Basic information

1997/2164(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Architects: recognition of qualifications, review of Directive 85/384/EEC **Subject** 2.40.01 Right of establishment	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs, Citizens' Rights	BERGER Maria (PSE)	23/09/1997
Council of the European Union			

Key events

Date	Event	Reference	Summary
08/07/1997	Non-legislative basic document published	COM(1997)0350	Summary
02/10/1997	Committee referral announced in Parliament		
25/02/1998	Vote in committee		Summary
25/02/1998	Committee report tabled for plenary	A4-0079/1998	
13/03/1998	Debate in Parliament		
13/03/1998	End of procedure in Parliament		
06/04/1998	Final act published in Official Journal		

Technical information

Procedure reference	1997/2164(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	JURI/4/09097

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0079/1998 OJ C 104 06.04.1998, p. 0006	25/02/1998	
Text adopted by Parliament, single reading		T4-0171/1998 OJ C 104 06.04.1998, p. 0265-0281	13/03/1998	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1997)0350	08/07/1997	Summary

Architects: recognition of qualifications, review of Directive 85/384/EEC

1997/2164(COS) - 13/03/1998 - Text adopted by Parliament, single reading

In adopting the report by Mrs Maria Margarethe BERGER (PSE, A) on the review of the "Architects" Directive (85/384/EEC), the European Parliament welcomed the full and detailed information contained in the Commission's report. It provisionally noted the amendments to Directive 85/384/EEC which the Commission intended to submit, and announced that it would reach its decision on them in its opinion on the Commission's proposal for a Directive on the subject (see 'fiche de procédure' COD97345), but regretted that the Commission had deprived Parliament of the opportunity to deliver an opinion before it adopted this proposal. In connection with the review of Directive 85/384/EEC, Parliament called for the competent authority in the host country to be clearly designated and its identity systematically communicated to the Commission. Similarly, while approving the Commission's intention of easing the requirements concerning proof of financial standing as regards the provision of services, Parliament called likewise for easing of the formalities regarding the production of qualifications and certificates when providing services for the second time. It called on the Commission to reconsider whether, under proposal for a directive COD97345, those Member States which in 1985 did not apply for or receive derogations would have the opportunity of obtaining recognition for training of longer standing combined with lengthy periods of working experience. Parliament considered that the Commission should involve it in general thinking about the desirability of incorporating architecture into the general arrangements for recognition of qualifications. However, it took the view that in the present context Directive 85/384/EEC should continue to apply as such, as it had worked well in practice.

Architects: recognition of qualifications, review of Directive 85/384/EEC

1997/2164(COS) - 08/07/1997 - Non-legislative basic document

OBJECTIVE: to report on the application of Directive 85/384/EEC on the free movement of architects in the 15 Member States and present proposals with a view to its possible adaptation. CONTENT: in its communication, the Commission analyzes, article by article, the application of Directive 85/384 /EEC in the Community. Noting the main principles of the directive, especially with regard to the recognition of architectural diplomas, the right of establishment and freedom to provide services and "established rights" (mutual recognition via certain qualifications which may not fulfil the minimum requirements of the directive), the Commission considers that, overall, the directive has had a positive impact on the profession as a whole. The report notes that there has been limited movement of architects from one country to another within the Union. Between 1987 and 1995, only 1,500 architects benefitted from the directive granting them the right of establishment and recognition of their qualifications in another Member State. Although the directive has not had a revolutionary effect in terms of mobility, the Commission points out that the directive has, nonetheless, been of greater benefit to the profession than directives 89/48/EEC and 92/51/EEC establishing a general system for the recognition of diplomas without making provision for automatic recognition by the other Member States, with the host Member State still able to impose compensatory measures on the migrant where there is a substantial difference in the content or length of training. This does not apply in directive 85/384/EEC which, in addition to recognition of the diploma, makes provision for a specific system for the simple provision of services. The Commission therefore concludes that the directive offers architects more extensive rights than directive 89/48/EEC. The Commission also lists certain problems which arose during the transposition of the directive in the Member States. The most significant case was Italy, where sluggish, unwieldy procedures had seriously delayed transposition (1995 instead of 1987). Various procedures had also been instituted for Belgium and Greece. With regard to the adaptation of the directive, the Commission proposes a limited number of technical changes to the directive: - a reminder that the Commission is required to review this directive on the basis of experience; - clarification of the procedure provided for in article 8, stipulating the deadline by which the Commission must consult the Advisory Committee; - deletion of article 15, which no longer applies; - rewording of article 24 in order to make a clear distinction between establishment and provision of services (a number of formalities with regard to financial standing are too obstructive for service providers and may duplicate other provisions of the directive); - setting 31 December 1999 as the deadline for transposition. The Commission concludes by stating that this directive could eventually be integrated in the general system for the recognition of diplomas, although it is still too early to envisage such a move.