

SUMMARY

ECJ 6 December 2018, C-675/17 (Preindl), Free movement, other forms of free movement

Ministero della Salute – v – Hannes Preindl, Italian case

Questions

Must Articles 21, 22 and 24 of Directive 2005/36 be interpreted as obliging a Member State, whose legislation creates a requirement to pursue full-time training and a prohibition on being enrolled on two courses at the same time, automatically to recognise the evidence of formal qualifications issued by another Member State which were obtained as a result of partially overlapping training?

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Ruling

Articles 21, 22 and 24 of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications must be interpreted as obliging a Member State, whose legislation creates a requirement to pursue full-time training and a prohibition on being enrolled on two courses at the same time, automatically to recognise the evidence of formal qualifications issued by another Member State on the completion of partially concurrent training.

Article 21 and Article 22(a) of Directive 2005/36 must be interpreted as precluding the host Member State from verifying compliance with the condition that the overall duration, level

and quality of part-time training are not lower than those of continuous full-time training.

Creator: European Court of Justice (ECJ)

Verdict at: 2018-12-06

Case number: C-675/17