

*Services Directive:
consolidation of achievements
- and future actions*

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Context

Deadline for the implementation of the Services Directive was end 2009.

Implementation involved major efforts at:

- Legislative level: reviewing and amending existing legislation/drafting new legislation;*
- « Practical » level: mainly measures to facilitate/enable the implementation of administrative cooperation and Points of Single Contact/electronic -procedures.*

Main achievements

Legislative work

22 MS have adopted their "horizontal legislation" implementing the Services Directive. 2 MS have their horizontal legislation in Parliament and one is still drafting it.

2 MS have included the general principles of the Directive in several acts, no horizontal act.

The number of implementing acts notified to the Commission so far - 900 acts (a good number are "omnibus laws"). Work still ongoing in a number of MS as regards changes in "sector specific" legislation.

Points of Single Contact

State of play

22 MS have put in place PSCs (so-called “first generation PSCs”): information is provided and some completion by electronic means is possible;

Completion of key procedures available in approximately 14 MS (in many cases only for « national » providers);

Currently information is mainly provided in national languages, especially at a more detailed level (forms) but a number of MS already include other languages, to varying degrees.

Administrative cooperation

Specific application has been developed by the Commission - "IMI system" application for the Services Directive – to enable authorities to cooperate directly and to exchange information on service providers.

Key features of IMI system: multilingual tool, authority search, secure system, etc.

Up to now around 5000 authorities from all Member States have been registered in this application.

Administrative cooperation = long-term obligation.

Uptake is progressively growing- around 130 information requests have been exchanged in 2010 – more training and time is needed to develop an « administrative cooperation reflex » in national administrations.

Mutual evaluation

In total 35.000 requirements have been notified to the Commission under Art.39.

The Services Directive foresees a mechanism of peer review ("mutual evaluation") of those requirements. This is a novel mechanism based on cooperation between Member States and the Commission.

The aim is to create transparency as to the results of the implementation of the Directive and to assess the state of the Internal Market for services.

The mutual evaluation has been ongoing since beginning of this year and its results will serve as input for future policy for services in the internal market.

Future work Policy level

The Directive requires that, at the end of the mutual evaluation, end 2010, the Commission presents a report to the European Parliament and the Council summarising its results.

It will concentrate on most important conclusions from the "mutual evaluation" process and will outline future steps regarding areas or issues where further action - whether legislative or other- may need to be considered.

Future work

Points of Single Contact

Further work needed:

- in the short term: to have the functioning PSCs in place in all MS;*
- in a longer term: to improve usability of PSCs by businesses (multilingualism, ease of search, additional information and completion of procedures beyond the SD): enhancement of PSCs into the so – called « second generation » PSCs (in line with the Digital Agenda);*
- to market the PSCs, in particular to SMEs who are the main users (over 99% of providers).*

Future work

Points of Single Contact (2)

A number of support activities foreseen by the COM:

- an external study foreseen for 2011 to assess the "state of play";*
- setting up of a network of those responsible in MS for the PSCs (the "EUGO network") to develop benchmarking work and continue exchanging best practices;*
- continuation of work to facilitate the cross border use of electronic procedures (two Decisions adopted so far under Comitology, one in preparation, providing software for implementation), continuation of CIP pilots (SPOCS), other support activities.*

Thank you for your attention!

European Commission 
Internal Market & Services DG