Changes to legislation: *Commission Regulation (EU) No 623/2012 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commission Regulation (EU) No 623/2012 of 11 July 2012 amending Annex II to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications (Text with EEA relevance)

COMMISSION REGULATION (EU) No 623/2012

of 11 July 2012

amending Annex II to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications[(1)], and in particular the second paragraph of Article 11 thereof,

Whereas:

(1) Poland has submitted a reasoned request for amendment to Annex II to Directive 2005/36/EC.

(2) Poland has requested an amendment to the content of training for the profession of train dispatcher (‘dyżurny ruchu’), a profession which is already included in Annex II to Directive 2005/36/EC. These training programmes fulfil the conditions set out in Article 11 (c)(ii) of Directive 2005/36/EC as they provide training which is equivalent to the level of training provided for under Article 11 (c)(i) of that Directive, provide a comparable professional standard and prepare the trainee for a comparable level of responsibilities and functions, as is apparent from the following legislation: Act on the implementation of the education system reform of 8 January 1999 (Official Journal of the Republic of Poland of 1999 No 12, pos. 96); Railway Transport Act of 28 March 2003 (Official Journal of the Republic of Poland of 2003 No 86, pos. 789); Regulation of the Minister of Infrastructure of 16 August 2004 on a list of posts directly associated with railway traffic operation and safety, conditions that should be met by persons filling these posts and driving railway vehicles (Official Journal of the Republic of Poland of 2004 No 212, pos. 2152); Regulation of the Minister of Infrastructure of 18 July 2005 on the general conditions for railway traffic operation and signalisation (Official Journal of the Republic of Poland of 2005 No 172, pos. 1444).

(3) Poland has also requested the addition of the profession of train manager (‘kierownik pociągu’) to Annex II to Directive 2005/36/EC. The training programmes for this profession fulfil the conditions set out in Article 11 (c)(ii) of that Directive as they provide training which is equivalent to the level of training provided for under Article 11 (c)(i) of that Directive, provide a comparable professional standard and prepare the trainee for a comparable level of responsibilities and functions, as is apparent from the

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following legislation: Act on the implementation of the education system reform of 8 January 1999 (Official Journal of the Republic of Poland of 1999 No 12, pos. 96); Railway Transport Act of 28 March 2003 (Official Journal of the Republic of Poland of 2003 No 86, pos. 789); Regulation of the Minister of Infrastructure of 16 August 2004 on a list of posts directly associated with railway traffic operation and safety, conditions that should be met by persons filling these posts and driving railway vehicles (Official Journal of the Republic of Poland of 2004 No 212, pos. 2152); Regulation of the Minister of Infrastructure of 18 July 2005 on the general conditions for railway traffic operation and signalisation (Official Journal of the Republic of Poland of 2005 No 172, pos. 1444).

(4) Poland has also requested the addition of the profession of inland navigation engineer (‘mechanik statkowy żeglugi śródlądowej’) to Annex II to Directive 2005/36/EC. The training programmes for this profession fulfil the conditions set out in Article 11 (c)(ii) of that Directive as they provide training which is equivalent to the level of training provided for under Article 11 (c)(i) of that Directive, provide a comparable professional standard and prepare the trainee for a comparable level of responsibilities and functions, as is apparent from the following legislation: Act on the implementation of the education system reform of 8 January 1999 (Official Journal of the Republic of Poland of 1999 No 12, pos. 96); Regulation of the Minister of Infrastructure of 23 January 2003 on the professional qualifications and composition of inland vessel crews (Official Journal of the Republic of Poland of 2003 No 50, pos. 427).

(5) Directive 2005/36/EC should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on the recognition of professional qualifications,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Directive 2005/36/EC is amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 July 2012.

For the Commission

The President

José Manuel BARROSO

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