European professional card User guide for competent authorities

European Professional Card USER GUIDE

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1 Introduction

1.1 Scope and purpose

This document provides an overview of the European professional card (EPC) procedure and the tasks competent authorities are expected to carry out through the Internal Market Information (IMI) system.

This document sets out:

- the main features of the procedure;
- a detailed description of the workflow;
- the legal deadlines authorities have to meet to complete their tasks.

The document does not include information on the system used by applicants when applying for an EPC. We will make some mention of the other IMI tools that authorities handling EPC applications might use, but we will not be explaining them in detail. If you want more information on other IMI tools, this document provides a list of further resources available.

1.2 EPC concept

The EPC is the first EU-wide electronic procedure that professionals can use to have their qualifications recognised. It provides streamlined and transparent procedures that will help professionals to get their professional qualifications recognised in other EU countries. The idea is for those involved to provide the necessary information and documents through a dedicated web application and to communicate with each other in a way that overcomes language barriers.

The EPC is intended to be used by both professionals and competent authorities.

For professionals, the EPC generates value by providing:

- general information on document requirements, further procedures and possible costs in the country of destination;

- a quick and easy way to fulfil all necessary administrative steps , potentially from anywhere in EU, any time;
- a transparent and clear channel of communication, in one's mother tongue, with the authorities responsible for processing applications;
- the possibility to keep personal data up-to-date and protected against possible leaks;
- the possibility to apply easily for recognition in different countries and reuse documents in subsequent applications.

For competent authorities, the EPC generates value by providing:

- standardised and structured common procedures EU-wide;
- a clear and easy tool for handling applicant data, making the decision process easier;
- a structured channel of communication with professionals and other competent authorities, overcoming language barriers;
- a data protection framework that ensures respect of the IMI regulation and which restricts access to relevant actors only;
- a framework for sharing administrative practices and fostering trust between EU countries.

The EPC works on the basis of interconnection between two web platforms, one for professionals and the other for competent authorities. These provide a secure channel for exchanging information and documents throughout the recognition process.

The two platforms are complemented by:

- a dedicated section on the 'Your Europe' website (http://europa.eu/youreurope/), which provides general information on the procedure, document requirements and possible fees;
- an additional web tool for verifying the authenticity of EPC certificates generated through the system concerning the results of the recognition procedure.

1.3 Background information

The European professional card is a key part of the modernised Professional Qualifications Directive, which lays down the rules for the mobility of regulated professionals throughout Europe. This modernisation was completed when Directive 2013/55/EU (amending Directive 2005/36/EC) was adopted at the end of 2013. The provisions on the EPC are set out in Articles 4a to 4e of the revised Directive 2005/36/CE and in Recitals 4 to 6 of Directive 2013/55/EC.

Further provisions clarifying technical aspects of the procedure were included in Commission Implementing Regulation (EU) 2015/983 and its annexes.

2 The EPC procedure

2.1 Introduction

Professionals can apply to have their professional qualification recognised in another EU country for two main purposes:

1. establishment, meaning they intend to settle in the country of destination and practise the

profession on a permanent basis

2. provision of services on a temporary and occasional basis (for short: 'temporary mobility'): i.e. they do not intend to settle in the country of destination. In these cases professionals remain established in their home country.

The procedure can work in different ways depending on the nature of the profession and the purpose of the recognition:

1. Establishment cases: a. automatic recognition: recognition regime applicable to regulated professions whose minimum training conditions are harmonised at European level, namely nurses responsible for general care and pharmacists b. general system: recognition regime applicable to professions which do not fulfil conditions for the automatic recognition, namely physiotherapists, mountain guides and real estate agents

2. Temporary mobility cases: a. with prior check of qualifications: recognition regime that requires a verification of the qualifications in the country of destination b. without prior check of qualifications: recognition regime that does not require a verification of qualifications in the country of destination.

The actors involved in the procedure and the legal deadlines that have to be met will vary depending on the type of profession and the recognition regime under which it falls. In general, three actors are involved in EPC procedures:

- the professional: an EU citizen seeking recognition of a professional qualification in another country, who for this reason is applying for an EPC;
- the home competent authority (CA): the competent authority in the home member state of the professional. The home member state is the country where the professional is legally established when it makes the application. If the professional is not established in any member state, the home CA will be a designated authority in the member state where the professional qualified. The home CA has the main task of checking whether the application is complete and acceptable and that the supporting documents are authentic and valid.
- the host competent authority (CA): the competent authority in the member state of destination (host), which has the task of granting the recognition of the professional qualification in the country of destination and authorising the issuing of the EPC certificate (in cases of establishment and temporary mobility with a prior check of qualifications).

The same public authority in a member state or region can play the role of both home CA and host CA in the context of two different applications.

To apply online and follow up on submitted applications, professionals use the EPC Frontoffice.

This document does not deal with the EPC Front-office platform.

Competent authorities use the IMI Back-office system to handle EPC applications and communicate with applicants. The main subject of this document is how to use this system.

2.2 Workflows and steps

The sequence of actions to be taken by the competent authorities can be grouped in two categories:

- Workflow 1: applies to cases of establishment and temporary mobility with a prior check of qualifications;

- Workflow 2: applies to cases of temporary mobility without a prior check of qualifications.

The main difference between the two workflows is that in workflow 1, competent authorities in both the home and host member states are involved in assessing EPC applications and the recognition of the professional qualification. Recognition is approved or refused by the host member state.

In workflow 2, the authority in the home member state takes the recognition decision. The authority in the host member state is simply notified.

WORKFLOW 1

The main steps in workflow 1, which are used for establishment and temporary mobility with a prior check of qualifications, are:

1. The home CA receives and accepts the EPC application
2. The home CA confirms that the application is complete or requests missing documents
3. The home CA verifies the authenticity and validity of documents
4. The home CA carries out overall validation of the application and transmits it to the host member state
5. The host CA receives and accepts the application
6. The host CA checks the requirements and supporting documents
7. The host CA takes the decision: compensation measures, refusal or approval

WORKFLOW 2

The main steps in workflow 2, which are for temporary mobility without prior check of qualifications, are:

1. The home CA receives and accepts the application
2. The home CA confirms that the application is complete or requests missing documents
3. The home CA checks the requirements
4. The home CA authenticates and validates the documents
5. The home CA takes the decision: refusal or approval

2.3 Legal and technical deadlines

The legal deadlines that a user in a competent authority must meet for specific actions depend on the profession in question and the type of recognition regime it falls under.

In addition to legal deadlines, the system also has some technical deadlines to ensure the smooth functioning of the procedure.

A summary of all these deadlines is provided in the table below.

Professional Qualifications Directive	Article 4d		Article 4c
Purpose	Establishment		Temporary mobility

Profession	Health & safety		Non-health & safety		Health & safety		Non-health & safety
Regime	Automatic recognition	General system	Automatic recognition	General system	General system Article 7(4)	Automatic recognition	General system
Accept application by home member state	2 week-days	2 week-days	2 week-days	2 week-days	2 week-days	2 week-days	2 week-days
Completeness check by home member state	1 week	1 week	1 week	1 week	1 week	1 week	1 week
Verification of authenticity and validity of documents by home member state	1 month	1 month	1 month	1 month	1 month	3 weeks (including decision on recognition)	3 weeks (including decision on recognition)
Tacit recognition or decision by host member state	1 month	2 months	1 month	2 months	2 months	-	-
Tacit recognition first extension	2 weeks	2 weeks	2 weeks	2 weeks	2 weeks	-	-
Tacit recognition second extension	2 weeks	2 weeks			2 weeks	-	-
Confirmation of possibility to take aptitude test					1 month	-	-
Automatic closure for documents not provided	3 months	3 months	3 months	3 months	3 months	3 months	3 months
Data retention after request for removal	6 months available + 18 months blocked	6 months available + 18 months blocked	6 months available + 18 months blocked	6 months available + 18 months blocked	6 months available + 18 months blocked	6 months available + 18 months blocked	6 months available + 18 months blocked

3 Handling of EPC applications by home member state

In the EPC procedure, the country in which a person is legally established or, if that person is not yet legally established, one of the countries where it obtained a qualification is called the home member state.

The competent authority in the home member state has the main task of assessing the completeness of EPC applications and attesting the overall validity and authenticity of supporting documents before

they are sent to the country of destination. The country of destination, which is called the host member state, will then make the final decision whether or not to recognise the qualification.

If the application is to provide services on a temporary or occasional basis without a prior check of qualifications, the authority in the home member state also has the task of approving or refusing the recognition request.

The actions the authorities handling EPC applications as home member state can take are described in detail in the following sections, in the order in which they occur in the procedure.

3.1 Step 1 — Accessing the system and opening an application

As soon as a professional submits an application through the Front-office site, an automatic email is sent to the default recipient in the home member state, as defined later on in Chapter 6.

In cases of establishment and temporary mobility with a prior check of qualifications, as soon as the home CA sends an application to the host member state, an automatic email is sent to the default recipient in the host member state.

As EPC handler (system user) within the default recipient, you can:

1. Click on the link in the email
2. Login to the IMI system (unless you are already connected to the system). If the login is successful, the system will directly open the relevant EPC application on your screen.

Or

1. Login to the IMI system
2. Click on the dashboard item in the menu
3. Within the EPC applications section, you will see a summary of applications grouped by status and awaiting action by your authority
4. Click on the number next to the relevant item (for new incoming applications you will see Applications to accept)
5. You will see a list of all EPC applications whose status makes them relevant for your competent authority. Below the list, you will see an EPC application preview for the selected application
6. To see the detailed view, double click on the application you want to handle or click once on the application in question and then click on the Open button in the top-right corner of the preview section.

Or

1. Login to the IMI system
2. Click on the EPC applications/Search applications menu item
3. Search for applications that have the status Applications to accept or any other relevant status. To further refine your search, you can select one or more additional search criteria
4. you will see a list of applications which match the selected search criteria
5. To see the detailed view, double click on the application you want to handle.

Whatever way you open the application, the system will open the same detailed view with the details of the EPC application on the screen.

In this view, data are organised into five tabs:

1. EPC application: contains information on the profession, the purpose and regime of the application, the home and host member states selected by the professional and some additional detail on proof of formal qualifications and reference dates;
2. Details of the professional: contains the applicant's personal and contact details and a section where possible disciplinary sanctions can be recorded by your or other authorities;
3. Documents: contains the list of documents attached to the application and their descriptive data, including authentication and validation data to be provided or confirmed by you as home CA;
4. Messages: contains two boxes, one for exchanging messages with applicants, the other for exchanging messages with the other authority involved in the handling of the application;
5. Info: contains a summary of data on the technical handling of the application such as current status, the history log (sequence of actions taken by different actors) and the details of the authorities involved. This tab is automatically updated by the system.

NOTE: when the application has this status, personal data are not visible and are replaced by asterisks.

3.2 Step 2 — Accepting or forwarding an incoming application

When your authority receives a newly submitted application as default home CA and you have opened the detailed view, two action buttons are available on the toolbar: Accept and Forward.

When you look at the details of the application, you may decide that your authority is not the right one to deal with it and that another authority in your country or region is registered in IMI to handle that kind of EPC application.

If that is the case you can transfer the application to the authority in question:

1. Click on the Forward button
2. You will see a pop-up window with a search for authorities facility
3. Search for the authority in your country or region that you know can handle the application. Once you have identified it on the search results list, click on the Select button
4. Add a comment in the Justification field you want to communicate to the selected authority. While doing so, ensure that the language selected for the text box is the one you are using to write your comment. This applies to all fields where you have to select the language of your text
5. Click on the Confirm button. The system will transfer the application to the selected authority and it will no longer be visible to your authority. The new home CA is notified via automatic email.

If your authority can handle the application, you will need to accept it:

1. Click on the Accept button
2. The application will remain open and personal data will become visible
3. The application is now in the Accepted by home authority status. The professional will be notified via automatic email and will also be able to see the change of status in the Front-office.

NOTE: remember that you or other users in your authority need to accept the application within 2 week-days from the submission date. If not, the application is automatically forwarded to the EPC

default coordinator in your country or region. If your authority is also the default coordinator, the application is simply forwarded to your authority again.

3.3 Step 3 — Rejecting an application

You may realise after accepting the application that the applicant selected the wrong home member state. For instance, the applicant may have incorrectly declared that it is legally established in your country. Alternatively, the applicant may have indicated that it acquired the qualification in your country , but it is already legally established in another EU country.

In this case, your authority is entitled to reject the application:

1. Click on the Reject EPC application button
2. You will see a pop-up window with a free text field. Here you should provide a Justification for the rejection and possible advice on how to reapply correctly. You also need to indicate the correct language of the text
3. Click on the Confirm button to complete the action
4. The system ends the handling of the application, which now has the status Application rejected. The professional will be notified via automatic email. It will also be able see the change of status in the Front-office and read the justification for the rejection.

The professional may have submitted an application that has been attributed to the wrong regime, for instance if it has incorrectly declared that it benefits from acquired rights.

In this case, your authority is NOT entitled to reject the application. Instead you should advise the professional to withdraw the application and reapply under the right regime.

To do this, send a message to the professional, explaining the reasons. See Chapter 5.2 on sending messages.

3.4 Step 4 — Asking for missing documents

If you have accepted the application in the previous steps , you now need to proceed with the treatment of the application.

At this stage, your authority has to assess whether any of the documents required by the host member state are missing. If documents are missing, you have seven calendar days from the submission date to ask the professional to provide them.

In order to verify the document requirements in the host member state, you can consult the EPC national requirements notifications in IMI, which was set up for this purpose.

If your authority requests fees for handling the application as a home member state, you must ask for this fee within the same seven calendar day deadline. Please see Chapter 5.8 for further information on fees.

If you or another user in your authority fail to request missing documents within the legal deadline above, the application will automatically be confirmed as complete by the system.

NOTE: Please note that the Implementing Regulation limits your ability to ask for missing documents that should be issued by your authority. Please consult Articles 10-12 of the Implementing Regulation carefully.

If any missing documents need to be requested from the professional:

- Click on the Request Missing Documents button
- You will see a pop-up window with a free text field labelled Justification, where you need to state precisely all the documents the professional has to attach to the application
- Complete the action by clicking on the Confirm button
- The status of the application will be changed in the system to Awaiting documents requested by home authority and the professional will be notified

via automatic email.

When missing documents are requested, the procedure is suspended and remains in this status until the applicant provides the requested documents (it has up to 3 months to do so). No further actions are expected from your authority.

NOTE: The professional has 3 months to provide the requested documents. If the professional fails to provide the documents within this deadline, the application is closed automatically.

3.5 Step 5 — Confirming that the application is complete

If the application has no missing documents or if the professional has now uploaded the documents you requested in the previous step, you need to confirm to the professional that the application is complete:

1. Click on the Confirm Completeness button
2. The status of the application is changed by the system to Completeness validated. The professional is notified via automatic email and can also see the new status in the Front-office.

From this point, your authority has limited time to assess the authenticity and the validity of provided documents. The length of time allowed depends on the profession and the regime (please check the Deadlines table on page 13).

You can still request documents from the professional even after the completeness has been confirmed, but only if they are indispensable for the continuation of the procedure.

However, in this case the procedure is not suspended and you will still need to meet the deadline.

NOTE: If the quality of the documents provided by the professional is so poor and that you cannot properly check them (e.g. the scanned document is illegible or incomplete), you may request a clearer version from the professional. If a document is unreadable, it may also be considered as missing.

3.6 Step 6 — Assessing the authenticity and validity of documents and information

Once you have confirmed that the application is complete, your authority needs to verify the

relevance, authenticity and validity of all attached documents. This is the home CA's most important task in the procedure and it has to complete it within the legal deadline stated in the table in Chapter 2.3. The deadline will depend on the profession, purpose and regime.

If some of the documents attached have been already validated in previous applications submitted by the same professional, you only need to confirm the results of that validation, unless some of the documents had a limited period of validity and have expired. In this case, you may regard an expired document as a missing document and you should request a new version.

There are different ways you can verify the authenticity and validity of documents:

1. You can issue some of the required documents directly (see how to attach documents to an application in Chapter 5.1);
2. You can access national registers;
3. You can use the information request module in IMI to contact other bodies and institutions responsible for issuing documents in your country or in other countries;
4. You can use another method outside the IMI system to contact other bodies and institutions responsible for issuing documents in your country or in other countries;
5. You can request the professional to come for an identification.

Whatever method you use to verify the authenticity and validity of documents, you will have to provide your conclusions for each document in the system.

The process:

1. Click on the Edit Documents button. You will see the Documents tab in edit mode. This means that you can amend all descriptive data for uploaded documents.
2. Check that the descriptive data provided by the professional is correct
3. Within the Authentication and validation section, you have to indicate:
    ○ whether the selected document is relevant for the application in question (Yes or No)
    ○ the result of your assessment, if the document is relevant. The possible results of the verification are: Document authentic and valid, Document not authentic, Document not valid, Document not yet validated
    ○ the underlying reasons that led you to that conclusion: the verification is based on publicly available sources such as a public register in the home member state, the verification is based on the internal records of the competent authority of the home member state, the verification is based on information received from another relevant body in the home member state, the verification is based on information received via IMI from a relevant authority in another EU country, the verification is based on the information received outside IMI from a relevant authority in another EU country, other reasons
    ○ Any additional information that can help the host CA judge whether the document is a valid basis for the recognition decision.
4. Once the values for the Declaration and Justification fields have been set for each document, you need to click on the Save documents button
5. If not all documents have been validated, you will see a warning message. This will not prevent you from saving the changes you have made. However, if you have not validated all the documents you cannot transmit the application to the host CA and the application cannot be approved.
6. As soon as validations have been saved, the professional can see them in the Front-office. However, the professional will not be informed of this by automatic email notification.

NOTE: Professionals may upload documents that are not required for the EPC application in question, such as documents proving language knowledge and a CV. You will need to decide whether such documents need to be taken into account and flag them as relevant.

3.7 Step 7 — Edit an application

In addition to authenticating and validating documents, you may also need to amend the information the professional provided in the Evidence of formal qualifications. This could be necessary because the professional did not know the exact name of the title, misspelled it or made some other mistake.

By law you are not allowed any additional time to carry out this action so you must do it within the deadline for authentication and validation described in step 3.6 above.

To make the necessary corrections, you must:

1. Click on the Edit application button
2. You will see the fields in the Evidence of formal qualifications section in edit mode. Amend the fields as necessary and click on the Save application button
3. You will see the application in view mode with the new data visible
4. The professional will be notified via automatic email and can see the changes in the Front-office.

3.8 Step 8.a — Transmitting an application to the host member state (Establishment and temporary mobility cases under Article 7(4))

Your authority should transmit the application to the host member state as soon as all attached documents have been given the appropriate declaration and justification. Do not wait for the deadline.

To transmit the application you must:

1. Click on the Transmit to Host button when you are in detailed view for the application
2. You will see a pop-up window with a request for confirmation. Click on the Yes button to confirm the transmission
3. The status of the application will change in the system to Validated by home authority and both the applicant and host CA will be notified via automatic email.

When the application has this status, you can still access it as home CA and use functions like Edit documents, Edit professional's data and Edit application.

You can also generate a report of the application for your internal records.

NOTE: The tacit recognition timer starts as soon as the application is transmitted to the host CA. This timer determines how long the host CA has to make a decision.

3.9 Step 8.b — Approving or refusing an application (temporary mobility cases without prior check of qualifications)

For applications falling under the Temporary mobility without prior check of qualifications procedure, it is the home CA that has to make a decision on recognition rather than send it to the host CA.

Therefore, in such cases, the actions available to your authority are approval and refusal.

If the applicant meets all the requirements and you consider that you can approve the recognition request, you must:

1. Click on the Approve EPC application button when you are in detailed view of the application
2. You will see a pop-up window with a request for confirmation. Click on the Yes button to confirm the approval
3. The status of the application will change in the system to Approved EPC for temporary mobility. Both the applicant and the host CA are notified via automatic email. The host CA has also access to the EPC application in the system
4. You can also generate the EPC certificate when the application has this status, To do this, click on the Generate EPC certificate button

NOTE: The EPC certificate that will be generated is exactly the same as the one the applicant can generate in the Front-office.

If the applicant does not meet all the requirements and you consider that you cannot approve the recognition request, you must:

1. Click on the Refuse button when you are in detailed view for the application
2. You will see a pop-up window. In this window you must provide a Justification for the refusal, including information on the right to appeal
3. Click on the Confirm button to complete the action
4. The status of the application will change in the system to Refused by home justification available. The applicant is notified via automatic email and can see the changes in the Front-office
5. You may need to attach a document justifying the refusal and telling the professional how to appeal. See Chapter 5.1 for more information on how to

attach documents to an application.

3.10 Step 9 — Suspending and reactivating an approved EPC application (temporary mobility cases without prior check of qualifications)

For applications falling under the Temporary mobility without prior check of qualifications procedure, the home CA has, in duly justified cases, the possibility to temporarily suspend the validity of an approved application.

To suspend the validity of an application, you must:

1. Click on the Suspend approved EPC button when you are in detailed view of the application
2. You will see a pop-up window. In this window you must provide a Justification for the suspension
3. Click on the Confirm button to complete the action
4. The status of the application will change in the system to EPC suspended. The applicant is notified via automatic email and can see the changes in the Frontoffice
5. You may need to attach a document justifying the suspension and telling the professional how

to appeal. See Chapter 5.1 for more information on how to attach documents to an application.
6. NOTE: when an EPC is suspended, if somebody verifies the validity of the certificate through the Validity check online tool, the system will respond

that it is no longer valid.

When the reasons that justified the suspension no longer apply, the home CA should reactivate the suspended EPC application.

To reactivate a suspended application, you must:

1. Click on the Reactivate approved EPC button when you are in detailed view of the application
2. The status of the application will change in the system to Approved EPC for temporary mobility available. The applicant is notified via automatic email and can see the changes in the Front-office.

3.11 Step 10 — Extending validity of an approved EPC application (temporary mobility cases without prior check of qualifications)

Applications falling under the Temporary mobility without prior check of qualifications procedure have a validity limited to 18 months. At the end of this period, their status in the system changes automatically to EPC expired and they are no longer valid.

Before the expiry date, the professional can request an extension of validity for an additional 18 months to the home CA that approved the original EPC application. When a professional requests the extension, the home CA is notified via automatic email and a message is sent through the IMI system.

The status of the application is changed in the system to EPC Validity extension requested. The home CA can either approve the request or refuse it.

To approve the request for validity extension, you must:

1. Click on the Extend validity button when you are in the detailed view of the application
2. The status of the application will change in the system to Approved EPC for temporary mobility available and the expiry date is postponed by 18 months.

The applicant is notified via automatic email and can see the changes in the Front-office.

To refuse the request for validity extension, you must:

1. Click on the Refuse validity extension button when you are in the detailed view of the application
2. You will see a pop-up window. In this window you must provide a Justification for the refusal and the details on how the professional can appeal this decision
3. Click on the Confirm button to complete the action
4. The status of the application will change in the system to Approved EPC for temporary mobility available, but the expiry date remains the one in the original request. The applicant is notified via automatic email.

4 Handling EPC applications as host member state

For EPC applications for establishment or temporary mobility cases requiring a prior check of qualifications, it is the host member state that decides on recognition. The possible decisions are:

1. Approval: the applicant meets all the requirements and the recognition is granted;
2. Refusal: the applicant does not meet all the requirements and the recognition must be refused;
3. Compensation measures: the applicant needs to undertake compensation measures like training courses or exams in order to become eligible for

recognition. Therefore, the decision is postponed until the applicant has completed the imposed measures.

At this stage of the procedure, the authority in the host member state has limited time available to make the decision. If the authority has taken no action by the end of that period, the EPC application is automatically approved and recognition is granted to the professional, who will then be able to generate a valid EPC certificate.

4.1 Step 1 — Accessing and accepting an incoming application

The procedure for accessing and accepting incoming EPC applications is exactly the same as the one described in Chapters 3.1 and 3.2 for the home CA.

NOTE: The application cannot be rejected if the wrong country has been selected as host member state! If the professional has made a mistake, it should withdraw the application.

4.2 Step 2 — Asking for documents or additional information

Once you have accepted the application transmitted by the home CA, you need to verify whether all required documents have been provided and that they have been authenticated, or at least issued with a provisional declaration.

You may need some additional information to carry out your final verification. However, you can only request the information allowed under the EPC legal framework. To gather such information you can:

1. contact the applicant directly by sending a message through the system;
2. contact the home CA by posting a comment;
3. contact the home CA or any other authority registered in IMI by sending an Information request.

If your authority requests fees as the host member state, you must ask for the fee at this stage, as required by Article 9(2) of the Implementing Regulation, (see Chapter 5.8 for more details).

Please remember that you cannot stop the tacit recognition timer while you gather additional information or ask for payment of fees. You can extend tacit recognition in line with the table of deadlines in Chapter 2.3 or in accordance with the procedure described in the next chapter.

4.3 Step 3 — Extending tacit recognition

If you need to gather additional documents or information while verifying an application and you think that you will not be able to finish the processing within the legal deadline for reaching a recognition decision (see the table in Chapter 2.3), you can extend the tacit recognition period by two weeks.

This extension may be repeated once more, in duly justified situations, if the application is for a profession in the area of health & safety.

To extend tacit recognition:

1. Click on the Extend tacit recognition button when you are in detailed view for the accepted application
2. You will see a pop-up window. You must state the reason for the extension in the Justification field in the window
3. Click on the Confirm button. The tacit recognition date is extended by 2 weeks. If the application is for a profession in the area of health & safety, you may be able to ask for an additional 2 week extension
4. The Extend tacit recognition button remains visible even after the second extension. If you click on it and the specific case does not allow for any further extension, you will see an error message telling you that the application has already been extended the maximum number of times. In such cases, the actual tacit recognition date is not changed.

4.4 Step 4 — Imposing compensation measures (only under the 'General system' regime)

In establishment cases under the General system regime or Temporary mobility cases with prior check of qualifications and involvement of the host member state, your authority may consider that the applicant has not met all the recognition requirements, even if the application is correct and all supporting documents have been provided and validated by the home CA. This might be because of substantial differences between your national requirements and applicant's training and experience. In order to obtain recognition, the professional will need to undertake compensation measures in form of an adaptation period or aptitude test.

When you impose compensation measures, the tacit recognition timer is suspended. The timer restarts only once the professional has proven that it implemented the measures and you have confirmed in the system that they have been completed.

To inform the professional about the need for compensation measures and to suspend tacit recognition, you must:

1. Click on the Request compensation measures button when you are in detailed view for the application
2. You will see a pop-up window, in which you must provide a Justification and indicate what measures the applicant must undertake (you can provide further details in a document attached to the application)
3. Click on the Confirm button to complete the action. The status of the application changes in the system to Awaiting compensation measures and both the professional and the home CA are notified via automatic email. The professional will be able to see the content of the compensation measures (and download the document with the details) in the Front-office.

Tacit recognition is now suspended until your authority confirms in the system that all imposed measures have been completed by the professional. To confirm this, you must:

1. Click on the Confirm Compensation Measures button when you are in detailed view for the application
2. You will see a pop-up window with a warning and Yes/No buttons
3. Click on Yes. The status of the application changes in the system to Compensation measures received and the tacit recognition timer restarts.

Both applicant and home CA are notified via automatic email.

In case of temporary mobility applications under Article 7(4) (Prior check of qualifications) your authority must first confirm that the professional has been given the opportunity to pass an aptitude test within one month from the starting date of the compensation measures. You must confirm this before you confirm the completion of compensation measures. If you fail to do so within this deadline, tacit recognition takes place and the recognition is granted to the professional automatically.

Assuming that you have already requested compensation measures, to confirm that your authority gave the professional the opportunity to pass an aptitude test, you must:

1. Click on the Confirm Aptitude Test button when you are in detailed view for the application
2. You will see a pop-up window. You must provide the details in the Justification field
3. Click on the Confirm button to complete the action
4. The status of the application will change in the system to Awaiting compensation measures and the procedure will continue following the steps under a normal request for compensation measures, as described above.

4.5 Step 5 — Refusing recognition

If the applicant does not meet all or some of the requirements and you consider that you cannot grant the recognition request, you must:

1. Click on the Refuse EPC Application button when you are in detailed view for the application
2. You will see a pop-up window in which you must justify the refusal and provide information on how to appeal the decision
3. Click on the Confirm button to complete the action. The status of the application changes in the system to Refused by host justification available and both the professional and the home CA are notified via automatic email
4. You may want to attach a document explaining the justification for the refusal and telling the professional where it can find out how to appeal the decision. See Chapter 5.1 for information on how to attach documents to an application
5. You can generate an attestation with details of the refused recognition by clicking on the Get Refusal Attestation button. The professional can also generate this attestation in the Front-office.
6. If the application has this status, you can still:

- edit documents;
- edit professional's data;
- send comments to the home CA.

4.6 Step 6 — Granting recognition

If the applicant meets all the requirements and you consider that you can grant the recognition, you must:

1. Click on the Approve EPC application button when you are in detailed view for the application
2. You will see a pop-up window with a request for confirmation. Click on the Yes button to confirm the approval
3. The status of the application changes in the system to Approved EPC and both the applicant and the host member state are notified via automatic email
4. You can generate the EPC certificate when the application has this status. To this this, click on the Get EPC certificate button. The professional can also generate the same certificate in the Front-office.

4.7 Step 7 — Revoking a granted recognition

After the granting of the recognition, if the home or the host CA discovers that the decision was based on inaccurate or false information (such as a false diploma), the approved EPC can be revoked. Following a revoking, any EPC certificate generated in past is no longer valid.

A revoking decision may entail further actions you could take in the system, such as invalidating the false document attached to the original application (Chapter 3.6), introducing a disciplinary sanction (Chapter 5.4) or introducing a PQ alert.

To revoke an approved EPC, you must:

1. Click on the Revoke approved EPC button when you are in detailed view for the application
2. You will see a pop-up window in which you must justify the revoking and provide information on how to appeal the decision
3. Click on the Confirm button to complete the action
4. The status of the application will change in the system to EPC revoked and both the applicant and the other member state authority are notified via automatic email. Only the Edit actions and the standard reports remain available to your authority.

5 Additional features available to competent authorities

The IMI system has a number of additional features that you can use while dealing with EPC applications. These additional features can help you communicate with the other actors in the procedure or fulfil tasks linked directly or indirectly to the treatment of a specific application.

5.1 Attaching documents to an EPC application

While processing an application as home or host CA, you may need to attach documents because:

- your authority may be responsible for issuing some of the required documents;
- the documents represent evidence of the authenticity of required documents;
- the documents provide detailed information for the professional about compensation measures,

justification for refusal, etc.

To attach a new document to an application:

1. Click on the Edit documents button when you are in detailed view for the application
2. Click on the Add button in the top-right corner of the documents list
3. Enter all mandatory descriptive data for the document
4. Click on the Upload button within the Document details section. This will upload the file containing the electronic version of the document
5. Indicate that the document is relevant to the application in question, provide a declaration and a justification
6. Click on the Save documents button
7. The new document is stored in the system and linked to the application. The professional and the other authority involved (if any) are both notified via automatic email. The document is also visible to the professional in the Frontoffice site and can be reused for future applications.

5.2 Exchanging messages with the professional

While handling an EPC application as home or host CA, you may need to contact the professional to request clarifications, additional information, etc.

To send a message to the professional:

1. Click on the Messages tab when you are in detailed view for the application
2. In the Messages to and from the professional section, click on the Send message button in the top-right corner of the message box
3. You will see a pop-up window with two fields: purpose and message.
4. Select a Purpose for the message and fill in the free text field that you see on the screen, making sure that you have selected the right language
5. When you have finished, click on the Send button in the pop-up window
6. The system sends a message to the professional in the Front-office and adds the message to the messages list. The professional is also notified via automatic email that a new message has been sent by a competent authority.

5.3 Exchanging messages and information with other competent authorities

Once an application has been transmitted to the host CA, you may need to contact the other authority with specific questions or to ask it for further clarification.

To send a message to the other authority involved in an application:

1. Click on the Messages tab when you are in detailed view for the application
2. In the Messages between authorities section, click on the Add comment button in the top-right corner of the message box
3. You will see a pop-up window with two fields: type and comment
4. Select a Type for the message and fill in the free text field you see on the screen, making sure that you have selected the right language
5. When you have finished, click on the Save button in the pop-up window.

The system saves the comment in the comments list and notifies the other authority via automatic email that a new comment has been added. NOTE: The professional cannot see these comments in the Front-office.

5.4 Editing a professional's data

A professional may ask your authority to amend some personal data, for instance if the professional has a new identity document and this information has to be updated in the system.

In duly justified cases, your authority may also need to update the professional's profile to add a disciplinary sanction which relate to a prohibition or restriction and which have consequences for the pursuit of activities by the professional.

To update the professional's data, you must:

1. Click on the Edit professional's data button when you are in detailed view for the application
2. You will see the fields in edit mode
3. Amend the fields where necessary
4. If you need to add a disciplinary sanction:
    - Click on the Add button in the top-right corner of the Disciplinary sanctions box
    - Enter the data on: the profession, the national court or authority who imposed the sanction, the country and possibly also the contact details of the court, the type of decision: prohibition or restriction, the reason: substantial or others, the nature: permanent or temporary, for temporary sanctions, the duration.
5. Once you have made the necessary amendments or provided all the mandatory data on a disciplinary sanction, click on the Save profile button on the main toolbar
6. You will see a pop-up window in which you need to provide a justification for the update
7. Click on the Confirm button when you have finished. The system will apply the changes to the professional's data and will notify both the professional and the other authority (if relevant) via automatic email.

NOTE: The professional's personal details can only be amended by a competent authority once the first application has been submitted.

5.5 Removing personal data

When a professional submits a request in the Front-office to remove personal data, the system sends an automatic email notifying the home CA with access to the professional's most recently submitted application. In the detailed view for this application, a new action will be available to the home CA user in the form of the Acknowledge profile removal button.

Under the IMI Regulation (EU) (1024/2012), when the removal is confirmed by your authority:

- The subject's personal data remain visible in the system for 6 months to allow competent authorities to use the information for subsequent procedures following the recognition. However, no actions are available to the competent authorities other than the generation of standard reports.
- After the first 6 months, personal data and documents are blocked and made no longer visible in the system for 18 months.

- After these 18 months, personal data and documents are totally erased from the system.

To proceed with the removal of personal data, you must:

1. Click on the number of the Professional profile removal request item in the dashboard
2. Double click on the application in the search results list to open the detailed view
3. Click on the Acknowledge profile removal button:
     - All of the professional's EPC applications in the system will be depersonalised using the two-step process described above and their status will be changed to Cancelled profile removed
     - The professional and all competent authorities that handled any of the applications will be notified via automatic emails.

NOTE: All data and documents are totally removed from the Front-office as soon as the professional confirms its request. However, only the professional's Front-office account is destroyed, whereas the European Commission Authentication System account remains available. If the professional tries to login, a new EPC account will need to be created, but it will not be associated with the applications submitted using the previous account.

5.6 Written applications

Pursuant to Article 8 of the EPC Implementing Regulation, member states can allow professionals to apply for recognition on paper. If your authority wishes to handle a paper application through the EPC online procedure, you must input the application into the system on the professional's behalf.

To do this, you must sign in the Front-office with a special account that can be created by the IMI Helpdesk at the request of your member state. This special account enables you to create a profile and submit applications on the professional's behalf.

5.7 Validity check for third parties

The EPC validity check is a separate system that allows the public to verify the authenticity of an EPC certificate online.

As an EPC authority user, you do not need to use this online tool to verify the authenticity of the EPC because you have direct access to the file, unless your authority was not involved.

To verify the authenticity of an EPC certificate online, you need to:

1. Open the Validity check system from the link published on Your Europe
2. Enter the following data:
     - EPC reference number
     - Type of proof of identity
     - Number of the proof of identity
3. Complete the CAPTCHA test
4. Click on the Check validity button
5. You will see one of the following possible results:
     - EPC certificate does not exist
     - EPC number does not match the proof of identity

- EPC number no longer valid or expired
- EPC found and valid: name, surname, profession, purpose, country of validity, validity period, other details.

NOTE: The number of the proof of identity entered in the validity check must be taken from the actual identity document (ID card or passport) provided by the professional together with the EPC certificate print-out.

5.8 Handling the payment of fees

The payment of fees is not integrated into the EPC procedure and should be handled outside IMI. However, as the payment of fees may have an impact on whether your authority can proceed with the processing of applications, you need to know how to take this factor into account when dealing with the procedure in IMI.

If your authority requests payment of fees when processing EPC applications as the home CA, you have the following options:

- You can send a message to the professional through IMI, as described in Chapter 5.2, indicating the amount of the fees and how to pay them
- You can send a message to the professional, as in the previous option, and attach to the application an invoice with all the details on the payment
- In addition to the previous option you can ask for a proof of payment, treating it as a missing document. This request is possible only for 7 calendar days from the application being submitted. In this way, the procedure can be suspended while you wait for the fees to be paid
- You can contact the professional outside the IMI system and agree on how the payment should be made.

If your authority requests payment of fees when processing EPC applications as the host CA, you have the following options:

- You can send a message to the professional through IMI, as described in Chapter 5.2, indicating the amount of the fees and how to pay them
- You can send a message to the professional, as in the previous option, and attach to the application an invoice with all the details on the payment
- You can contact the professional outside the IMI system and agree on how the payment should be made.

When you are processing EPC applications as the host CA, you cannot suspend tacit recognition by requesting a proof of payment and treating it as a missing document.

However, you may extend the tacit approval by two weeks while waiting for the payment. You may still send the professional a message asking for it to upload proof of payment.

6 Assigning EPC applications to competent authorities

Due to the very strict deadlines for processing EPC applications, the system has to ensure they are delivered to the right competent authority in the shortest possible time.

In the IMI system, submitted applications are delivered to competent authorities on the basis of the authorities' competencies, which are determined using a combination of three factors:

- geographical area: national, regional or local level
- profession
- regime.

Each possible combination of these three factors should ideally identify one competent authority to be responsible for handling an EPC application. However, due to the various forms of organisation of public administration in the member states, we cannot rule out the possibility that more than one competent authority could be identified by a single combination of factors.

Technical roles

However to comply with tasks laid down in the Implementing Regulation, authorities need to be set up in the IMI system with either one or both of the technical roles set out below. These are used by the system to determine exactly which authority should receive a particular application:

1. EPC default recipient: this is the authority which receives all incoming applications submitted by a professional or transmitted by the home CA for a clearly defined geographical area, profession and regime.

For example, if the application concerns the profession of nurse responsible for general care under the General system regime and if the identified home member state is France, the application will be dispatched to the competent authority ABC in France or in one of its departments.

2. EPC default coordinator: this is the authority to which applications are automatically forwarded (for a geographical area, profession and regime) if they are not accepted by the Default recipient within two week-days of submission or transmission by the home CA.

When member states are deciding which authorities could potentially deal with EPC applications, they will face some constraints when assigning the technical roles:

1. Constraints when assigning the role of default recipient:
   - At least one authority in a member state must be given the role of default recipient for each profession (or all professions);
   - Within a certain geographical area of competence, profession and regime, only one authority can be given the role of default recipient;
   - If more authorities need to be registered for the same profession and regime in the same geographical area, the default recipient will allocate incoming applications to the other authorities.
2. Constraints when assigning the role of default coordinator:
   - At least one authority in a member state must be given the role of default coordinator;
   - Within a certain geographical area of competence, profession and regime, only one authority can be given the role of default coordinator.

Administrative structure

Given the constraints above, member states can structure the network of competent authorities in a

very flexible way and in a way that is adapted to the administrative structure in place in that country.

Examples of possible structures:

1. One competent authority at national level is given the roles of both default coordinator and default recipient for all professions. This means that any incoming application in that country will be received by this authority, which will then forward it to the right authority.
2. One competent authority at national level is given the role of default coordinator for all professions, and one authority at national level is given the role of default recipient for each profession.
3. The structures above are organised at regional level, and so on.

7 Glossary

In the table below you will find a jargon-free explanation of the terms used in this guide.

Term	Explanation
European Professional Card - EPC	The EPC is the first EU-wide electronic procedure, allowing professionals to have their qualifications recognised in the context of establishment or provision of services on a temporary or occasional basis in another country than the one of current legal establishment or residence
EPC Front-office & IMI Back-office	The EPC Front-office is a web platform accessible to professionals for the purposes of requesting recognition of their professional qualifications.
	The IMI Back-office is a web platform used by competent authorities to handle EPC applications
EPC application	A request in electronic form for the recognition of a professional qualification submitted by a professional through the EPC Frontoffice and containing all necessary information and supporting documents required by the host member state
EPC certificate	A digitally signed PDF document that professionals or competent authorities can generate when the requested recognition of professional qualification has been granted. It contains the information identifying the professional and the details of the granted recognition.
Third parties validity check	Web tool open to the public for verifying the authenticity and the validity of an EPC certificate
Home member state	EU country where the professional is legally established when it makes the application or where the professional qualified, if not yet legally established
Host member state	EU country where the professional intends to establish or provide services on temporary or occasional basis and where, for such purpose, its professional qualifications need to be recognised
Home competent authority (CA)	Authority in the home country responsible for handling submitted EPC applications according to its competencies in terms of geographical area, profession and recognition regime
Host competent authority (CA)	Authority in the host country responsible for handling an EPC application transmitted by the home CA according to its competencies in terms of geographical area, profession and recognition regime
Recognition regime	Type of administrative procedure for the recognition of a professional qualification applicable to a specific case

Term	Explanation
Automatic recognition	Recognition regime applicable to regulated professions whose minimum training conditions are harmonised at European level (doctors, nurses responsible for general care, dentists, veterinary surgeons, midwives, pharmacists and architects) or occupations mutually recognised on the basis of professional experience in the crafts, trades and industry sectors
General system	Recognition regime applicable to professions which do not fulfil conditions for automatic recognition
Prior check of qualifications	Recognition regime that requires the verification of qualifications in the country of destination in case of temporary mobility
Tacit recognition	Recognition granted automatically by the system when the host CA fails to take a decision within the deadline applicable to the specific case
Compensation measures	Mechanisms for assessing theoretical knowledge and practical skills which might be required for accessing professions falling under the general system regime in case of substantial differences between the two member states involved
EPC default recipient	Authority that receives all incoming applications submitted by a professional or transmitted by the home CA for a specific geographical area, profession and regime.
EPC default coordinator	Authority to which applications are automatically forwarded if they are not accepted by the default recipient within two weekdays of submission or transmission by the home CA

8 Resources

IMI WEBSITE: http://ec.europa.eu/internal_market/imi-net/

IMI HELPDESK: imi-helpdesk@ec.europa.eu

NATIONAL IMI COORDINATORS: http://ec.europa.eu/internal_market/imi-net/contact/index_en.htm

'YOUR EUROPE' WEB SITE: http://europa.eu/youreurope/

'FREE MOVEMENT OF PROFESSIONALS' PAGES:
http://ec.europa.eu/growth/single-market/services/free-movement-professionals/