



European Council of the Liberal Professions

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Brussels, the 23rd of June 2014

Dear Mr Nikolov,

As requested in your message of the 25th of this last April, please find below CEPLIS' comments on the Commission's Report of the Working Group "*Action Lines for Bolstering the Business of Liberal Professions*".

I would like to take this opportunity in order to express once more the gratitude of the European Council of the Liberal Professions (CEPLIS) and of all the organisations affiliated to it, for the excellent work of DG Enterprise, and notably of Mr. Curavic and of yourself, that made possible the great and rapid progress on the liberal professions-related points of the Communication "Entrepreneurship 2020 Action Plan".

We are very satisfied to observe that most of the points of your report take into consideration ours' and our members' feedback. This proves the efficiency of the Working Group, in the discussions of which we have all contributed with great enthusiasm.

CEPLIS hopes that as an outcome of this Action Plan there will be a more structured way in which the EU institutions work to accommodate the specific characteristics and needs of the liberal professions, as distinct from other businesses and their workers.

We also welcome the introduction of a common and consistent definition of the "Liberal Professions" based on the ECJ Judgment definition. We strongly feel that the European Commission should foster the usage of this definition in all of its documents.

In order to manage a better and more effective implementation of the Action Plan, CEPLIS considers it important to include concrete actions to be developed by the European Commission, the member States and/or the professional organizations, jointly initiatives and specific ways of collaboration among professional organizations and European institutions.

In that context, we would like to request for your particular consideration on the following points:

1. Education and Training for Entrepreneurship

It could be interesting to set up an online platform under the title of 'European Liberal Professions and Entrepreneurship' which could be part of YourEurope portal. Under the coordination of the European Council of Liberal Professions and/or the European Commission, every professional organisation could then act as a national information point so as to provide documentation related to entrepreneurship in their country (e.g. legislation, practical information for the setting up of a start-up, etc.

2. Support the development of Common Professional Frameworks

One area of specific and current interest to the liberal professions is the implementation of the new Directive on the Recognition of Professional Qualifications 2013/55/EU. The latter provides for Common Training Principles, to be initiated by professional organisations, which can include learning outcomes very conducive to the development of entrepreneurial and enterprise skills. The broader approaches to qualifications and lifelong learning can also be conducive to the development of budding entrepreneurs.

CEPLIS has already requested DG Markt to set up a specific ad hoc group on Common Training Frameworks (as the one already functioning on the European Professional Card). If this group is established, it could be helpful to count on a formal participation of a representative of DG ENTR in it.

3. The proposal for a Liberal Profession Forum

CEPLIS welcomes the Commission's proposal to create a Liberal Profession Forum.

We believe that such a Forum could become a good opportunity for professionals to exchange good practice. A highly interactive event, in such a context, could of course be beneficial for each and every one. Such a Forum could possibly build synergy with the "EESC Day of The Liberal Professions" in order to avoid repetition and maximise the efficiency.

4. The "Missions for Growth"

CEPLIS recognises the importance of the European Commission's Missions for Growth in order to facilitate access to markets in third countries and salutes the Commissioner's decision to include representatives of our sector.

We believe that the time between the confirmation of participation and the mission itself is too short. Liberal professional enterprises tend to be rather small therefore it is difficult for them to organise the logistics of such a mission in a short amount of time, notably because of the high cost of transportation & accommodation when booked "last minute". Unlike big enterprises, liberal professionals could not afford too high costs.

CEPLIS thinks that the best solution could be to fix deadlines for applications and confirmations several months before the actual event. By doing so, the European Commission will give the professionals more time to organise their trip and reduce the costs related to the Mission.

5. Reduction of regulatory burden

We do salute the initiative of the Working Group to reduce the regulatory burden, directly involved to the entrepreneurs when starting or running their business in order to simplify and ease their entrepreneurial activities.

Nevertheless we would like to mention that liberal professions are mainly providing intellectual services requiring high-level qualifications. Many of them are related to the health, safety and living quality of the citizens. Whereas it is of course important to reduce unnecessary regulatory burdens it must be kept in mind that professional regulation is a safeguard of quality and a means of customer protection and as such a characteristic feature of our sector. Codes of ethics/conduct at the EU level can be a very helpful instrument for keeping up common standards for the provision of professional services. It cannot substitute though the basic of professional regulations. We feel that the Action Plan should include the question of regulations when it comes to the access to professions or to their exercise.

CEPLIS is currently working on the modernisation of its own document on principles common to all professions of our sector. We would, of course, be delighted to share our work with the Working Group and the European Commission in general.

6. Access to finance

It is indeed important to reinforce the access to finance and we do think that the action lines planned under this topic are extremely important.

Nevertheless we would like to stress that access requirements to financial instruments often cannot be fulfilled / do not apply to liberal professions. This is not only a problem with regard to European programs. National financing instruments are also only open for big companies and not for liberal professional. Therefore the actions lines should include the aim to enforce the abolition of such discriminatory requirements on European and national level. All financing instruments for SMEs must be fully open for our sector.

7. Explore the creation of work groups for specific themes

We think that the suggested subdivision of professions in order to participate in specific working groups is indeed a good idea. Liberal professions cover a wide variety of very different services, the focus topics are not exactly the same for all of them.

8. Further Open Questions/Proposals to Discuss

- a. Including professional organizations in the provision of advisory services

It seems to be a very good approach. We would in fact be interested to contribute our own ideas on how this should be done.

- b. Elaborate a study to analyse the state of entrepreneurship in the professional services? (exact scope and objectives?)

We completely agree on this. If we are working on an issue (entrepreneurship in the professional services) it is essential to have an in-depth knowledge about it. Having data on the state of entrepreneurship in the professional services would help not only the European Commission, but also the Member States and the professional organisations to prepare concrete and accurate Action Plans to foster entrepreneurship. Only by having an in-depth knowledge of the real state of the situation we could work on effective Work Plans.

c. Introduce a "concise and homogenous definition of the CPD concept".

It would be advisable to word a clear, concise and homogeneous definition of the CPD concept, one that can serve as a reference to professional organisations, national authorities and to professionals who acquired their professional qualifications in a Member State and wish to pursue their professions in another Member State, disposing of the same rights as nationals of the host Member State. This will enable and facilitate the possibility to establish comparisons between the CPD systems of the Member States, in particular when facing demands, e.g. compulsory training procedures to develop a concrete activity or profession.

We look forward to working very closely with you in the coming months.

Kindest Regards,

Jacques Reignault

President of CEPLIS

A handwritten signature in black ink, appearing to be 'JR', with a long horizontal stroke extending to the right.