

# Transport operator: mutual recognition of diplomas, free establishment

1997/0029(SYN) - 30/03/1998 - Commission communication on Council's position

Discussion mainly centres on professional competence, the majority of Member States wishing to retain provisions for purely national operators and for those who already have five years' relevant experience. To limit the potential impact of 'diploma tourism' while at the same time minimizing any potential regression in the mutual recognition of certificates, a time-limit provision was inserted. The Commission hopes that implementation of the directive will lead to greater harmonization of the standards of professional competence throughout the Union, thus rendering the provision unnecessary. However, if the Commission considers that harmonization remains insufficient, it could propose an extension of the provision for a further five years. It considers that this is a workable compromise and will keep the situation under review. The establishment of regular checks on all three criteria (good repute, financial standing and professional competence) at least once every five years was the minimum which the Commission would accept. Moreover, the fact that application of the directive is combined with clear sanctions for enforcement will allow any significant variations between Member States to be highlighted. As the Member States have accepted the main thrust of the Commission proposal and the controversial element concerning 'diploma tourism' will be time-limited and subject to consultation and review, the Commission is in favour of the text of the common position.