, point (a) (i) and/or professional experience;
  - c 'evidence of formal qualifications': diplomas, certificates and other evidence issued by an authority in a Member State designated pursuant to legislative, regulatory or administrative provisions of that Member State and certifying successful completion of professional training obtained mainly in the Community. Where the first sentence of this definition does not apply, evidence of formal qualifications referred to in paragraph 3 shall be treated as evidence of formal qualifications;
  - d 'competent authority': any authority or body empowered by a Member State specifically to issue or receive training diplomas and other documents or information and to receive the applications, and take the decisions, referred to in this Directive;
  - e 'regulated education and training': any training which is specifically geared to the pursuit of a given profession and which comprises a course or courses complemented, where appropriate, by professional training, or probationary or professional practice.
- The structure and level of the professional training, probationary or professional practice shall be determined by the laws, regulations or administrative provisions of the Member State concerned or monitored or approved by the authority designated for that purpose;
- [<sup>F2f</sup> 'professional experience': the actual and lawful full-time or equivalent part-time pursuit of the profession concerned in a Member State;]
  - g 'adaptation period': the pursuit of a regulated profession in the host Member State under the responsibility of a qualified member of that profession, such period of

supervised practice possibly being accompanied by further training. This period of supervised practice shall be the subject of an assessment. The detailed rules governing the adaptation period and its assessment as well as the status of a migrant under supervision shall be laid down by the competent authority in the host Member State.

The status enjoyed in the host Member State by the person undergoing the period of supervised practice, in particular in the matter of right of residence as well as obligations, social rights and benefits, allowances and remuneration, shall be established by the competent authorities in that Member State in accordance with applicable Community law;

[<sup>F2</sup>h] ‘aptitude test’: a test of the professional knowledge, skills and competences of the applicant, carried out or recognised by the competent authorities of the host Member State with the aim of assessing the ability of the applicant to pursue a regulated profession in that Member State.

In order to permit this test to be carried out, the competent authorities shall draw up a list of subjects which, on the basis of a comparison of the education and training required in the host Member State and that received by the applicant, are not covered by the diploma or other evidence of formal qualifications possessed by the applicant.

The aptitude test must take account of the fact that the applicant is a qualified professional in the home Member State or the Member State from which the applicant comes. It shall cover subjects to be selected from those on the list, knowledge of which is essential in order to be able to pursue the profession in question in the host Member State. The test may also cover knowledge of the professional rules applicable to the activities in question in the host Member State.

The detailed application of the aptitude test and the status, in the host Member State, of the applicant who wishes to prepare himself for the aptitude test in that Member State shall be determined by the competent authorities in that Member State;]

- i ‘manager of an undertaking’: any person who in an undertaking in the occupational field in question has pursued an activity:
  - (i) as a manager of an undertaking or a manager of a branch of an undertaking; or
  - (ii) as a deputy to the proprietor or the manager of an undertaking where that post involves responsibility equivalent to that of the proprietor or manager represented; or
  - (iii) in a managerial post with duties of a commercial and/or technical nature and with responsibility for one or more departments of the undertaking.

[<sup>F1</sup>j] ‘professional traineeship’: without prejudice to Article 46(4), a period of professional practice carried out under supervision provided it constitutes a condition for access to a regulated profession, and which can take place either during or after completion of an education leading to a diploma;

k ‘European Professional Card’: an electronic certificate proving either that the professional has met all the necessary conditions to provide services in a host Member State on a temporary and occasional basis or the recognition of professional qualifications for establishment in a host Member State;

l ‘lifelong learning’: all general education, vocational education and training, non-formal education and informal learning undertaken throughout life, resulting in an improvement in knowledge, skills and competences, which may include professional ethics;

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- m ‘overriding reasons of general interest’: reasons recognised as such in the case-law of the Court of Justice of the European Union;
- n ‘European Credit Transfer and Accumulation System or ECTS credits’: the credit system for higher education used in the European Higher Education Area.]

2 A profession practised by the members of an association or organisation listed in Annex I shall be treated as a regulated profession.

The purpose of the associations or organisations referred to in the first subparagraph is, in particular, to promote and maintain a high standard in the professional field concerned. To that end they are recognised in a special form by a Member State and award evidence of formal qualifications to their members, ensure that their members respect the rules of professional conduct which they prescribe, and confer on them the right to use a title or designatory letters or to benefit from a status corresponding to those formal qualifications.

[<sup>F2</sup>On each occasion that a Member State grants recognition to an association or organisation referred to in the first subparagraph, it shall inform the Commission. The Commission shall examine whether that association or organisation fulfils the conditions provided for in the second subparagraph. In order to take due account of regulatory developments in Member States, the Commission shall be empowered to adopt delegated acts in accordance with Article 57c in order to update Annex I where the conditions provided for in the second subparagraph are satisfied.

Where the conditions provided for in the second subparagraph are not satisfied, the Commission shall adopt an implementing act in order to reject the requested update of Annex I.]

3 Evidence of formal qualifications issued by a third country shall be regarded as evidence of formal qualifications if the holder has three years' professional experience in the profession concerned on the territory of the Member State which recognised that evidence of formal qualifications in accordance with Article 2(2), certified by that Member State.

#### Textual Amendments

- F1** Inserted by [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 \('the IMI Regulation'\)](#) (Text with EEA relevance).
- F2** Substituted by [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 \('the IMI Regulation'\)](#) (Text with EEA relevance).

### Article 4

#### Effects of recognition

[<sup>F21</sup> The recognition of professional qualifications by the host Member State shall allow beneficiaries to gain access in that Member State to the same profession as that for which they are qualified in the home Member State and to pursue it in the host Member State under the same conditions as its nationals.]

2 For the purposes of this Directive, the profession which the applicant wishes to pursue in the host Member State is the same as that for which he is qualified in his home Member State if the activities covered are comparable.

[<sup>F13</sup> By way of derogation from paragraph 1, partial access to a profession in the host Member State shall be granted under the conditions laid down in Article 4f.]

#### **Textual Amendments**

- F1** Inserted by 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 ('the IMI Regulation') (Text with EEA relevance).
- F2** Substituted by 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 ('the IMI Regulation') (Text with EEA relevance).

### *[<sup>F1</sup> Article 4a*

#### **European Professional Card**

1 Member States shall issue holders of a professional qualification with a European Professional Card upon their request and on condition that the Commission has adopted the relevant implementing acts provided for in paragraph 7.

2 When a European Professional Card has been introduced for a particular profession by means of relevant implementing acts adopted pursuant to paragraph 7, the holder of a professional qualification concerned may choose to apply for such a Card or to make use of the procedures provided for in Titles II and III.

3 Member States shall ensure that the holder of a European Professional Card benefits from all the rights conferred by Articles 4b to 4e.

4 Where the holder of a professional qualification intends to provide services under Title II other than those covered by Article 7(4), the competent authority of the home Member State shall issue the European Professional Card in accordance with Articles 4b and 4c. The European Professional Card shall, where applicable, constitute the declaration under Article 7.

5 Where the holder of a professional qualification intends to establish himself in another Member State under Chapters I to IIIa of Title III or to provide services under Article 7(4), the competent authority of the home Member State shall complete all preparatory steps with regard to the individual file of the applicant created within the Internal Market Information System (IMI) (IMI file) as provided for in Articles 4b and 4d. The competent authority of the host Member State shall issue the European Professional Card in accordance with Articles 4b and 4d.

For the purpose of establishment, the issuance of a European Professional Card shall not provide an automatic right to practise a particular profession if there are registration requirements or other control procedures already in place in the host Member State before a European Professional Card is introduced for that profession.

6 Member States shall designate competent authorities for dealing with IMI files and issuing European Professional Cards. Those authorities shall ensure an impartial, objective and timely processing of applications for European Professional Cards. The assistance centres

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referred to in Article 57b may also act in the capacity of a competent authority. Member States shall ensure that competent authorities and assistance centres inform citizens, including prospective applicants, about the functioning and the added value of a European Professional Card for the professions for which it is available.

7 The Commission shall, by means of implementing acts, adopt measures necessary to ensure the uniform application of the provisions on the European Professional Cards for those professions that meet the conditions laid down in the second subparagraph of this paragraph, including measures concerning the format of the European Professional Card, the processing of written applications, the translations to be provided by the applicant to support any application for a European Professional Card, details of the documents required pursuant to Article 7(2) or Annex VII to present a complete application and procedures for making and processing payments for a European Professional Card, taking into account the particularities of the profession concerned. The Commission shall also specify, by means of implementing acts, how, when and for which documents competent authorities may request certified copies in accordance with the second subparagraph of Article 4b(3), Articles 4d(2) and 4d(3) for the profession concerned.

The introduction of a European Professional Card for a particular profession by means of the adoption of relevant implementing acts referred to in the first subparagraph shall be subject to all of the following conditions:

- a there is significant mobility or potential for significant mobility in the profession concerned;
- b there is sufficient interest expressed by the relevant stakeholders;
- c the profession or the education and training geared to the pursuit of the profession is regulated in a significant number of Member States.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58(2).

8 Any fees which applicants may incur in relation to administrative procedures to issue a European Professional Card shall be reasonable, proportionate and commensurate with the costs incurred by the home and the host Member States and shall not act as a disincentive to apply for a European Professional Card.

#### **Textual Amendments**

- F1** Inserted by [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 \('the IMI Regulation'\)](#) (Text with EEA relevance).

#### *Article 4b*

#### **Application for a European Professional Card and creation of an IMI file**

1 The home Member State shall enable a holder of a professional qualification to apply for a European Professional Card through an on-line tool, provided by the Commission, that automatically creates an IMI file for the particular applicant. Where a home Member State allows also for written applications, it shall put in place all necessary arrangements for the creation of the IMI file, any information to be sent to the applicant and the issuance of the European Professional Card.

2 Applications shall be supported by the documents required in the implementing acts to be adopted pursuant to Article 4a(7).

3 Within one week of receipt of the application, the competent authority of the home Member State shall acknowledge receipt of the application and inform the applicant of any missing document.

Where applicable, the competent authority of the home Member State shall issue any supporting certificate required under this Directive. The competent authority of the home Member State shall verify whether the applicant is legally established in the home Member State and whether all the necessary documents which have been issued in the home Member State are valid and authentic. In the event of duly justified doubts, the competent authority of the home Member State shall consult the relevant body and may request from the applicant certified copies of documents. In case of subsequent applications by the same applicant, the competent authorities of the home and the host Member States may not request the re-submission of documents which are already contained in the IMI file and which are still valid.

4 The Commission may, by means of implementing acts, adopt the technical specifications, the measures necessary to ensure integrity, confidentiality and accuracy of information contained in the European Professional Card and in the IMI file, and the conditions and the procedures for issuing a European Professional Card to its holder, including the possibility of downloading it or submitting updates for the IMI file. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58(2).

#### Textual Amendments

- F1** Inserted by [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 \('the IMI Regulation'\)](#) (Text with EEA relevance).

#### Article 4c

#### **European Professional Card for the temporary and occasional provision of services other than those covered by Article 7(4)**

1 The competent authority of the home Member State shall verify the application and the supporting documents in the IMI file and issue the European Professional Card for the temporary and occasional provision of services other than those covered by Article 7(4) within three weeks. That time period shall start upon receipt of the missing documents referred to in the first subparagraph of Article 4b(3) or, if no further documents were requested, upon the expiry of the one-week period referred to in that subparagraph. It shall then transmit the European Professional Card immediately to the competent authority of each host Member State concerned and shall inform the applicant accordingly. The host Member State may not require any further declaration under Article 7 for the following 18 months.

2 The decision of the competent authority of the home Member State, or the absence of a decision within the period of three weeks referred to in paragraph 1, shall be subject to appeal under national law.

3 If a holder of a European Professional Card wishes to provide services in Member States other than those initially mentioned in the application referred to in paragraph 1 that

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holder may apply for such extension. If the holder wishes to continue providing services beyond the period of 18 months referred to in paragraph 1, that holder shall inform the competent authority accordingly. In either case, that holder shall also provide any information on material changes in the situation substantiated in the IMI file that may be required by the competent authority in the home Member State in accordance with the implementing acts to be adopted pursuant to Article 4a(7). The competent authority of the home Member State shall transmit the updated European Professional Card to the host Member States concerned.

4 The European Professional Card shall be valid in the entire territory of all the host Member States concerned for as long as its holder maintains the right to practice on the basis of the documents and information contained in the IMI file.

#### Textual Amendments

- F1** Inserted by [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 \('the IMI Regulation'\)](#) (Text with EEA relevance).

#### Article 4d

### European Professional Card for establishment and for the temporary and occasional provision of services under Article 7(4)

1 The competent authority of the home Member State shall, within one month, verify the authenticity and validity of the supporting documents in the IMI file for the purpose of issuing a European Professional Card for establishment or for the temporary and occasional provision of services under Article 7(4). That time period shall start upon receipt of the missing documents referred to in the first subparagraph of Article 4b(3) or, if no further documents were requested, upon the expiry of the one-week period referred to in that subparagraph. It shall then transmit the application immediately to the competent authority of the host Member State. The home Member State shall inform the applicant of the status of the application at the same time as it transmits the application to the host Member State.

2 In the cases referred to in Articles 16, 21, 49a and 49b, a host Member State shall decide whether to issue a European Professional Card under paragraph 1 within one month of receipt of the application transmitted by the home Member State. In the event of duly justified doubts, the host Member State may request additional information from, or the inclusion of a certified copy of a document by, the home Member State, which the latter shall provide no later than two weeks after the submission of the request. Subject to the second subparagraph of paragraph 5, the period of one month shall apply, notwithstanding any such request.

3 In the cases referred to in Articles 7(4) and 14, a host Member State shall decide whether to issue a European Professional Card or to subject the holder of a professional qualification to compensation measures within two months of receipt of the application transmitted by the home Member State. In the event of duly justified doubts, the host Member State may request additional information from, or the inclusion of a certified copy of a document by, the home Member State which the latter shall provide no later than two weeks after the submission of the request. Subject to the second subparagraph of paragraph 5, the period of two months shall apply, notwithstanding any such request.

4 In the event that the host Member State does not receive the necessary information which it may require in accordance with this Directive for taking a decision on the issuance of



the European Professional Card from either the home Member State or the applicant, it may refuse to issue the Card. Such refusal shall be duly justified.

5 Where the host Member State fails to take a decision within the time limits set out in paragraphs 2 and 3 of this Article or fails to organise an aptitude test in accordance with Article 7(4), the European Professional Card shall be deemed to be issued and shall be sent automatically, through IMI, to the holder of a professional qualification.

The host Member State shall have the possibility to extend by two weeks the deadlines set out in paragraphs 2 and 3 for the automatic issuance of the European Professional Card. It shall explain the reason for the extension and inform the applicant accordingly. Such an extension may be repeated once and only where it is strictly necessary, in particular for reasons relating to public health or the safety of the service recipients.

6 The actions taken by the home Member State in accordance with paragraph 1 shall replace any application for recognition of professional qualifications under the national law of the host Member State.

7 The decisions of the home and the host Member State adopted under paragraphs 1 to 5 or the absence of decision by the home Member State shall be subject to appeal under the national law of the Member State concerned.

#### Textual Amendments

- F1** Inserted by [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 \('the IMI Regulation'\)](#) (Text with EEA relevance).

### Article 4e

#### Processing and access to data regarding the European Professional Card

1 Without prejudice to the presumption of innocence, the competent authorities of the home and the host Member States shall update, in a timely manner, the corresponding IMI file with information regarding disciplinary actions or criminal sanctions which relate to a prohibition or restriction and which have consequences for the pursuit of activities by the holder of a European Professional Card under this Directive. In so doing they shall respect personal data protection rules provided for in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data<sup>(1)</sup> and Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications)<sup>(2)</sup>. Such updates shall include the deletion of information which is no longer required. The holder of the European Professional Card as well as the competent authorities that have access to the corresponding IMI file shall be informed immediately of any updates. That obligation shall be without prejudice to the alert obligations for Member States under Article 56a.

2 The content of the information updates referred to in paragraph 1 shall be limited to the following:

- a the identity of the professional;
- b the profession concerned;

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- c information about the national authority or court which has adopted the decision on restriction or prohibition;
- d the scope of the restriction or the prohibition; and
- e the period for which the restriction or the prohibition applies.

3 Access to the information in the IMI file shall be limited to the competent authorities of the home and the host Member States, in accordance with Directive 95/46/EC. The competent authorities shall inform the holder of the European Professional Card of the content of the IMI file upon that holder's request.

4 The information included in the European Professional Card shall be limited to the information that is necessary to ascertain its holder's right to exercise the profession for which it has been issued, namely the holder's name, surname, date and place of birth, profession, formal qualifications, and the applicable regime, competent authorities involved, Card number, security features and reference to a valid proof of identity. Information relating to professional experience acquired, or compensation measures passed, by the holder of the European Professional Card shall be included in the IMI file.

5 The personal data included in the IMI file may be processed for as long as it is needed for the purpose of the recognition procedure as such and as evidence of the recognition or of the transmission of the declaration required under Article 7. Member States shall ensure that the holder of a European Professional Card has the right at any time, and at no cost to that holder, to request the rectification of inaccurate or incomplete data, or the deletion or blocking of the IMI file concerned. The holder shall be informed of this right at the time the European Professional Card is issued, and reminded of it every two years thereafter. The reminder shall be sent automatically via IMI where the initial application for the European Professional Card was submitted online.

In the event of a request for deletion of an IMI file linked to a European Professional Card issued for the purpose of establishment or temporary and occasional provision of services under Article 7(4), the competent authorities of the host Member State concerned shall issue the holder of professional qualifications with evidence attesting to the recognition of his professional qualifications.

6 In relation to the processing of personal data in the European Professional Card and all IMI files, the relevant competent authorities of the Member States shall be regarded as controllers within the meaning of point (d) of Article 2 of Directive 95/46/EC. In relation to its responsibilities under paragraphs 1 to 4 of this Article and the processing of personal data involved therein, the Commission shall be regarded as a controller within the meaning of point (d) of Article 2 of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>(3)</sup>.

7 Without prejudice to paragraph 3, host Member States shall provide that employers, customers, patients, public authorities and other interested parties may verify the authenticity and validity of a European Professional Card presented to them by the Card holder.

The Commission shall, by means of implementing acts, lay down rules concerning access to the IMI file, and the technical means and the procedures for the verification referred to in the first subparagraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 58(2).

### Textual Amendments

- F1** Inserted by [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 \('the IMI Regulation'\)](#) (Text with EEA relevance).

### *Article 4f*

#### **Partial access**

1 The competent authority of the host Member State shall grant partial access, on a case-by-case basis, to a professional activity in its territory only when all the following conditions are fulfilled:

- a the professional is fully qualified to exercise in the home Member State the professional activity for which partial access is sought in the host Member State;
- b differences between the professional activity legally exercised in the home Member State and the regulated profession in the host Member State as such are so large that the application of compensation measures would amount to requiring the applicant to complete the full programme of education and training required in the host Member State to have access to the full regulated profession in the host Member State;
- c the professional activity can objectively be separated from other activities falling under the regulated profession in the host Member State.

For the purpose of point (c), the competent authority of the host Member State shall take into account whether the professional activity can be pursued autonomously in the home Member State.

2 Partial access may be rejected if such rejection is justified by overriding reasons of general interest, suitable for securing the attainment of the objective pursued, and does not go beyond what is necessary to attain that objective.

3 Applications for the purpose of establishment in a host Member State shall be examined in accordance with Chapters I and IV of Title III.

4 Applications for the purpose of providing temporary and occasional services in the host Member State concerning professional activities that have public health or safety implications shall be examined in accordance with Title II.

5 By derogation from the sixth subparagraph of Article 7(4) and Article 52(1), the professional activity shall be exercised under the professional title of the home Member State once partial access has been granted. The host Member State may require use of that professional title in the languages of the host Member State. Professionals benefiting from partial access shall clearly indicate to the service recipients the scope of their professional activities.

6 This Article shall not apply to professionals benefiting from automatic recognition of their professional qualifications under Chapters II, III and IIIa of Title III.]

### Textual Amendments

- F1** Inserted by [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](#)

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(EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (Text with EEA relevance).

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- (1) [<sup>F1</sup>OJ L 281, 23.11.1995, p. 31.]
- (2) [<sup>F1</sup>OJ L 201, 31.7.2002, p. 37.]
- (3) [<sup>F1</sup>OJ L 8, 12.1.2001, p. 1.]

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#### **Textual Amendments**

- F1** Inserted by 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 ('the IMI Regulation') (Text with EEA relevance).