

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 VI

**OTHER PROVISIONS**

*Article 60*

**Reports**

1 As from 20 October 2007, Member States shall, every two years, send a report to the Commission on the application of the system. In addition to general observations, the report shall contain a statistical summary of decisions taken and a description of the main problems arising from the application of this Directive.

[<sup>F1</sup>As from 18 January 2016 the statistical summary of decisions taken referred to in the first subparagraph shall contain detailed information on the number and types of decisions taken in accordance with this Directive, including the types of decisions on partial access taken by competent authorities in accordance with Article 4f, and a description of the main problems arising from application of this Directive.]

[<sup>F2</sup> By 18 January 2019, and every five years thereafter, the Commission shall publish a report on the implementation of this Directive.

The first such report shall focus in particular on the new elements introduced in this Directive and consider in particular the following issues:

- a the functioning of the European Professional Card;
- b the modernisation of the knowledge, skills and competences for the professions covered by Chapter III of Title III, including the list of competences referred to in Article 31(7);
- c the functioning of the common training frameworks and common training tests;
- d the results of the special upgrading programme laid down under Romanian laws, regulations and administrative provisions for holders of the evidence of formal qualifications mentioned in Article 33a, as well as for holders of evidence of formal qualifications of post-secondary level, with a view to assessing the need to review the current provisions governing the acquired rights regime applicable to the Romanian evidence of formal qualifications as nurse responsible for general care.

Member States shall provide all necessary information for the preparation of that report.]

**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).

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*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

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### Article 61

#### Derogation clause

If, for the application of one of the provisions of this Directive, a Member State encounters major difficulties in a particular area, the Commission shall examine those difficulties in collaboration with the Member State concerned.

[<sup>F2</sup>Where appropriate, the Commission shall adopt an implementing act to permit the Member State in question to derogate from the relevant provision for a limited period of time.]

#### Textual Amendments

- 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 62

#### Repeal

Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC, 89/48/EEC, 92/51/EEC, 93/16/EEC and 1999/42/EC are repealed with effect from 20 October 2007. References to the repealed Directives shall be understood as references to this Directive and the acts adopted on the basis of those Directives shall not be affected by the repeal.

### Article 63

#### Transposition

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 20 October 2007 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

### Article 64

#### Entry into force

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

*Article 65*

**Addressees**

This Directive is addressed to the Member States.