

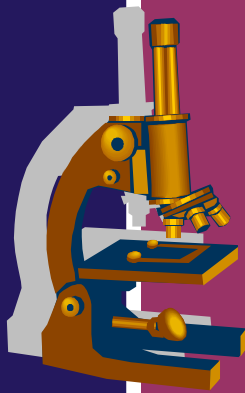
EUROCHAMBRES

Policy Survey

Mapping the implementation of the Services Directive in EU Member States

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The Chambers' perspective

May 2007



A. INTRODUCTION

Equal and fair transposition and implementation on the ground are critical if the Directive is to help businesses in Europe. However, EUROCHAMBRES notes differing application of the Services Directive in different countries, in terms of legislative and policy environment. In some countries, the business community seems to be involved deeply, in others not at all. There is confusion and uncertainty over the Point of Single Contact (PSC). There is a need to have a full picture of the situation in Member States – hence this EUROCHAMBRES survey, leading to the following proposals...

B. EUROCHAMBRES' POLICY PROPOSALS

1. There is a lack of specificity in the PSC model presented in the Directive. **The nature, role and tasks of the PSC need to be further clarified** during the course of 2007 through guidelines from the European Commission.
2. The Commission should **regularly monitor and review the process of implementation of the Services Directive and the results of this ongoing review should be presented yearly at the Spring Summit meeting as well as included in the Internal Market Scorecards.**
3. The European Parliament should assume a role in the monitoring and reviewing process and should hold **an open hearing on the Directive's implementation** in mid-2008.
4. Thorough **consultation with stakeholders** should be ensured throughout the whole implementation process. By-yearly meetings between Commission, Member States and business representatives should be organised.
5. Timely and correct implementation of the Directive must be ensured, also taking into account efforts toward better regulation. The publication of **correlation tables**, as foreseen in the 2003 Inter-Institutional Agreement on Better Lawmaking would be extremely useful to encourage Member States to correctly transpose and implement the Services Directive and, more generally, all legislation.
6. The Commission should devote more resources to **SOLVIT** to foster linkage between the network and the practical implementation of the Directive on the ground, with specific regard to evaluating the screening of existing legislation by Member States.
7. **The e-signatures directive should be reviewed and recast** if necessary, given the fact that the EU Member States have implemented that Directive in a non-

interoperable manner. The Services Directive should help open up public procurement across borders – but this will not happen if the (increasingly electronic) bidding processes create discrimination in favour of domestic companies only.

C. EUROCHAMBRES' QUESTIONNAIRE

1. Has your national government been in dialogue with your Chamber association as the Services Directive neared the end of the legislative process in Brussels? If so, what form has the communication typically taken?
2. The Directive will be posted in the Official Journal, early in 2007, and there will then be a three-year implementation phase, followed by six months when state plans are reviewed, before the Directive is finally in place in July 2010. What mechanisms has your government put in place to project manage the implementation arrangements? Has the government involved the Chamber network in this mechanism? If so, in what way?
3. The Points of Single Contact (or Single Points of Contact): Has your government indicated a preferred approach to establishing a PSC? If so, what is the essence of that approach? Is the Chamber network involved? If so, how?
4. Process of screening: Is your government establishing a means to screen existing national legislation to ensure that it does not enter into conflict with the Services Directive's purpose and practice? If so, what work is under way? Is the Chamber network involved? How?
5. Provisions of Mutual Assistance: What is your national approach to establishing 'mutual assistance provisions' across the EU? Is the Chamber network involved? How?
6. Are you aware of your national government's representatives talking to other EU Member States about collaboration during the implementation?



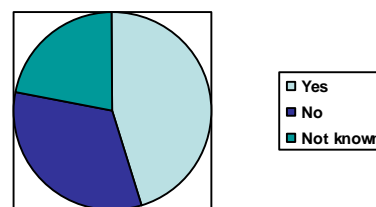
D. EU WIDE RESULTS

On the basis of inputs provided by **26 Chambers of Commerce from...**

<ul style="list-style-type: none">• Austria• Belgium• Bulgaria• Czech Republic• Cyprus• Denmark• Estonia• Finland• France• Germany• Greece• Hungary• Ireland	<ul style="list-style-type: none">• Italy• Latvia• Lithuania• Luxembourg• Malta• Netherlands• Poland• Portugal• Romania• Slovakia• Spain• Sweden• UK
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...we can draw a 'quantitative' overview of the Chambers' involvement in the implementation process...



<u>SUMMING-UP</u> <u>TABLE –</u> <u>Chambers</u> <u>involvement</u>	YES	NO	NOT KNOWN
Q1. Dialogue between government and Chamber	12	8	6
Q2. Mechanisms to project manage the implementation	11	7	8
Q3. Point of Single Contact	7	8	11
Q4. Screening activities	6	12	8
Q5. Mutual Assistance provisions	4	12	10
Q6. Collaboration between Member States	13	/	13

These numbers are based on answers provided by 26 Members, except Slovenia

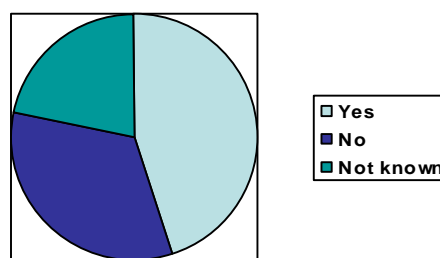


Question 1: Has your national government been in dialogue with your Chamber association as the Services Directive neared the end of the legislative process in Brussels? If so, what form has the communication typically taken?

- **Nearly half of EU Chambers (12)** have been fully engaged in a dialogue with national authorities in the last phase of the legislative process at EU level

- **Different forms of dialogue:**

- consultations
- working groups
- advisory bodies
- stakeholders groups



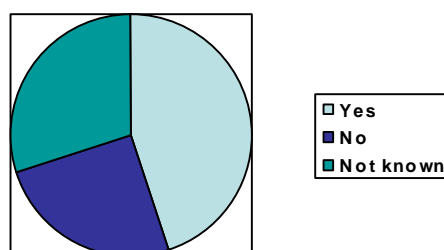
- **About one-third of EU Chambers** haven't been involved at all and haven't been provided with relevant information regarding the Services Directive

Question 2: The Directive will be posted in the Official Journal, early in 2007, and there will then be a three year implementation phase, followed by six months when state plans are reviewed, before the Directive is finally in place in July 2010. What mechanisms has your government put in place to project manage the implementation arrangements? Has the government involved the Chamber network in this mechanism? If so, in what way?

- General activities to project manage implementation are being planned in a number of countries (10)...BUT...
- **...few Member States (NL, UK, CZ...) have adopted detailed strategies or action plans**

- These mechanisms took the form of:

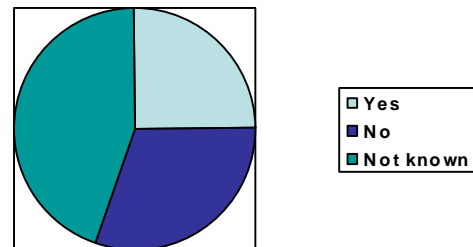
- special working groups
- incremental strategies
- project groups
- special secretariats



- About **40% of Chambers of Commerce and Industry declared to have been involved** by national authorities in the process (11)
- Importantly detailed implementation plans still have to be tabled in many 'big' EU Member States, notably **Germany, Italy, and France**

Question 3: The Points of single contact (or Single points of contact): Has your government indicated a preferred approach to establishing a PSC? If so, what is the essence of that approach? Is the Chamber network involved? If so, how?

- **A majority of Chambers have been either not involved or do not currently have information at disposal (19)**
- Some Chambers are in the process of evaluating **pros and cons of becoming PSC**, as foreseen in the Directive
- In some countries, national authorities have clearly indicated Chambers of Commerce and Industry as the most suitable PSC
- Existing arrangements such as business gateways and one-stop-shops (i.e. BusinessLink, Enterprise Ireland, 'bedrijvenloket' in the Netherlands...) will likely take up the role of PSC, as there is an understandable preference on the side of national authorities **to make use of existing administrative tools** instead of creating new ones

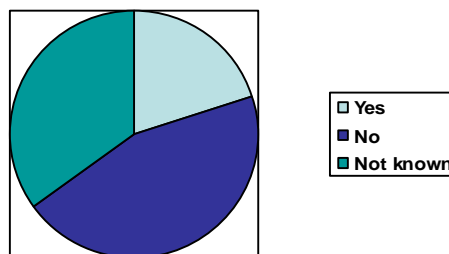


Question 4: Process of screening: Is your government establishing a means to screen existing national legislation to ensure that it does not enter into conflict with the Services Directive's purpose and practice? If so, what work is under way? Is the Chamber network involved? How?

- Chambers have been asked to contribute identifying conflicting legal requirements in the framework of the overall implementation of the screening process only **in a minority of countries (6)**

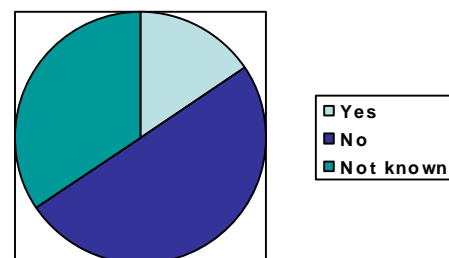


- A number of countries (9) started to implement screening activities. Most national administrations still have to table screening plans
- The relevant national Ministries normally take charge of the screening – **no major role is normally envisaged for Chambers**



Question 5: Provisions of Mutual Assistance: what is your national approach to establishing 'mutual assistance provisions' across the EU? Is the Chamber network involved? How?

- **A few Chambers (4)** are involved with regard to 'mutual assistance provisions'
- While recognising the importance of this provision for a successful enforcement of the Directive, **the great majority of Chambers are either not involved or not informed at this stage (22)**



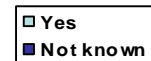
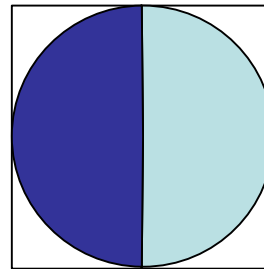
- **Many Chambers mentioned the IMI** (Internal Market Information system), an electronic network for the communication between competent authorities in the Member States which is currently being set up by the Commission, as a potentially effective tool in this respect

Question 6: Are you aware of your national government's representatives talking to other EU states about collaboration during the implementation?

- Member States' representatives participate in working groups at EU level on a number of specific issues related to the implementation of the Directive
- **Half of the Chambers do not have any information available** on this point (13) while the other half (13) is informed about some forms of collaboration between national authorities.



- In some countries, there seem to be plans for establishing **specific frameworks for discussion** (Baltic - Nordic)
- There are a few **bilateral fora** to exchange experiences (Netherlands – Sweden)



...overall, with regard to the Chambers' involvement in the process and to their specific role on the implementation of the Directive...

- The scenario could improve in terms of both active **participation and information gathering**
- **Implementation activities should be closely monitored** in order to see whether Member States are actually delivering in terms of legislative transposition and implementation. **Chambers should exert adequate pressure on national administrations**, given the importance of this legislative piece for businesses. In this context, Chambers should report any significant implementation delays
- Activities and policy processes in which Chambers could provide input given their business role and expertise, should be attentively screened and monitored
- Carefully **evaluate pros and cons** with regard to the possibility to take up the role of PSC
- **Ensure a timely and effective coordination of the Chambers' network** in view of sustaining efforts in having a proper implementation of the Directive



E. COUNTRY-SPECIFIC RESPONSES

Austria

1. WKÖ (Austrian Federal Economic Chamber) has been in dialogue with the Ministry in charge of the Services Directive (Federal Ministry of Economics and Labour) during all stages of the legislative process. We got information, were consulted and invited to working group meetings.
2. The Services Directive has been published in December 2006: http://eurlex.europa.eu/LexUriServ/site/en/oj/2006/l_376/l_37620061227en00360068.pdf. According to Art. 44, Member States have to implement the Directive before 28 December 2009. The Federal Ministry of Economics and Labour, in a first step, consulted other Ministries and social partners (WKÖ included) on the legislative means to best implement the Directive, the PSC and existing authorisation schemes. There will be working groups on different topics to prepare and guide the implementation. WKÖ will take part in the relevant groups.
3. For the time being, no decision has been taken. WKÖ is involved in the discussions. At the moment we are assessing the pros and cons of becoming PSC.
4. Ministries and social partners (WKÖ included) have been asked to identify conflicting national requirements.
5. Work is in progress with the aim to further develop the IMI. WKÖ is informed regularly. We will continue to ask for the establishment of an instrument on the enforcement of administrative decisions to complement the Services Directive. Only such an instrument can guarantee that legal offences can be sanctioned and, thus, that fair competition is ensured.
6. The European Commission is planning working group meetings with the Member States on different topics (PSC, authorisation schemes and electronic procedures). Those meetings will allow Member States to share their views.

Belgium

The Chambers in Belgium are no social partners and are not directly involved in these policy matters.



Bulgaria

1. No, the government had not been in dialogue with the BCCI on the Services Directive.
2. The government has planned no action to project manage the implementation of the Directive yet. The Chamber is not involved in any kind of process.
3. No, it hasn't although BCCI is interested in the process.
4. No, it still hasn't.
5. The Services Directive covers the bulk of BCCI activities, such as business services, management consultancy, certification and testing. Its implementation is crucial for our organization as a whole as well as for the Chambers' network. There are three key fields for BCCI: i) the registration of the foreign companies in the Trade Register of BCCI that in addition gives guarantee for transparency of occurring changes in status or management of a company; ii) the certification of the goods where BCCI provides evidence to the acquirer that a product meets contractual or otherwise specified requirements; iii) training and education which helps drive the success of business as BCCI holds national leadership.
6. No, we are not.

Czech Republic

1. Yes, the Economic Chamber of the Czech Republic has been involved in the process of negotiations concerning the Services Directive as a member of an advisory body of the Ministry of Trade and Industry of the Czech Republic, which is the national competent authority for negotiation and implementation of the Directive. This advisory body, named Council for the Development of the Business Environment in the Czech Republic, has created a Working Group on Services. This group has been in touch with the parties involved (state administration, social partners - including the Economic Chamber) mainly electronically and through bi-monthly meetings. The position of the Czech Republic within the process of negotiations in the Council has been discussed and the partners have been informed on recent developments.
2. After the publication of the Directive, the Ministry of Trade and Industry has published and submitted to the Government an implementation strategy. In this regard, the Ministry is planning to create an inter-departmental group of



experts in which the Economic Chamber would be included. The intention of the Ministry is to implement the Directive via a framework transposition legal act and by parallel amendments of the other legislation relating and impacting on services in the Internal Market.

3. The Ministry has commissioned to a consultancy agency an evaluation study concerning the implementation of the PSC in the Czech Republic. Although the results of the study have not been officially published yet, the Economic Chamber is already informed that the study has recognised as most suitable location for the set up of the PSC the branch-offices of the Economic Chamber, established in 180 places all over the country within the framework of the EC CR project "Information points of entrepreneurs". The EC CR is already able to provide entrepreneurs with all the information needed for setting up business in the country and 19 offices also serve as a PSC for getting extracts from public registers (Commercial Register, Penal Register, Cadastre of Immovable and Trade Register). In the forthcoming period, we have to focus on widening our services also for foreign entrepreneurs wishing to start a business in our country. The preliminary plan of the Ministry is, according to our information, to establish PSC at regional level, thus meaning 12-14 points spread all over the country.
4. Yes, the Ministry of Trade and Industry has already launched screening procedures, revising all national legislation within its own competence and of other pending legislation. In this respect, every national administrative authority should be obliged to provide the Ministry with relevant information during in the coming months. The Economic Chamber is only involved as an observer in this process. However, we had the opportunity to comment on the Implementation Plan and our remarks have been fully taken into account.
5. The Ministry of Trade and Industry of the Czech Republic as the national responsible for implementation of the Services Directive is actively involved in the IMI System and is currently exchanging information on best practices in other EU Member States. The Economic Chamber of the Czech Republic is informed about every step taken by the Ministry, is present on informational and educational events held by the Ministry and is informed about the activities of the Ministry within the European Commission Expert Group for the implementation of the Services Directive.
6. Yes, according to our information the Ministry of Trade and Industry co-operates officially and also at working level with the other EU Member States. Recently the Ministry hosted an international seminar with a presentation by Mr. Leapman from DG Markt, where the implementation process has been largely discussed.

Cyprus

1. Yes, it has. The Cyprus Chamber of Commerce and Industry participated in a National Advisory Committee on the Services Directive that was chaired by the Ministry of Commerce, Industry and Tourism.
2. The mechanisms are still under consideration and nothing concrete is in place yet. We do not anticipate that we will be involved in this mechanism but there is a possibility that we will be consulted.
3. Yes, it has. A one-stop-shop for investors is already in place in Cyprus. This “centre” should be expanded to take up the role of PSC in relation to the Services Directive. It is not anticipated whether our Chamber will be involved. In general, no complex structures are to be created in Cyprus.
4. The screening exercise has already started in the framework of the abovementioned National Advisory Committee. In this respect, our Chamber has been involved. The screening is currently carried out in a decentralised manner by national ministries.
5. The government supports the establishment of “mutual assistance provisions” across the EU and is involved in the relevant deliberations that take place at European level. Our Chamber is not involved.
6. Yes we are, through the Ministry of Commerce, Industry and Tourism.

Denmark

There is the interest of Chambers, but there has been no direct involvement with the government yet and we have no comprehensive knowledge of what the 2 governments are doing.

Estonia

1. The government has been involving us throughout the whole process. We received all new legislative versions regularly for comments. This was mainly done by email/phone
2. In January 2007 there has been a meeting with all the ministries and Commission representatives on the issue. The screening process has just started in order to work out concrete mechanisms. The Chamber is not



involved at this stage but it will be later when we can give our input.

3. According to Estonian business law the SPC will be lying with a notary.
4. See question 2.
5. As our Chamber is private, we are currently not playing any role.
6. We are not aware of any concrete development.

Finland

1. The issue has been discussed in meetings with the representatives of the Ministry of Trade and Industry.
2. The Ministry of Trade and Industry is in charge of the implementation arrangements. The Chamber network is not involved.
3. The government is planning to use the existing portal www.yrityssuomi.fi. The chamber network is not involved.
4. Yes. The work is under way. One general study has been made (not published yet) and the ministries must screen legislation on their respective areas before the end of September. The Ministry of Trade and Industry is coordinating this work. The Chamber network is not involved.
5. There might be some difficulties because of IT solutions at the European level. The Chamber network is not involved.
6. The government participates in committees led by the Commission.

France

Il nous est pour le moment impossible de répondre au questionnaire que tu nous as transmis dans la mesure où le Gouvernement français n'a pas, pour le moment, pris d'initiative particulière au niveau de la transposition. En tout cas, sache que nous sommes toujours autant intéressés par le sujet et par les résultats de l'enquête dont tu as bien voulu nous faire part.



Germany

1. The DIHK is in permanent dialogue with the Ministry of Economics and has participated, in autumn 2006, in a workshop hosted by the Ministry. We will take part in a meeting on the implementation at federal level in March 2007.
2. There is a working group at federal level, but so far no strategy has been announced.
3. Not yet.
4. The Ministry of Economics is obliged to screen. No official results so far.
5. We do not know.
6. We do not know.

Greece

1. No, there has been no communication between our government and the Union of Hellenic Chambers of Commerce on this subject.
2. The Chambers haven't been involved in the mechanism. The competent administrative departments of the Ministry of Internal Affairs should incorporate the Directive into national law.
3. We are not informed.
4. Yes, the government is establishing means to screen existing national legislation, but the Chambers have not been involved.
5. No, the Chambers network is not involved and we are not informed about the first part of the question.
6. No, we are not aware. We believe we would know in case of talks taking place between government representatives and other Member States.

Hungary

1. There has been no dialogue.
2. The Ministry of Foreign Affairs is mainly responsible for the implementation of the Directive. There is also an inter-departmental committee and a group of experts led by the Ministry. There is a big number of rules impacting on the Directive in Hungary, which influence implementation. There is a government decision on the basis of which within 2 months after the coming into force of the Directive, a proposal must be made on the legislative harmonization. The Ministry of Foreign Affairs informed the government about the national legislation tasks connected with the Directive in March 2007. The abovementioned working groups are responsible for the realization of these tasks. The representative of the Hungarian Chamber of Commerce and Industry was invited to the meeting only once.
3. The PSC is one of the central issues of the Directive. Since as a general rule the PSC work electronically, it seems reasonable to use the electronic customer gate already in place in Hungary. A government decision ensuring organizational structures should be expected and the physical contact with clients should have exceptional character. The inter-departmental committee devoted one of its meetings to the discussion of PSC, and Chambers representatives were also invited.
4. In the framework of the legislative and administrative screening, under the leadership of the Ministry of Foreign Affairs, every new legal regulation or proposal on the modification of the existing legislation is controlled from the point of view of the stipulations of the Directive. Our Chamber was not included in these activities.
5. Regarding the mutual assistance between Member States, the Internal Market Information System (IMI) will play an important role. It currently being established in the framework of different pilot projects and the system will be practically introduced for the first time through the implementation of the Directive on the recognition of qualifications in October 2007. This system will assure direct contact between the competent authorities. Our Chamber was not included in these activities.
6. There have been regular meetings organised by the General Directorate of the European Community dealing with the Internal Market, with the participation of national experts. Member States can share their best practices, questions of common interest can be answered, in view of a uniform implementation of the Directive. On 3rd of May 2007 a conference has been organised by the Hungarian Chamber of Commerce and Industry and by the TAIEX Office of the European Community on the Directive.



Ireland

1. No.
2. Limited as a part of social partnership discussions. Union scare mongering is driving the governmental agenda as we face into a general election.
3. Enterprise Ireland most likely to be the host in our opinion... if there is a plan...
4. No.
5. The government is doing very little. However studies show that it is very easy to set up a business in Ireland.
6. No major awareness of this issue at present.

Italy

The Italian Government has not yet started the implementation process even if we have been assured that all the relevant organizations will be consulted and involved. The interest of Unioncamere on the issue is high, particularly for the setting up of support services for companies and we intend to keep pressure on the government to rapidly start the process.

Latvia

1. Yes, meetings with senior Ministry officials took place, where the Chamber's position was conveyed.
2. The Ministry of Economy (Latvian CCI is a social partner) had set up a committee for this purpose which also includes NGOs.
3. Yes, the Chamber is not directly involved.
4. Yes, using standard practices set up during EU accession negotiation process.
5. We are not aware.
6. Yes, there are a number of meetings to which government's representative participates; even starting from the Directive's drafting process, to defend



the original notion of “country of origin principle”.

Luxembourg

Chambers are interested but there has been no direct involvement with the government yet and we have no comprehensive knowledge of what the government is currently doing.

The Chamber have written to the two Government departments concerned – Economy & Foreign Trade and Moyennes Classes) expressing interest in the process, and requesting to be involved – particularly with regard to the PSC. Early - informal - indications back from Government seem positive towards this request, but nothing has been formalised yet.

Malta

Ministry for Competitiveness and Communications in Malta has just initiated the transposition process by holding a first meeting in March 2007 for key Ministries. They intend to hold a half day (inter-ministerial) workshop soon to go into more detail on the necessary actions to take the process forward. Consequently the Ministry has yet to come up with the necessary actions and timeframe 'map' as requested.

The Netherlands

1. The Services Directive has been mentioned in early meetings with the Ministry of Economic Affairs in the framework of the “bedrijvenloket” project (one-stop shop - it can be translated as “business counter”).
2. There is a project group, consisting of 3 officials from the Ministry of Economic Affairs (lead), one from the Ministry of the Interior and one of the Ministry of Justice to coordinate the overall implementation. The first meeting took place in March 2007. Chambers of Commerce are currently involved in the setup of the “bedrijvenloket”.
3. The PSC will most probably be integrated in the “bedrijvenloket” project, although a formal decision has not been taken yet. The government approach is to integrate as much as possible the existing initiatives. The “bedrijvenloket” will be the ‘point’ for the 1st line of information from the



government (and public institutions as CCIs) to entrepreneurs. The Ministry of Economic Affairs will coordinate the structure, consisting of a “point of entry” (call centre, website) and a “point of supply” (central online database with content from all information providers). The CCI will be an important partner in terms of providing and managing the content (CCI is source of information) as well as being the main regional reference point for the other regional partners. Together with the Ministry of Economic Affairs, Foreign Trade Promotion Office, the Dutch Tax and Customs Administration and large municipalities, the Netherlands Chamber of Commerce is part of the steering group setting up the “bedrijvenloket”.

4. The government has planned the screening as follows: i) An overview of which national legislation is related to the Services Directive (2005/2006); ii) Screening of regulations of every government department (start 2007-); iii) Screening of regulations of decentralised governments (start 2007-). The Chambers’ network is not involved, not being a legislative body. However, in case “policy regulations” have also to be screened, there might be an obligation and Chambers will have an advisory role in the screening (promoting burden reduction / better regulation).
5. Our Ministry of Economic Affairs takes part in the steering group of the IMI. A pilot is planned for 2008. The Chamber network is currently not involved but it will be later, if the Chamber is considered a “competent authority/supervisor” in legal terms and since there is also a direct relation with the “business register” (a.o. article 28, paragraph 7) which in the Netherlands is managed by the Chamber of Commerce.
6. There are contacts with the Swedish government as a result of the “High Level Meeting on Governance and the European Union” in Turku (Finland) held in October 2006. It was decided to informally exchange experiences and knowledge in the field of the Services Directive. As a result, a seminar was organised by the Ministry of the Interior and the Swedish Ministry of Finance on the consequences of the Directive for decentralised governments. It took place in February 2006 and 50 representatives from 19 countries attended. Similar events are to be expected.

Poland

1. While a debate on the latest text of the Services Directive was taking place, the issue was widely discussed in the media. The Polish Chamber of Commerce was active in conveying the expectations of the Polish business in the media and publishing its position electronically. We took part in the reporting meeting to the Parliamentary Economic Committee by the state administration. The communication had typically informative form and not



what we consider partners' dialogue. Fortunately, the governmental view greatly matched with the expectations of the businesses towards the liberalization of services in the EU.

2. Poland was among those Member States which postulated the obligatory review of national legislations for tracing any discrimination of foreign services providers. That is why we hope the Polish Government to fulfil this obligation. According to the PCC, the freedom of economic activities in Poland is limited by excessive administrative barriers and too complicated legislation (hard to be interpreted by SMEs). The governmental bill on liberalization of entrepreneurship passed in 2004 has being amended without success since then and strongly criticized by business organizations in Poland. Its continuation is the "Kluska packet" – a packet of company friendly bills announced in latest weeks by the Government. It contains also some of the Services Directive's implementations arrangements (PSC). Although this "packet" broadly reflects the positions of businesses, it is completely authorized by the Government. No clear solutions have been proposed so far.
3. PSC provisions were included in the governmental bill on the liberalization of entrepreneurship. The establishment of PSC has been of great concern for business organizations in Poland. In spite of business' opposition, the firstly planned term of 1st January 2007 has been postponed to 1st October 2008. Since that date entrepreneurs will register a company/economic activity in taxation offices. Chambers will be excluded from the procedure.
4. Beside the announcement of the "Kluska packet" of governmental bills aiming at making life easier for businesses, we are not aware of any other activity undertaken by the government for screening existing national legislation in case of potential conflicts with the Services Directive. Yet the PCC has not been contacted or consulted on the subject.
5. We believe it is strongly positive but do not know any details.
6. Yes, we are aware of such commitments by the government.

Portugal

1. No. The Portuguese Government did not contact the Chambers of Commerce. The Ministry of Economy and Innovation through Direcção – Geral Empresa is in charge of the implementation phase.
2. No, the government did not involve the Chambers in the implementation. The Ministry of Foreign Affairs and the Ministry of Justice were involved in



negotiations and implementation is now led by Direcção-Geral Empresa.

3. The Chambers are not involved. Direcção – Geral Empresa and the public institute - AMA (Agência para a Modernização Administrativa) will implement a PSC that will be linked in network with other Ministries.
4. The Chambers are not involved. A working group led by Direcção - Geral Empresa with Ministries' representatives is in charge for the screening.
5. Portugal is linked to the network IMI. UMIC (Knowledge Society Agency, which belongs to the Ministry of Science, Technology and Higher Education) will be in charge for the network implementation in Portugal.
6. Government representatives periodically participate at meetings organized by the European Commission, to share experiences and best practices.

Romania

The Services Directive is not yet implemented in Romania. These days the government has to nominate the ministries or other bodies that will be in charge of the legislative transposition.

Slovakia

1. The Slovak Chamber of Commerce and Industry was contacted by the relevant department of the Ministry of Economy of the Slovak Republic.
2. No.
3. Yes. The Chamber has given its comments on the establishment of PSC in order to facilitate business start-up in Slovakia.
4. It does, but we are not informed. That is the task of the Ministry of Economy.
5. Not involved.
6. No, we do not know who the government's representative is.



Spain

1. There have been no official conversations between the government and our organisation on this issue.
2. The Ministry of Economy has created a specific working group composed by representatives from other Ministries involved in this issue, with the request of studying the mechanisms to be put in place in order to implement the Directive. For the moment, they have not involved the Chamber network in this mechanism.
3. In Spain, the establishment of the PSC is the main problem with regard to the implementation of the Directive; the implementation has to be made in co-operation with the Autonomous Communities (regions) and with the municipalities, because, by law, both of them have competences in issues regulated by the Services Directive. For the moment, and as far as we know, the national authorities have not indicated a preferred approach to establish a PSC and they are still studying and discussing this complex issue. Until now, they have not involved the Chamber network in this mechanism.
4. Yes, the different Ministries involved in this issue are screening national legislation which could be in conflict with the Services directive. For the moment, the Chamber network is not involved.
5. As far as we know, the national administration has not yet decided on this issue. For the moment, the Chamber network is not involved.
6. The Spanish authorities are in contact with other EU Member States governments' representatives in order to exchange information on this issue. They participate in the meetings organised by the European Commission, in which representatives of the 27 Members States also participate, to discuss about the implementation of the Directive.

Sweden

1. The Swedish government is in constant dialogue with the Chamber network in the review process of European policies. This usually takes the form both of meetings and written interaction on topics of mutual interest. The Services Directive is no exception, and the Chambers were a part of the open consultation and review process.
2. The Swedish government has decided, after discussions with amongst others, the Chambers of Commerce, to convene a special secretariat for



following up on and implementing the directive. This secretariat will engage representatives from the industry and it will have at its disposal a selection of different mechanisms ranging from meetings, seminars and formal written interaction, to choose from. The secretariat will be complemented by a high-level inter-departmental group.

3. The Swedish government is considering several options when it comes to single contacts. The Chambers are involved in these discussions and follow them closely.
4. The aforementioned secretariat, that will have a dialogue with the Chamber network, will be involved in this review and follow up on the potential points of conflict.
5. This issue will also be handled by the secretariat and an inter-departmental working group.
6. The Swedish government is in constant contact with other members to promote the Services Directive and to ensure that it is implemented in an effective way.

UK

1. Yes. The UK's Dept of Trade and Industry (DTI) had formed a dedicated team to support the passage of the directive through the EP. It then formed a 'core stakeholders' group at national level, mainly made up of business representatives but also included the Trade Union movement and consumer associations. The group met on a bi-monthly basis from 2005, being characterised by an open and free exchange of views made easier because both Govt and business were very keen to support the directive's progress. BCC has been active on this group throughout.
2. The DTI 'Services Directive' team have put a project board in place to oversee the successful implementation of the directive in the UK. This board has strong representation from senior civil servants representing key arms of government and they are complemented by representatives from the Better Regulation Task Force, consumer associations and a representative each from large corporate business and SMEs. BCC agreed to a representative drawn from another association but that person is required to be briefed by a group of associations including BCC before meetings AND debriefed afterwardsso yes, the Chamber network is involved. The Project Board will maintain a strategic overview throughout the implementation phase. In addition the 'core stakeholders' group will continue to meet as before, basically to continue to do the practical things. BCC is a member. Engagement with both these bodies means that the



Chamber network is consulted at every stage of the development of PSCs, screening and 'mutual assistance'. Overall, meetings with the DTI team, in one form or another, are taking place on a very regular basis.

3. Initial thinking conducted by consultants over twelve months ago suggested that the PSC should take advantage of the existing Business Link network when setting up. This remains the case; however, fresh thinking from the Project Board has pressed the Government to consider private sector solutions alongside the earlier thinking. Fresh research is now under way to consider the PSC from the users' perspective i.e. that is both from the perspective of UK and EU-wide companies.
4. Early planning of the 'screening process' began last autumn. Government departments are now responding to a survey which is, in effect, an initial trawl through UK legislation...to be completed by the end of March this year. There will then be a public consultation followed, if necessary, by fresh legislation to sort out any serious obstacles. BCC will contribute throughout via the formal groups but will also respond to the public consultation exercise.
5. The intention is to develop a 'mutual assistance' database late in 2007. Current activity centres on liaison with other EU states including via Commission-sponsored workshops.
6. Yes. It is obvious that the UK is already active in holding bi-lateral discussions with other state representatives; more importantly there are several EU wide groupings discussing the implementation process.

For further information about the survey:

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