

EN

E-002942/2022

Answer given by Mr Breton
on behalf of the European Commission
(8.12.2022)

The Commission thanks the Honourable Member for drawing its attention to potential problems relating to the functioning of the Single Market and more particularly to the recognition of professional qualifications.

In the absence of harmonisation of the profession of teacher at EU level, Member States are free to regulate this profession in accordance with EU rules. The teaching profession is regulated by Italian legislation with regard to qualifications. This means that teachers must have the required qualifications to be able to exercise this profession on the Italian territory. As teachers qualified in other Member States do not hold the required Italian qualification, they can only practice their profession in Italy after having obtained recognition of their professional qualification in that country. In the absence of such recognition, the Italian authorities are entitled to refuse access to work on fixed-term contracts. As a result, the provision of Ministerial Order 112 of 6 May 2022 prohibiting access to the profession, as long as the qualification is not recognised, does not appear contrary to Directive 2005/36/EC¹ on the recognition of professional qualifications.

However, the Italian authorities must ensure that the procedure for obtaining recognition is completed as quickly as possible. The Commission recently received complaints and is in the process of examining them. If an infringement to Directive 2005/36/EC or to other EU rules is identified, the Commission will ensure the appropriate follow-up.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02005L0036-20211210>