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Subject:	Regulatory Scrutiny Board opinion Impact Assesment / Skills Portability Initiative Action 2 - modernise and expand recognition processes for regulated professions

Delegations will find attached document SEC(2026) 995 final.

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REGULATORY SCRUTINY BOARD OPINION

Impact assessment / Skills Portability Initiative Action 2 - modernise and expand recognition processes for regulated professions

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EUROPEAN COMMISSION
REGULATORY SCRUTINY BOARD

Brussels,
RSB

Opinion

Title: Impact assessment / Skills Portability Initiative Action 2 - modernise and expand recognition processes for regulated professions

Overall opinion: POSITIVE WITH RESERVATIONS

(A) Policy context

This initiative is part of the Skills Portability Initiative (SPI), which aims to contribute to a more integrated Single Market by supporting the free movement of professionals and help address skills shortages.

This initiative (Action 2) interacts with two other actions, which are the subject of separate impact assessments:

- facilitating worker mobility across the EU through skills transparency and digitalisation (Action 1);
- improving the recognition of qualifications and skills of third-country nationals (Action 3).

This initiative focuses on access to regulated professions. It aims to improve the implementation of the Professional Qualifications Directive (2005/36/EC) by modernising and digitalising its procedures. This Directive sets out rules on the recognition of professional qualifications in a cross-border context. The actual regulation of professions falls within the competence of Member states.

(B) Key issues

The Board notes the additional information provided and commitments to make changes to the report.

However, the report still contains significant shortcomings. The Board gives a positive opinion with reservations because it expects the lead Service to rectify the following aspects:

(1) The scope of the initiative is not sufficiently clear. Information on the regulated professions, at EU and Member States level is insufficient and not detailed enough.

This opinion concerns a draft impact assessment which may differ from the final version.

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(2) The problem analysis is not sufficiently complete nor detailed on the implementation shortcomings of the Professional Qualifications Directive (PQD) and the experience with its enforcement, to better justify why a further legislative initiative is required. Given the variety of regulated professions and related barriers, the report does not provide sufficient granular analysis of the problems.

(3) The report does not provide sufficient detail on the digitalisation measures and on how the digital solution is expected to work in practice and what risks or unintended consequences could arise from its implementation.

(4) The report is not sufficiently detailed in the assessment of coherence and proportionality of the preferred option. It does not sufficiently explain to what extent the preferred option is supported by stakeholders and what would be the practical issues possibly hampering its feasibility, notably in the light of the difficulties encountered so far by Member States' authorities to implement the current Directive.

(C) What to improve

(1) The report should clarify what constitutes (a) a professional qualification, (b) 'automatic recognition' and how the process under the PQD applies to it for cross-border purposes, and (c) 'regulated professions covered by other recognition systems', also explaining what these systems are. It should provide indicative examples of respective professions and explain to what extent the scope of the initiative covers activities in the areas of craft, commerce and industry, and professionals willing to provide services in another Member State on a temporary or occasional basis. It should explain to what extent it excludes professions covered by other EU legislation and, if so, which ones.

(2) The report should explain to what extent the findings of the 2011 PQD evaluation differ from those of the 2020-2024 PQD implementation report. It should explain what measures were taken since 2011 to address those shortcomings, including regarding the alignment between information available at EU and national levels. Based on available evidence and the latest reports, the report should discuss the extent to which the PQD has been effective in reaching its objectives. It should further analyse the root causes of the identified problems, and particularly the root causes of process inefficiencies, regarding for example workflow inefficiencies, capacities of the authorities of Member States, etc. Given that the report claims that the problem "exacerbates the issue of allocative inefficiency", it should provide a more granular analysis of the regulated professions, the barriers hampering their mobility as well as assess the link related to obstacles with qualifications and their economic importance, using more recent data as far as possible.

(3) The measures should be better described. In particular, the report should explain the proposed digital solution and what is going to be part of the solution, (e.g. workflow management, exchange of information between Member States and document managements). The report should provide practical examples on how such system would work. It should better explain to what extent this initiative aims replacing the respective national IT systems, how the integration with national systems will be

ensured, and who will be responsible for different parts of the digital solution. The report should be clear on who is responsible for the infrastructure and operation of the solution. Also, it should explain what interoperability is needed and how it will be ensured.

(4) The coherence with other initiatives should be better analysed. The report should further explain to what extent this initiative uses the same IT elements as in SPI action 1 and inform on the possible synergies as well as risks or unintended consequences that could arise from its implementation. The report should explain the coherence with relevant EU initiatives such as RegProf (Regulated Professions Database), IMI (Internal Market Information System), Single Digital Gateway, Digital passport, European Professional Card etc. fall into the scope of this analysis. It should better substantiate the respective conclusions and discuss how this initiative (action 2) will interact with the skill portability initiative (on third country nationals - action 3), as they both share the objective of facilitating labour mobility and remedy skill shortages, and build on the PQD processes.

(5) The report should explain in more detail how the practical implementation of the preferred option would take place. Given the difficulties encountered so far by the Member States' authorities to implement the current legislation (PQD), the report should explain how the preferred option would be practically feasible.

Some more technical comments have been sent directly to the author Service.

(D) Conclusion

The lead Service must revise the report and its executive summary in accordance with the Board's findings before launching the interservice consultation.

Full title	Impact Assessment on Skills Portability Initiative Action 2 - modernise and expand recognition processes for regulated professions
Reference number	PLAN/2025/2645
Submitted to RSB on	17 June 2026
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