



MINISTRY OF
ECONOMIC AFFAIRS AND
COMMUNICATIONS

Cooperation in clusters and implementing the services directive

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Transposition of the Services Directive

Estonia transposed the ***Services Directive 2006/123/EC*** into the national law with the ***European Union Services Directive Implementation Act*** (entered into force on 28 December 2009)



Services Directive

Main challenges are related to the ***administrative simplification***, such as:

- Establishing ***Points of Single Contact (SPC)*** in all Member States to enable service providers receive information in one place and complete the required formalities by electronic means
- Estonia has created its *SPC* in an electronic form in the State Portal at www.eesti.ee/eng/business

Services Directive

- Application of the ***Internal Market Information system (IMI)*** to facilitate supervision over cross-border service providers between competent authorities of the EU Member States
- IMI is currently being applied in relation to the ***Services Directive 2006/123/EC*** and the ***Professional Qualifications Directive 2005/36/EC***. However, as the system has proved useful and reliable, the system could be extended also to other sectors

Services Directive - Administrative simplification

- The Services Directive provided for an obligation for the Member States to **screen** all their existing authorisation schemes and, as a result, **abolish** those in contradiction with the provisions of the Services Directive, or **simplify** them, if possible
- By the end of 2009, Member States were required to **report** the Commission of all the ***maintained schemes***, and provide justifications for them

Services Directive (Art 39) - Mutual evaluation

- For the first time, the Commission initiated a practical *mutual evaluation exercise* in small groups, i.e. *clusters*
- Member States were divided into **6 clusters** with 5 Member States in each

Member States by Clusters

- **Cluster 1** – *the Czech Republic, Hungary, Slovakia, Slovenia, Austria*
- **Cluster 2** – *Belgium, France, Liechtenstein, Luxembourg, the Netherlands*
- **Cluster 3** – *Bulgaria, Italy, Malta, Portugal, Spain*
- **Cluster 4** – *Cyprus, Greece, Ireland, Romania, UK*
- **Cluster 5** – *Poland, Norway, Denmark, Germany, Iceland*
- **Cluster 6** – *Sweden, Estonia, Finland, Latvia, Lithuania*

Work in Clusters - Services sectors chosen for evaluation

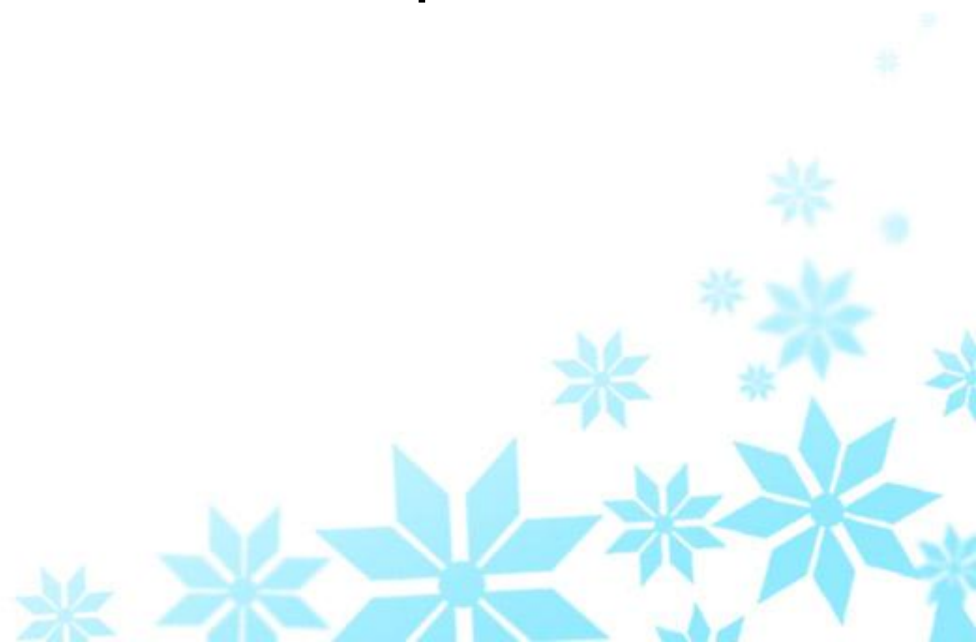
- *Wholesale and retail services*
 - *Construction and property related services*
 - *Real estate activities*
 - *Tourism and related services*
 - *Food and beverage services*
 - *Services of the regulated professions*
 - *Business services*
 - *Private education services*
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Work in Clusters

- Clusters organised several meetings, communicated by e-mail and on the phone
- Each Cluster member prepared **a report** on the situation in all the Cluster Member States **on one or two of the sectors** (e.g., on tourism sector)
- Each cluster chose a Member State to be a **rapporteur** to the Commission and prepare the **final report** on the basis of the '**small reports**' prepared by other Cluster members

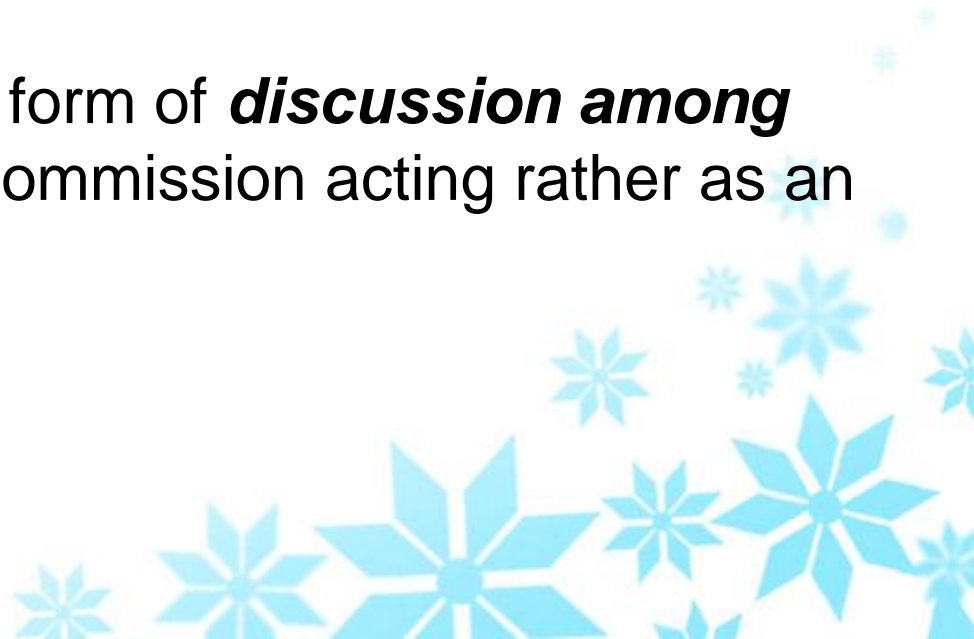
Work in Clusters

- The idea of the report was to find **best practices** in administrative procedures and requirements imposed on service providers



Work in plenary meetings

- Since March 2010, monthly ***plenary sessions*** have taken place in Brussels where the requirements are discussed on the basis of the reports submitted to the Commission by Member States, and of the Cluster reports
- The work is organised in a form of ***discussion among Member States*** with the Commission acting rather as an observer and mediator




Work in plenary meetings

- As a result of the plenary meetings, the Commission will prepare ***a report to the European Parliament and to the Council at the end of this year*** with proposals for additional initiatives



Work in plenary meetings

- It has appeared that there were not many unjustified requirements in the Northern and Central part of the Europe
 - However, there are quite many requirements in countries where more power has been given to local authorities
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Main types of requirements imposed on service providers

- *Requirements applying to establishment in a MS*
- *Obligation to register in a registry*
- *Quantitative and territorial restrictions*
- *Legal form requirements*
- *Shareholding requirements*
- *Fixed minimum/maximum tariffs*
- *Minimum number of employees*
- *Ban on having more than one establishment*
- *Multidisciplinary requirements*
- *Requirements applying to cross-border services*

Thank you!

