

Council Directive 2013/25/EU of 13 May 2013 adapting certain directives in the field of right of establishment and freedom to provide services, by reason of the accession of the Republic of Croatia

COUNCIL DIRECTIVE 2013/25/EU

of 13 May 2013

adapting certain directives in the field of right of establishment and freedom to provide services, by reason of the accession of the Republic of Croatia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Treaty of Accession of Croatia, and in particular Article 3(4) thereof,

Having regard to the Act of Accession of Croatia, and in particular Article 50 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Pursuant to Article 50 of the Act of Accession of Croatia, where acts of the institutions adopted prior to accession require adaptation by reason of accession, and the necessary adaptations have not been provided for in that Act of Accession or in the Annexes thereto, the Council, acting by qualified majority on a proposal from the Commission, shall, to this end, adopt the necessary acts, if the original act was not adopted by the Commission.
- (2) The Final Act of the Conference which drew up and adopted the Treaty of Accession of Croatia indicated that the High Contracting Parties had reached political agreement on a set of adaptations to acts adopted by the institutions required by reason of accession and invited the Council and the Commission to adopt those adaptations before accession, completed and updated where necessary to take account of the evolution of the law of the Union.
- (3) Directives 74/557/EEC⁽¹⁾, 77/249/EEC⁽²⁾, 98/5/EC⁽³⁾ and 2005/36/EC⁽⁴⁾ should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directives 74/557/EEC, 77/249/EEC, 98/5/EC and 2005/36/EC are amended as set out in the Annex to this Directive.

Article 2

1 Member States shall adopt and publish, by the date of accession of Croatia to the Union at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

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They shall apply those provisions from the date of accession of Croatia to the Union.

When Member States adopt those 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.

2 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force subject to and as from the date of the entry into force of the Treaty of Accession of Croatia.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 13 May 2013.

For the Council

The President

S. COVENEY

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ANNEX

PART A

MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS

Directive 2005/36/EC is amended as follows:

(1) in the first subparagraph of Article 49(2), the following point is inserted:

(ba) 1 July 2013 for Croatia;;

(2) Annex V is amended as follows:

(a) Section V.1 is amended as follows:

(i) in the table in point 5.1.1, the following is inserted after the entry for France:

Hrvatska	Diploma “doktor medicine/ doktorica medicine”	Medicinski fakulteti sveučilišta u Republici Hrvatskoj		1 July 2013
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(ii) in the table in point 5.1.2, the following is inserted after the entry for France:

Hrvatska	Diploma o specijalističkom usavršavanju	Ministarstvo nadležno za zdravstvo		1 July 2013
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(iii) in the tables in point 5.1.3, the following entries are inserted after the respective entries for France:

— in the table for ‘Anaesthetics’ and ‘General surgery’:

Hrvatska	Anesteziologija, reanimatologija i intenzivna medicina	Opća kirurgija
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— in the table on ‘Neurological surgery’ and ‘Obstetrics and Gynaecology’:

Hrvatska	Neurokirurgija	Ginekologija i opstetricija
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— in the table on ‘General (internal) medicine’ and ‘Ophthalmology’:

Hrvatska	Opća interna medicina	Oftalmologija i optometrija
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— in the table on ‘Otorhinolaryngology’ and ‘Paediatrics’:

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—	Hrvatska	Otorinolaringologija i Pedijatrija	
	in the table on ‘Respiratory medicine’ and ‘Urology’:		
—	Hrvatska	Pulmologija	Urologija
	in the table on ‘Orthopaedics’ and ‘Pathological anatomy’:		
—	Hrvatska	Ortopedija i traumatologija	Patologija
	in the table on ‘Neurology’ and ‘Psychiatry’:		
—	Hrvatska	Neurologija	Psihijatrija
	in the table on ‘Diagnostic radiology’ and ‘Radiotherapy’:		
—	Hrvatska	Klinička radiologija	Onkologija i radioterapija
	in the table on ‘Plastic surgery’ and ‘Clinical biology’:		
—	Hrvatska	Plastična, rekonstrukcijska i estetska kirurgija	
	in the table on ‘Microbiology-bacteriology’ and ‘Biological chemistry’:		
—	Hrvatska	Klinička mikrobiologija	
	in the table on ‘Immunology’ and ‘Thoracic surgery’:		
—	Hrvatska	Alergologija i klinička imunologija	
	in the table on ‘Paediatric surgery’ and ‘Vascular surgery’:		
—	Hrvatska	Dječja kirurgija	Vaskularna kirurgija
	in the table on ‘Cardiology’ and ‘Gastro-enterology’:		
—	Hrvatska	Kardiologija	Gastroenterologija
	in the table on ‘Rheumatology’ and ‘General Haematology’:		

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—	Hrvatska	Reumatologija	Hematologija	in the table on ‘Endocrinology’ and ‘Physiotherapy’:
—	Hrvatska	Endokrinologija i dijabetologija	Fizikalna medicina i rehabilitacija	in the table on ‘Neuropsychiatry’ and ‘Dermato-venereology’:
—	Hrvatska		Dermatologija i venerologija	in the table on ‘Radiology’ and ‘Child psychiatry’:
—	Hrvatska	Klinička radiologija	Dječja i adolescentna psihijatrija	in the table on ‘Geriatrics’ and ‘Renal diseases’:
—	Hrvatska		Nefrologija	in the table on ‘Communicable diseases’ and ‘Community medicine’:
—	Hrvatska	Infektologija	Javnozdravstvena medicina	in the table on ‘Pharmacology’ and ‘Occupational medicine’:
—	Hrvatska	Klinička farmakologija s toksikologijom	Medicina rada i športa	in the table on ‘Allergology’ and ‘Nuclear medicine’:
—	Hrvatska	Alergologija i klinička imunologija	Nuklearna medicina	in the table on ‘Maxillo-facial surgery (basic medical training)’:
—	Hrvatska		Maksilofacijalna kirurgija	in the table on ‘Biological haematology’:
—	Hrvatska			in the table on ‘Stomatology’ and ‘Dermatology’:

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	Hrvatska		
—	in the table on ‘Venerology’ and ‘Tropical medicine’:		
	Hrvatska		
—	in the table on ‘Gastro-enterological surgery’ and ‘Accident and emergency medicine’:		
	Hrvatska	Abdominalna kirurgija	Hitna medicina
—	in the table on ‘Clinical neurophysiology’ and ‘Dental, oral and maxillo-facial surgery (basic medical and dental training)’:		
	Hrvatska		
—	in the table on ‘Medical oncology’ and ‘Medical genetics’:		
	Hrvatska		

- (iv) in the table in point 5.1.4, the following is inserted after the entry for France:

Hrvatska	Diploma o specijalističkom obiteljske usavršavanju	specijalist obiteljske medicine	1 July 2013
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- (b) in the table in point 5.2.2 of Section V.2, the following is inserted after the entry for France:

Hrvatska	1.	Svjedodžba “medicinska sestra opće njege/ medicinski tehničar opće njege”	Srednje strukovne škole koje izvode program za stjecanje kvalifikacije “medicinska sestra opće njege/ medicinski tehničar opće njege”	1 July 2013 medicinska sestra opće njege/ medicinski tehničar opće njege prvostupnik (<i>baccalaureus</i>) sestinstva/ prvostupnica (<i>baccalaurea</i>) sestinstva
	2.	Svjedodžba “prvostupnik (<i>baccalaureus</i>) sestinstva/ prvostupnica (<i>baccalaurea</i>) sestinstva”	opće njege/ medicinski tehničar opće njege”	

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		2.	Medicinski fakulteti sveučilišta u Republici Hrvatskoj	
			Sveučilišta u Republici Hrvatskoj	
			Veleučilišta u Republici Hrvatskoj	

- (c) in the table in point 5.3.2 of Section V.3, the following is inserted after the entry for France:

Hrvatska	Diploma “doktor dentalne medicine/ doktorica dentalne medicine”	Fakulteti sveučilišta u Republici Hrvatskoj		doktor dentalne medicine/ doktorica dentalne medicine	1 July 2013
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- (d) in the table in point 5.4.2 of Section V.4, the following is inserted after the entry for France:

Hrvatska	Diploma “doktor veterinarske medicine/ doktorica veterinarske medicine”	Veterinarski fakultet Sveučilišta u Zagrebu			1 July 2013
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- (e) in the table in point 5.5.2 of Section V.5, the following is inserted after the entry for France:

Hrvatska	Svjedodžba “prvostupnik (<i>baccalaureus</i>) primaljstva/ sveučilišna prvostupnica (<i>baccalaurea</i>) primaljstva”	—	Medicinski prvostupnik fakulteti sveučilišta u Republici Hrvatskoj	(<i>baccalaureus</i>) primaljstva/ (<i>baccalaurea</i>) primaljstva	1 July 2013
		—	Sveučilišta u Republici Hrvatskoj		
		—	Veleučilišta i visoke škole		

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- (f) in the table in point 5.6.2 of Section V.6, the following is inserted after the entry for France:

			u Republici Hrvatskoj	
Hrvatska	Diploma “magistar farmacije/ magistra farmacije”	—	Farmaceutsko- biokemijski fakultet Sveučilišta u Zagrebu	1 July 2013
		—	Medicinski fakultet Sveučilišta u Splitu	
		—	Kemijsko- tehnološki fakultet Sveučilišta u Splitu	

- (g) in the table in point 5.7.1 of Section V.7, the following is inserted after the entry for France:

Hrvatska				
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- (3) in Annex VI, the following is inserted after the entry for France:

Hrvatska	—	Diploma “magistar inženjer arhitekture i urbanizma/ magistra inženjerka arhitekture i urbanizma” awarded by the Arhitektonski fakultet Sveučilišta u Zagrebu	Third academic year after accession
	—	Diploma “magistar inženjer arhitekture/ magistra inženjerka	

—	arhitekture” awarded by the Građevinsko- arhitektonski fakultet Sveučilišta u Splitu Diploma “magistar inženjer arhitekture/ magistra inženjerka arhitekture” awarded by the Fakultet građevinarstva, arhitekture i geodezije Sveučilišta u Splitu
—	Diploma “diplomirani inženjer arhitekture” awarded by the Arhitektonski fakultet Sveučilišta u Zagrebu
—	Diploma “diplomirani inženjer arhitekture/ diplomirana inženjerka arhitekture” awarded by the Građevinsko- arhitektonski fakultet Sveučilišta u Splitu
—	Diploma “diplomirani inženjer arhitekture/ diplomirana inženjerka arhitekture” awarded by the Fakultet građevinarstva,

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—	arhitekture i geodezije Sveučilišta u Splitu Diploma “diplomirani arhitektonski inženjer” awarded by the Arhitektonski fakultet Sveučilišta u Zagrebu
—	Diploma “inženjer” awarded by the Arhitektonski fakultet Sveučilišta u Zagrebu
—	Diploma “inženjer” awarded by the Arhitektonsko- građevinsko- geodetski fakultet Sveučilišta u Zagrebu for the completed studies at the Arhitektonski odjel Arhitektonsko- građevinsko- geodetskog fakulteta
—	Diploma “inženjer” awarded by the Tehnički fakultet Sveučilišta u Zagrebu for the completed studies at the Arhitektonski odsjek Tehničkog fakulteta
—	Diploma “inženjer” awarded by the Tehnički fakultet

	<p>Sveučilišta u Zagrebu for the completed studies at the Arhitektonsko-inženjerski odjel Tehničkog fakulteta</p> <p>— Diploma “inženjer arhitekture” awarded by the Arhitektonski fakultet Sveučilišta u Zagrebu</p> <p>All diplomas must be accompanied by a certificate of membership of the Croatian Chamber of Architects (Hrvatska komora arhitekata), issued by the Croatian Chamber of Architects, Zagreb</p>
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PART B

LEGAL PROFESSIONS

- (1) in Article 1(2) of Directive 77/249/EEC, the following is added:
- Croatia: Odvjetnik/Odvjetnica.;
- (2) in Article 1(2)(a) of Directive 98/5/EC, the following is inserted after the entry for France:
- Croatia: Odvjetnik/Odvjetnica.

PART C

TRADE AND DISTRIBUTION OF TOXIC PRODUCTS

In the Annex to Directive 74/557/EEC, the following is added:

- Croatia:
1. Chemicals/toxic products as regulated by the Chemicals Act (OG 150/05, 53/08, 49/11) and the bylaws adopted on the basis of the said Act;
 2. Plant protection products as regulated by the Act on Plant Protection Products (OG 70/05) and the bylaws adopted on the basis of the said Act..

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- (1) Council Directive 74/557/EEC of 4 June 1974 on the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons and of intermediaries engaging in the trade and distribution of toxic products ([OJ L 307, 18.11.1974, p. 5](#)).
- (2) Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services ([OJ L 78, 26.3.1977, p. 17](#)).
- (3) Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained ([OJ L 77, 14.3.1998, p. 36](#)).
- (4) 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](#)).