



Services Directive Implementation in the Czech Republic

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Services in the Internal Market

■ Directive 2006/123/EC on services in the internal market

→ („the Services Directive“)

aims to **liberalize trade in services** in the Internal Market

- productivity gap between US and EU in the services sector remains about 30 %
- economic gains from implementation of the Services Directive were estimated between 0,6-1,5 % GDP

Directive 2006/123/EC on services in the internal market in the Czech Republic

- **successfully implemented and effective as of 28 December 2009**
- **two legislative Acts**
 - **Act no. 222/2009 Coll. on Free Movement of Services (“horizontal law“)**
 - **Act no. 223/2009 Coll. changing sector specific legislation**

Act on Free Movement of Services - no. 222/2009 Coll.

- Definition of **cross-border provision** of services
- Definition of services of general economic interest
- **Conditions regulating authorization processes**
- **Administrative simplification** (recognition of certificates, recognition of obligatory insurance, obligation to disclose information by service providers, etc.)
- **Points of Single Contact (PSCs)** + specification of information provided
- Use of **IMI system** by public authorities
- Institute of **„tacit consent“** for public authorities

Act changing sector specific legislation – no. 223/2009 Coll.

Screening:

- all the legislation on the national level as well as legislation of professional bodies screened
- more than **300 Acts**
- about **90 authorization schemes** and procedures **identified**
- **36 authorization schemes harmonised** with the SD

Enforcement of Services Directive rules in the future Czech legislation

- Legislative guidelines ensuring that rules of the SD will be obeyed in the future CZ legislation
 - Part of **Legislative Rules of Government**
- **Legally binding rules** for drafting legislation
- Applies on regulation of services under the scope of Act on free movement of services

Content of Legislative Guidelines

- **general rules for authorisation schemes** (non-discrimination, proportionality, etc.)
- **rules for settlement authorisation schemes** (no territorial or time restrictions, prohibited requirements, etc.)
- **rules for regulation of cross-border provision of services** (limitation of exceptions – public interest, prohibited requirements, etc.)
- **tacit consent** (conditions under which tacit consent shall be incorporated into drafted law)
- **notification of modified or newly introduced authorisation schemes** (to the Ministry of Industry and Trade on prescribed form – Ministry informs European Commission)

Mutual evaluation

- Identify and eliminate **unnecessary authorization schemes** in the MS
- Assessment of the **proportionality** of own requirements on service providers compared to other MS – arguments for their modification/removal
- **Facilitate cross-border provision** of services
- Identify **best practices** in the MS
- Identify the “**weak points**“ (for example professional qualifications)

Mutual evaluation outcome: „weak points“ identified

- Problematic **relation** between the **Services Directive** and **Professional qualifications Directive** in the case of cross-border provision of services
- Mutual recognition of required **insurance/ financial guarantee** (e.g. travel agencies)
- **Different regulation and standards** (e.g. construction sector – regulation of activity by technical standards vs. regulation of profession)

Services Directive: Future challenges

■ Operation of **PSCs** in other MS in **English**

- there is no legal obligation in the SD
- Majority of MS already provide for translations into EN or other language (CZ – obligatory in English)

■ Promote the use of **IMI system**

- for verification of documents, verification of professional qualification
 - currently **low volume** of mutual assistance of public authorities in the services module)
- absence of **machine translations** to all languages – language barrier to communication between authorities
- **extend use of IMI to other areas**: e.g. posting of workers

Jednotné kontaktní místo

Konzultace vašich prvních podnikatelských kroků

POINTS OF SINGLE CONTACT in the Czech Republic

1. Organization of PSCs
2. Overview – first experience
3. Future priorities in consolidation of PSCs

1. Organisation of the PSCs

- **Electronic and physical approach**
 - responds to the individual needs of clients
- **15 PSCs located in all regions**
- **Online portal: www.businessinfo.cz**
www.eu-go.eu

Physical PSCs

- **15 PSCs** : One in each region + 2 in Prague
- **Selected Trade Licensing Offices**
 - part of the Civil Service
 - possibility to supervise the quality of services
- **Services adapted to clients**
- Service available also in **English** – English certificate of employees required by the grant conditions

Electronic PSC

www.businessinfo.cz

- **Complex updated online information – available also in English**
 - General information on providing services in other MS
 - Detailed information on providing services in CZ
 - Detailed information on authorisation schemes in CZ

- **Online applications for authorisation**
 - Step by step explanations
 - Online forms
 - Completion requires electronic signature

- **Option to send a query to the physical PSC**

2. First experience

Data available after the first 9 months of operation

- more than **500 requests** on PSCs and more than **40.000 web portal visitors**
- the busiest PSCs are in Ostrava, Jihlava, Prague and Brno
- in most cases wholesale and retail, crafts, food&beverages, social services, construction services,
- most of them (approx. 70%) on cross-border provision of services in neighbour countries (AT, DE, PL, SK)

3. PSCs' future priorities

- **Goal: “First choice of the clients – service providers“**
 - **More complex information**
 - **Regular update** of information
 - **All authorisations accessible online**
 - **Knowledge database SINPRO**
 - **Regular training** for PSCs' staff

Vision of the EU Internal Market Department



- To be the **first choice of clients** (business and public) among services which **assist** them in the field of free movement of persons, goods and services
- **Goal is to provide an excellent assistance to fully exploit the potential of the EU Internal Market**

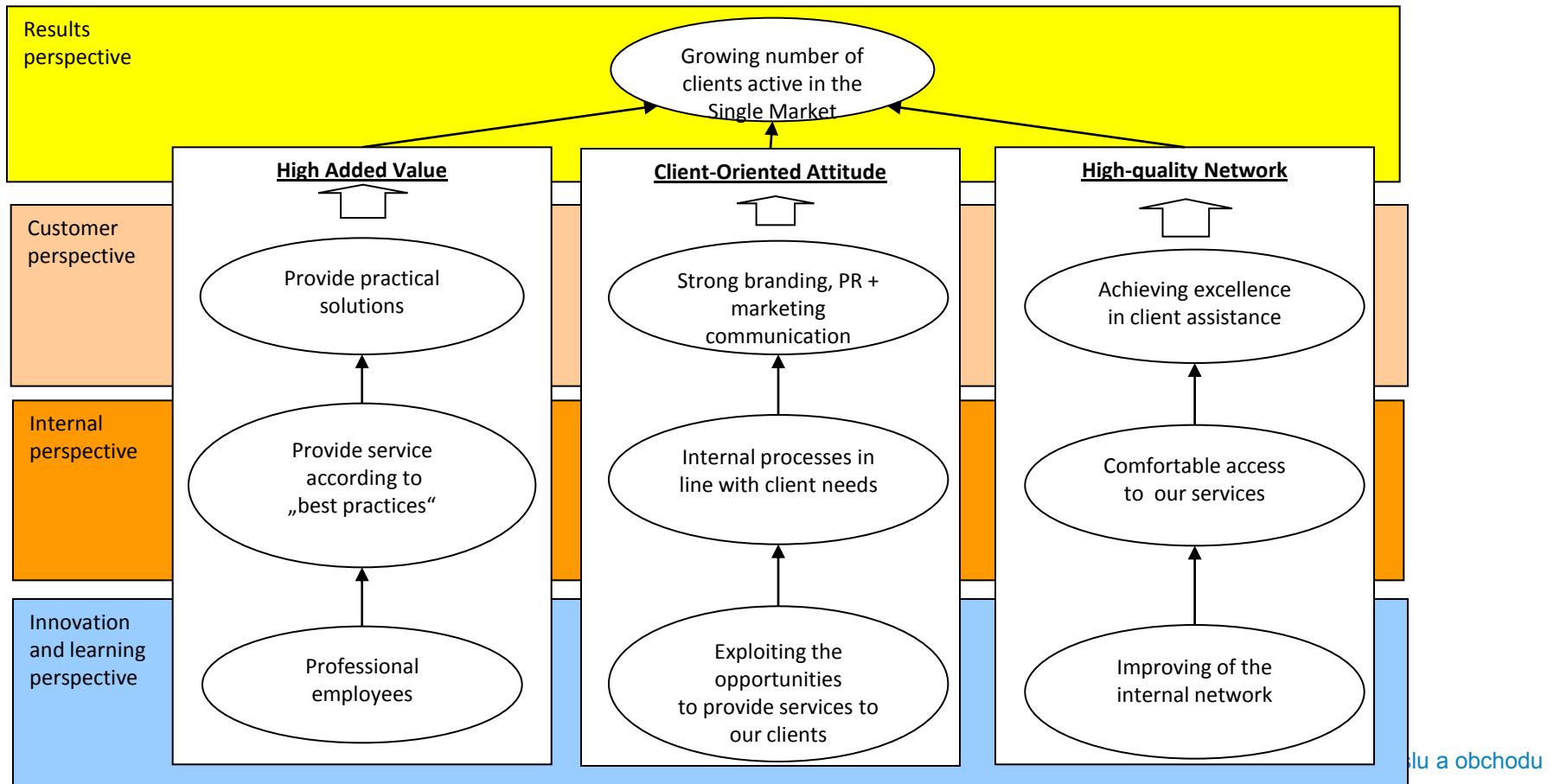
VISION

To be the first choice of clients (business and public) among services which assist them in the field of free movement of persons, goods and services



MISSION

Our professional services assist business and citizens to fully exploit the potential of liberal Single Market in the area of free movement of persons, goods and services.



Services provided by the EU Internal Market Department

■ Points of Single Contact

- established by Services Directive
- electronic as well as physical

■ Solvit Center Czech Republic

■ ProCoP – Product Contact Point Czech Republic

Client-oriented attitude

- **Removal of internal barriers between services (PSCs, Solvit, ProCoP) to the benefit of client**

- **Integrated marketing of all services**
 - change in PR and marketing communication
 - reaching out to potential clients
 - marketing of concrete and practical assistance available to client at one access point
 - easy access to information for clients

High-quality Network

- **Qualified and complex assistance**
- **Assistance network easy to identify**
- **Access for clients (no wrong doors policy)**
- **Integrated information system** which includes the **knowledge database** – sharing of information to the benefit of clients
- **Result-oriented evaluation**

Any questions?

Thank you for your attention!