

Public consultation on the 'Proposal to introduce a services passport and address regulatory barriers in the construction and business services sectors'

Fields marked with * are mandatory.

Introduction

The [Single Market Strategy](#) announced several actions to further develop the single market for services. This public consultation will focus on the following interrelated actions:

1. Initiative introducing a services passport for key economic sectors;
2. Action to address regulatory barriers for key business services and for construction services;
3. Action on insurance requirements for business and construction service providers.

The **business services** sector includes professional, information and support activities such as accounting services, architectural services and engineering services. The focus of this consultation regarding **construction services** is on contractors (both general contractors and subcontractors) as well as developers who ultimately sell the construction product but hire contractors to perform the actual work.

The 2006 **Services Directive** covers a wide range of sectors, such as wholesale and retail, tourism, business services and construction. It excludes sectors such as financial services, network industry and health care. As to the wide range it covers, the Services Directive certainly led to a modernisation of the economy across a variety of sectors.[1]

The Services Directive obliged Member States to eliminate a number of requirements required for the provision of services in their territory from their legal framework. The Services Directive also obliged Member States to ensure that the provision of services in their territories was only subject to certain requirements such as legal form and shareholding to the extent that these requirements were justified by an overriding reason of general interest and proportionate.

The Services Directive, in line with the TFEU, established a different regime for providers established in other Member States and providing services exclusively on a cross-border basis. Since these providers are already subject to the legislation of their home Member State, the Services Directive obliged Member States to ensure that cross-border providers that want to provide services in their territory were only subject to requirements justified by the protection of public policy, public security, public health and the protection of the environment to the extent that these requirements were proportionate.

However, despite work on the implementation of the Services Directive, a number of requirements maintained by Member States still create barriers for the provision of services in other Member States. As a result, the effect has been limited for business services and construction. In 2015, the Commission carried out in-depth reviews of remaining barriers in key business services sectors and the construction sector.[2] Providers in these sectors still face regulatory obstacles such as legal form or shareholding requirements or difficulties in complying with insurance requirements when they provide services in other Member States. As a result, several business services as well as the construction sector show a low level of EU internal market integration.

This consultation aims to gather views on the need for action to address these obstacles as well as different policy options that could be pursued and their potential impact.

This consultation looks at the matter from the perspective of the providers and users of services and does not deal with employee issues and posting of workers.

The results of this public consultation will be without prejudice to potential actions that the Commission may wish to take in the future.

As per the Better Regulation principles, the results of the public consultation will be duly published, so as the responses provided, should the respondents have agreed to publicly disclose their contributions.

The attention of the public is drawn also to parallel consultations as regards the construction sector [http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8725] and forthcoming on regulated professions.

This questionnaire is divided into different sections which are not dependent on one another. In light of their interest and experience respondents can choose to reply to one, several or all sections of this questionnaire.

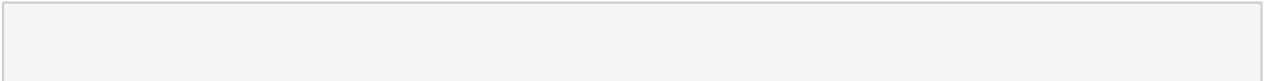
Sections B.1 and B. 9 are of general interest, sections B.2, B. 4 to B. 6 are likely to be of interest for providers of business and construction sectors and sections B.3 and B. 5 for service recipients in those sectors respectively. Section B. 7 is relevant for insurers for services. Section B. 8 is relevant for national authorities in the area of services. Please click directly on the section (s) of your interest:

- Section B. 1: Questions on services sectors in general (other than business services and construction) [questions 10 to 15]
- Section B. 2: Questions on business services – perspective of service providers [questions 16 to 46]
- Section B. 3: Questions on business services – perspective of customers [questions 47 to 52]
- Section B. 4: Questions on construction services – perspective of service providers [questions 53 to 77]
- Section B. 5: Questions on construction services – perspective of customers [questions 78 to 82]
- Section B. 6: Questions on insurance – perspective of service providers [questions 83 to 96]
- Section B. 7: Questions on insurance – perspective of insurers [questions 97 to 100]
- Section B. 8: Questions for national authorities [questions 101 to 107]
- Section B. 9: General questions on scope of the actions [questions 108 to 111]

[1] For more details on the Services Directive and its implementation, see: http://ec.europa.eu/growth/single-market/services/services-directive/index_en.htm

[2] For business services, see: <http://ec.europa.eu/DocsRoom/documents/13328/attachments/1/translations/en/renditions/native>

For construction services, see: http://ec.europa.eu/growth/single-market/services/construction/index_en.htm



A - Information about the respondent

*

1. Please indicate who you are:

- Company providing services
- User of services
- Consumer association
- Public authority
- Business organisation (including associations, chamber of commerce, etc.)
- Trade union
- Research institution/Think tank
- Institutions, such as national or regional parliaments
- Citizen
- Other

*

3. Please indicate your place of residence or establishment (main headquarters in case of multinational companies):

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- United Kingdom
- Country from the EEA
- Non-EEA country

***4. Please indicate whether you have an establishment in Member States other than the place where your main headquarters are located:**

- Yes
- No

5. Please provide your contact information (name of organisation and/or personal name, address, and email address):

Note that submissions that are sent anonymously will neither be published nor taken into account.

Chambers Ireland, Dublin

***6. Would you agree to be contacted by the European Commission for possible follow-up questions on the basis of your responses?**

- Yes
 No

***7. Please indicate your organisation's registration number in the Interest Transparency Register**

To verify, click on this link: <http://ec.europa.eu/transparencyregister/public/consultation/search.do?locale=en&reset=>

Note: If your organisation/institution responds without being registered, the Commission will consider its input as that of an individual and will publish it as such. If the answer is "no", or "not relevant", please indicate it also below.

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***8. Received contributions may be published on the Commission's website, with the identity of the contributor.**

Please state your preference with regard to the publication of your contribution:

please note that regardless the option chosen, your contribution may be subject to a request for access to documents under Regulation 1049/2001 on public access to European Parliament, Council and Commission documents. In this case the request will be assessed against the conditions set out in the Regulation and in accordance with applicable data protection rules

- My contribution may be published under the name indicated; I declare that none of it is subject to copyright restrictions that prevent publication
 My contribution may be published but should be kept anonymous; I declare that none of it is subject to copyright restrictions that prevent publication
 I do not agree that my contribution will be published at all

*

9. Which parts of this consultation do you want to reply to? (multiple choice possible)

- Questions on services sectors in general (other than business services and construction) *[6 questions in total]*
- Questions on business services – perspective of service providers *[31 questions in total]*
- Questions on business services – perspective of customers *[6 questions in total]*
- Questions on construction services – perspective of service providers *[25 questions in total]*
- Questions on construction services – perspective of customers *[5 questions in total]*
- Questions on insurance – perspective of service providers *[14 questions in total]*
- Questions on insurance – perspective of insurers *[4 questions in total]*
- Questions for national authorities *[7 questions in total]*
- General questions on scope of the actions *[4 questions in total]*

B.1 - Questions on services sectors in general (other than business services and construction)

10. Do you carry out any activities in (a) Member State(s) other than your home Member State?

- Yes, I provide services cross-border without any permanent establishment there
- Yes, I provide services through a permanent presence in (an)other Member State(s) (such as a branch, agency or subsidiary)
- No, I only provide services in my home Member State
- Not applicable

11. Do you want to offer services in Member State(s) other than your home Member State? What would be your preferred way? (Multiple choice)

- No, I do not want to provide services in (an)other Member State(s)
- Yes, without establishing any permanent presence there
- Yes, by establishing a permanent presence in other Member States through a branch (a formally registered presence)
- Yes, by establishing a permanent presence in other Member States through a subsidiary (a separate legal entity incorporated for that purpose)
- Yes, by establishing a permanent presence in other Member States through other means
- Not applicable

Please specify which ones:

500 character(s) maximum

12. What are the main challenges/issues for service providers to offer their services in other Member States?

Please tick the appropriate field, only one choice is allowed per category of reply.

	Not at all important	Rather not important	Fairly important	Very important	No opinion
Administrative issues (duration of procedures, low level of digitalisation, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Regulatory issues (authorisations, registrations, insurance, labour law, tax etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Barriers from market driven domestic service standards, conformity assessments schemes.	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cultural specificities (language issues, culture, lack of trust, etc.)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficient knowledge of targeted market	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not enough resources to expand to other Member States (staff, capital, etc.)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other risks (commercial disputes, payment recovery, etc.)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

In light of your experience, please provide detailed explanation on how these challenges have affected trade by your company:

1000 character(s) maximum

13. Which of the following are important administrative obstacles faced by service providers when they want to provide services in other Member States?

scale: from 1 = "not burdensome" to 5 = "most burdensome"

	1	2	3	4	5	I do not know
Difficulty in accessing the necessary information on rules and procedures applicable in another Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lengthy and complex procedures imposed by national authorities in other Member States to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of electronic options to complete procedures imposed by authorities of other Member States to provide services in that Member State	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Need to contact several authorities separately in the host Member State in order to provide services in the host Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Lack of trust by the host Member States authorities towards authorities and/or service providers of other Member States	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Need to present certified or authenticated documents issued in the <u>home</u> Member State in order to complete procedures to provide services in that Member State	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Need to present certified or authenticated documents issued in the <u>host</u> Member State in order to complete procedures to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Requirements for getting documents translated	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other (tick box 1 and answer subsequent question)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Please specify:

500 character(s) maximum

In a survey conducted by Eurochambres, that 84% of respondent companies believed that the Single market is not integrated enough. Among the obstacles, entrepreneurs most cited “complex administrative burdens” by an overwhelming 83%. This was closely followed by “inaccessibility of information on rules and requirements.” “Different national rules and requirements” came at par with the latter with 81% of respondents saying this could be improved. The given examples in the table are certainly al

In light of your experience, please provide detailed explanation on how these administrative obstacles have affected trade by your company:

1000 character(s) maximum

The main barrier for companies is that most of them do not know which the competent authority in the foreign country is and how the procedures work.

Electronic procedures often require an electronic certificate or an electronic mailbox, which is difficult or even impossible to acquire as a foreign trader in some cases. Points of Single Contact fail to provide sufficient guidance on this in too many cases.

In many cases, the VAT ID is officially cancelled if there is no activity for several months. This can be discouraging as it produces a lot of administrative work and costs in order to restore the ID or to register once again.

14. Specifically regarding administrative obstacles, what should be the objectives of the actions to be taken (if any)? (multiple choice)

- Reduce complexity and length of procedures imposed by authorities to provide services in other Member States
- Offer electronic options to complete procedures imposed by authorities to provide services in other Member States
- Getting more support from authorities in other Member States in order to complete procedures to provide services in their territories
- Home Member States should set up a central interlocutor for companies to help them develop their business abroad
- Home Member States should set up a central coordinator acting towards other Member States, to help companies develop their business abroad
- Address requirements for getting documents translated
- Address requirements for getting documents translated and such translation to be certified under the rules of the host Member State
- No action should be taken
- Other
- I do not know

Please specify:

500 character(s) maximum

In light of your experience, please provide detailed explanation on how these administrative obstacles have affected trade by your company:

1000 character(s) maximum

15. What would be the impact of reducing administrative barriers?

scale: from 1 = "no impact" to 5 = "significant impact"

	1	2	3	4	5	I do not know
It will save costs for service providers that provide services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
More service providers will offer their services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will offer more choice to customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
It will increase productivity and competitiveness of the EU business services sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
It will increase costs for service providers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase costs for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Not much will change in practice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide additional comments if necessary:

500 character(s) maximum

Please feel free to add general comments on this section:

1000 character(s) maximum

B.2 - Questions on business services – Perspective of service providers

I - Internal market for business services – Current situation

16. Do you carry out any activities in (a) Member State(s) other than your home Member State?

- Yes, I provide services cross-border without any permanent establishment there
- Yes, I provide services through a permanent presence in (an)other Member State(s) (such as a branch, agency or subsidiary)
- No, I only provide services in my home Member State
- Not applicable

17. Do you want to offer services in Member State(s) other than your home Member State? What would be your preferred way? (Multiple choice)

- No, I do not want to provide services in (an)other Member State(s)
- Yes, without establishing any permanent presence there
- Yes, by establishing a permanent presence in other Member States through a branch (a formally registered presence)
- Yes, by establishing a permanent presence in other Member States through a subsidiary (a separate legal entity incorporated for that purpose)
- Yes, by establishing a permanent presence in other Member States through other means
- Not applicable

Please specify:

500 character(s) maximum

18. What are the main challenges/issues for service providers to offer their services in other Member States?

Please tick the appropriate field, only one choice is allowed per category of reply.

	Not at all important	Rather not important	Fairly important	Very important	No opinion
Administrative issues (duration of procedures, low level of digitalisation, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Regulatory issues (authorisations, registrations, insurance, labour law, tax etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Barriers from market driven domestic service standards, conformity assessments schemes.	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cultural specificities (language issues, culture, lack of trust, etc.)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficient knowledge of targeted market	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not enough resources to expand to other Member States (staff, capital, etc.)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other risks (commercial disputes, payment recovery, etc.)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Administrative barriers:

19. Which of the following are important administrative obstacles faced by service providers when they want to provide services in other Member States?

scale: from 1 = "not burdensome" to 5 = "most burdensome"

	1	2	3	4	5	I do not know
Difficulty in accessing the necessary information on rules and procedures applicable in another Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lengthy and complex procedures imposed by national authorities in other Member States to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of electronic options to complete procedures imposed by authorities of other Member States to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Need to contact several authorities separately in the host Member State in order to provide services in the host Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of trust by the host Member States authorities towards authorities and/or service providers of other Member States	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Need to present certified or authenticated documents issued in the <u>home</u> Member State in order to complete procedures to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Need to present certified or authenticated documents issued in the <u>host</u> Member State in order to complete procedures to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Requirements for getting documents translated	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (tick box 1 and answer subsequent question)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify:

500 character(s) maximum

Regulatory barriers:

This section asks for views on regulatory barriers (i.e. rules imposed by Member States to enter their markets) in the following business services sectors: accounting services at large, architectural services and engineering services. Other business services (e.g. legal services) are not addressed.

National rules often require that service providers should satisfy with specific legal forms (such as partnerships or private limited liability companies). As a result, not every company type incorporated in another Member State may be allowed to access the market.

20. Do you consider that this makes it difficult for service providers to provide services cross-border to a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional detail as regards this impact:

500 character(s) maximum

21. Do you consider that this makes it difficult for service providers to set up a branch or an agency in a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional explanation as regards this impact:

500 character(s) maximum

22. Based on your experience, have such rules slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
- No
- Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

23. Based on your experience, have you ever been refused the setting up of a certain form or type of local infrastructure that you needed in order to provide cross-border services in the territory of another Member State such as chambers or an office?

- Yes
- No

Please specify:

500 character(s) maximum

N/A

National rules often require that a certain proportion of the shareholders (mainly voting rights) need to be held by qualified professionals.

24. Do you consider that this makes it difficult for service providers to provide services cross-border to a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional explanation as regards this impact in light of your experience:

500 character(s) maximum

25. Do you consider that this makes it difficult for service providers to set up a branch or an agency in a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional explanation as regards this impact in light of your experience:

500 character(s) maximum

26. Based on your experience, have such rules slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
- No
- Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

National rules often require that certain management positions should be held by qualified professionals only.

27. Do you consider that this makes it difficult for service providers to provide services cross-border to a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional explanation as regards this impact in light of your experience:

500 character(s) maximum

28. Do you consider that this makes it difficult for service providers to set up a branch or an agency in a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional explanation as regards this impact in light of your experience:

500 character(s) maximum

29. Based on your experience, have such rules slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
- No
- Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

Rules in some Member States forbid joint exercise of certain professional activities by companies.

30. Do you consider that this makes it difficult for service providers to provide services cross-border to a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional explanation as regards this impact in light of your experience:

500 character(s) maximum

31. Do you consider that this makes it difficult for service providers to set up a branch or an agency in a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional explanation as regards this impact in light of your experience:

500 character(s) maximum

32. Based on your experience, have such rules slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
- No
- Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

33. Do all or several of the following requirements applicable in your own Member State also render your entry into the market of your home Member State more difficult: legal form and/or shareholding and/or management requirements and/or multi-disciplinary restrictions?

- Yes
- No
- I do not know

Please describe why:

1000 character(s) maximum

Please describe why not:

1000 character(s) maximum

Barriers from national standards:

Authorities may require compliance with a national service standard or national conformity assessment scheme. Providers established in other Member States may therefore be required to obtain a national certificate based on a national certification scheme for their activities in a host country.

34. Based on your experience, have such rules slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
 No
 Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

Policy makers need to be careful not to legitimise current excessive regulatory requirements. The experience of existing authorisation schemes have shown that they might add to the administrative burden put on companies. The Services Passport should not add any red tape. Existing national authorisation schemes can create more administrative burdens, not less. For example, research conducted by Eurochambres on services found that a German CCI survey on obstacles in the services market revealed that companies in the construction sector find it complicated and bureaucratic to register for a "services passport" as it is already compulsory in Belgium and Denmark at the moment. Additionally, the the Belgian "Construbadge" in the construction sector has added more bureaucracy, not less.

Standardisation and certification may be required by the market, which means that businesses may find it difficult to enter that market.

35. Based on your experience, have such rules slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
 No
 Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

II - Need for action and potential policy objectives

36. Should there be action at EU level to reduce administrative burden for service providers who wish to provide services in other Member States?

- Yes, there is need for legislative action at EU level to reduce administrative burden for companies
- No, the existing framework and tools (e.g. points of single contact) are sufficient
- I do not know

37. Should there be action at EU level to make the regulatory framework easier for service providers who wish to expand their activities to other Member States?

- Yes, there is need for legislative action at EU level to improve regulatory environments for companies
- No, there is no need for additional action
- I do not know

III - Policy options and impacts

Administrative barriers:

38. Specifically regarding administrative obstacles, what should be the objectives of the actions to be taken (if any)? (multiple choice)

- Improve accessibility of information on rules and procedures applicable in other Member States
- Reduce complexity and length of procedures imposed by authorities to provide services in other Member States
- Offer electronic options to complete procedures imposed by authorities to provide services in other Member States
- Avoid that service providers need to re-submit the same documents several times
- Enhance trust between authorities in the home and in the host Member State in relation to information about cross-border service providers
- Ensure a closer cooperation between authorities in the home and in the host Member State in relation to applications/notifications by service providers to go cross-border
- Allow for acceptance of documents issued in the home Member State in order to complete procedures to establish or provide services in other territories
- Getting more support from authorities in other Member States in order to complete procedures to provide services in their territories
- Address requirements for getting documents translated
- Address requirements for getting documents translated and such translation to be certified under the rules of the host Member State
- No action should be taken
- Other
- I do not know

Please specify:

500 character(s) maximum

Please provide additional explanation on requirements to be addressed in light of your experience:

500 character(s) maximum

Regulatory barriers:

This section asks for views on regulatory barriers in the following business services sectors: accounting services, architectural services and engineering services. Other business services (e.g. legal services) are not addressed.

39. Which of the following requirements should be addressed in order to ensure that service providers face fewer obstacles? (multiple choice)

- National rules which require service providers to satisfy with specific legal forms
- Requirements that a certain proportion of the shareholders need to be held by qualified professionals
- Requirements that a certain proportion of voting rights need to be held by qualified professionals
- Requirements on management positions to be held by qualified professionals
- Restrictions on the joint exercise of professional activities by companies
- Others
- None
- I do not know

Please specify:

500 character(s) maximum

Please provide additional explanation on requirements to be addressed in light of your experience:

500 character(s) maximum

40. Which of the following actions should be taken in order to ensure that service providers that want to expand to other Member States face fewer obstacles? (multiple choice)

- The company form of a service provider according to the laws of the Member State of establishment should be accepted by the Member State of secondary establishment which requires a specific legal form for the provision of a specific service
- A shareholder structure should not have to be changed to provide services in other Member States
- A voting rights structure should not have to be changed to provide services in other Member States
- A management structure should not have to be changed to provide services in other Member States
- Business models of service providers that offer multi-disciplinary services should be accepted by other Member States
- Others
- I do not know

Please specify:

500 character(s) maximum

41. In case of secondary establishment (branches and agencies), should Member States be allowed to impose safeguards on incoming service providers when justified by policy objectives such as the protection of service recipients?

- Yes, Member States should be allowed to require that a local responsible person, qualified in accordance with that Member State laws, oversees service provision
- Yes, Member States should be allowed to reserve titles to companies owned or managed by professionals
- Yes, Member States should be allowed to impose internal compliance policies on companies established also in other Member States in order to mitigate conflicts of interest and to allow them to offer more multidisciplinary activities
- Others
- None
- I do not know

42. Is there a need to reduce the regulatory burden of rules on legal form, shareholding requirements, management positions and multidisciplinary restrictions for domestic service providers as well? (multiple choice)

- Yes, because it will make it easier for everybody to move within the Single Market
- Yes, because it will facilitate life of smaller companies in this sector
- Yes, but this should not happen through EU intervention
- No, there is no need for action to change/simplify rules for domestic service providers
- I do not know

43. Which of the following actions should be taken in order to ensure that service providers (domestic and foreign) face fewer obstacles? (multiple choice)

- EU law should determine that legal forms available in a certain Member State are to be accepted by all other Member States
- EU law should lift shareholding requirements because they block investment
- EU law should set management requirements while removing requirements on shareholding and voting rights
- EU law should set a minimum threshold of voting rights to be in the hands of professionals or other professional companies
- EU law should determine internal compliance procedures to be ensured by companies while lifting certain restrictions on joint activities
- Others
- No action should be taken
- I do not know

Please specify:

500 character(s) maximum

Expected impact:

44. What would be the impact of reducing administrative barriers by for example reducing the complexity and length of procedures to access markets and ensuring better cooperation between home and host Member States?

scale: from 1 = "no impact" to 5 = "significant impact"

	1	2	3	4	5	I do not know
It will save costs for service providers that provide services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
More service providers will offer their services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will offer more choice to customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase productivity and competitiveness of the EU business services sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase costs for service providers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase costs for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Not much will change in practice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide additional explanation on requirements to be addressed in light of your experience:

500 character(s) maximum

45. What would be the impact of facilitating compliance with regulatory requirements (related to legal form, shareholding, voting rights, management and joint activities) for service providers from other Member States?

scale: from 1 = "no impact" to 5 = "significant impact"

	1	2	3	4	5	I do not know
It will save costs for service providers that provide services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
More service providers will offer their services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will lower prices for customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will offer more choice for customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase productivity and competitiveness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase costs for service providers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase costs for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It may create an uneven playing field in those markets between providers from other Member States and national providers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Not much will change in practice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide additional explanation on requirements to be addressed in light of your experience:

500 character(s) maximum

46. What would be the impact of facilitating compliance with regulatory requirements (related to legal form, shareholding, voting rights, management and joint activities) for all players in the market?

scale: from 1 = "no impact" to 5 = "significant impact"

	1	2	3	4	5	I do not know
It will save costs for service providers that provide services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will save costs for service providers that provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
More service providers will offer their services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
More service providers will enter the market in their own Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will lower prices for customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will offer more choice to customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
It will increase productivity and competitiveness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase costs for service providers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase costs for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Not much will change in practice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
I do not know	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide additional explanation on requirements to be addressed in light of your experience:

500 character(s) maximum

Please feel free to add general comments on this section:

1000 character(s) maximum

B.4 - Questions on Construction services - Perspective of service providers

I - Internal market for construction services – Current situation

53. Do you carry out any activities in (a) Member State(s) other than your home Member State?

- Yes, I provide services cross-border without any permanent establishment there
- Yes, I provide services through a permanent presence in (an)other Member State(s) (such as a branch, agency or subsidiary)
- No, I only provide services in my home Member State
- Not applicable

54. Do you want to offer services in Member State(s) other than your home Member State? What would be your preferred way? (Multiple choice)

- No, I do not want to provide services in (an)other Member State(s)
- Yes, without establishing any permanent presence there
- Yes, by establishing a permanent presence in other Member States through a branch (a formally registered presence)
- Yes, by establishing a permanent presence in other Member States through a subsidiary (a separate legal entity incorporated for that purpose)
- Yes, by establishing a permanent presence in other Member States through other means
- Not applicable

Please specify:

500 character(s) maximum

55. What are the main challenges/issues for construction service providers to offer their services in other Member States?

Please tick the appropriate field, only one choice is allowed per category of reply.

	Not at all important	Rather not important	Fairly important	Very important	No opinion
Administrative issues (duration of procedures, low level of digitalisation, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Regulatory issues (authorisations, registrations, insurance, labour law, tax etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Barriers from market driven domestic service standards, conformity assessments schemes.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Cultural specificities (language issues, culture, lack of trust, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficient knowledge of targeted market	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not enough resources to expand to other Member States (staff, capital, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Other risks (commercial disputes, payment recovery, etc.)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Administrative barriers:

56. Which of the following are important administrative obstacles faced by service providers when they want to provide services in other Member States?

scale: from 1 = "not burdensome" to 5 = "most burdensome"

	1	2	3	4	5	I do not know
Difficulty in accessing the necessary information on rules and procedures applicable in another Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Lengthy and complex procedures imposed by national authorities in other Member States to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Lack of electronic options to complete procedures imposed by authorities of other Member States to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Need to contact several authorities separately in the host Member State in order to provide services in the host Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Lack of trust by the host Member States authorities towards authorities and/or service providers of other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Need to present certified or authenticated documents issued in the <u>home</u> Member State in order to complete procedures to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Need to present certified or authenticated documents issued in the <u>host</u> Member State in order to complete procedures to provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Requirements for getting documents translated	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (tick box 1 and answer subsequent question)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify:

500 character(s) maximum

Regulatory barriers:

This section asks for views on regulatory barriers faced by contractors (both general contractors and subcontractors) as well as developers who ultimately sell the construction product but hire contractors to perform the actual work. Craft professions are not addressed.

Rules in Member States require construction service providers to have a certain technical/professional capacity always available (degree of experience, hire a certain number of (often qualified) personnel or have certain equipment).

57. Do you consider that this makes it difficult for service providers to provide services cross-border to a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

In light of your experience, please provide detailed explanation on how these challenges have affected trade by your company:

500 character(s) maximum

58. Do you consider that this makes it difficult for service providers to set up a branch or an agency in a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

In light of your experience, please provide detailed explanation on how these challenges have affected trade by your company:

500 character(s) maximum

59. Based on your experience, have such rules slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
- No
- Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

Rules in Member States impose requirements on how a business is structured (e.g. as regards quality management systems) through mandatory certification procedures.

60. Do you consider that this makes it difficult for service providers to provide services cross-border to a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

In light of your experience, please provide detailed explanation on how these challenges have affected trade by your company:

500 character(s) maximum

61. Do you consider that this makes it difficult for service providers to set up a branch or an agency in a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

In light of your experience, please provide detailed explanation on how these challenges have affected trade by your company:

500 character(s) maximum

62. Based on your experience, have such rules slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
- No
- Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

Rules in some Member States impose specific organisational requirements (protective and preventive measures) on construction service providers to fulfil health and safety standards. These requirements do not relate to health and safety standards that a company should respect on a construction site, but rather how a construction company is structured to ensure compliance with such rules. This may result in a company established in another Member State having to hire a local external health and safety service provider even though they may already have a well-functioning protective and preventive system in the Member State of establishment.

63. Do you consider that this makes it difficult for service providers to provide services cross-border to a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

In light of your experience, please provide detailed explanation on how these challenges have affected trade by your company:

500 character(s) maximum

64. Do you consider that this makes it difficult for service providers to set up a branch or an agency in a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

In light of your experience, please provide detailed explanation on how these challenges have affected trade by your company:

500 character(s) maximum

65. Based on your experience, have such rules slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
- No
- Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

Barriers from national standards:

Authorities may require compliance with a national service standard or national conformity assessment scheme.

Companies established in other Member States may therefore be required to obtain a national certificate based on a national certification scheme for their activities in a host country.

66. Do you consider that this makes it difficult for service providers to provide services cross-border to a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional comments if necessary:

500 character(s) maximum

Standardisation and certification may be required by the market, which means that businesses may find it difficult to enter that market.

67. Do you consider that this makes it difficult for service providers to provide services cross-border to a Member State that imposes such requirements?

- Yes, it has important impact
- Yes, it has some impact
- Rather no impact
- No impact at all
- I do not know

Please provide additional comments if necessary:

500 character(s) maximum

II - Need for action and potential policy objectives

68. Should there be action at EU level to reduce administrative burden for service providers who wish to provide services in other Member States?

- Yes, there is need for legislative action at EU level to reduce administrative burden for companies
- No, the existing framework and tools (e.g. points of single contact) are sufficient
- I do not know

69. Should there be action at EU level to make the regulatory framework easier for service providers who wish to expand their activities to other Member States?

- Yes, there is need for legislative action at EU level to improve regulatory environments for companies
- No, there is no need for additional action
- I do not know

III - Policy options and impacts

Administrative barriers:

70. Specifically regarding administrative obstacles, what should be the objectives of the actions to be taken (if any)? (multiple choice)

- Improve accessibility of information on rules and procedures applicable in other Member States
- Reduce complexity and length of procedures imposed by authorities to provide services in other Member States
- Offer electronic options to complete procedures imposed by authorities to provide services in other Member States
- Avoid that service providers need to re-submit the same documents several times
- Enhance trust between authorities in the home and in the host Member State in relation to information about cross-border service providers
- Ensure a closer cooperation between authorities in the home and in the host Member State in relation to applications/notifications by service providers to go cross-border
- Allow for acceptance of documents issued in the home Member State in order to complete procedures to establish or provide services in other territories
- Getting more support from authorities in other Member States in order to complete procedures to provide services in their territories
- Address requirements for getting documents translated
- Address requirements for getting documents translated and such translation to be certified under the rules of the host Member State
- No action should be taken
- Other
- I do not know

Please specify:

500 character(s) maximum

Regulatory barriers:

This section asks for views on solutions for regulatory barriers faced by contractors (both general contractors and subcontractors) as well as developers who ultimately sell the construction product but hire contractors to perform the actual work. Craft professions are not addressed.

71. Which requirements should be addressed in order to ensure that service providers that want to expand to other Member States face fewer obstacles? (multiple choice)

- Requirements on technical and professional capacity conditions (e.g., requirements to hold a certain degree of experience, hire a certain number of qualified personnel, have certain equipment available, etc.)
- Organisational health and safety requirements (i.e., requirements on how a construction company is structured to ensure compliance with health and safety standards).
- Organisational certification requirements (e.g., regarding quality management systems to be respected within a construction company)
- Other
- None
- I do not know

Please specify:

500 character(s) maximum

72. Which of the following actions should be taken in order to allow service providers to expand activities to other Member States? (multiple choice)

- A company with a particular technical/professional capacity according to the laws of a certain Member State should be accepted by all other Member States
- Rules governing technical/professional capacity of a construction company should be harmonised
- A company with a certified quality management system according to the laws of a certain Member State should be accepted by all other Member States
- Rules governing organisational certification (such as quality management systems) in a construction company should be harmonised
- Others
- I do not know

Please specify:

500 character(s) maximum

73. In case of secondary establishment (branches and agencies), should Member States be allowed to pursue policy objectives such as the protection of health and safety at work and the protection of consumers by imposing safeguards on incoming service providers? (multiple choice)

- Yes, Member States should be allowed to require from providers established in their territory a local responsible person, qualified in accordance with their laws, to ensure technical/professional capacity
- Yes, Member States should be allowed to require from providers established in their territory a local responsible person, qualified in accordance with their laws, to ensure quality management
- Yes, Member States should be allowed to require from providers established in their territory that a local responsible person, qualified in accordance their laws, should be admissible to ensure a suitable health and safety organisation
- No but rules governing technical/professional capacity requirements for a construction company should be harmonised
- No but rules governing organisational certification (such as quality management systems) should be harmonised at EU level
- Others
- None
- I do not know

Please specify:

500 character(s) maximum

74. Is there a need to reduce the regulatory burden of rules on for domestic service providers as well? (multiple choice)

- Yes, because it will make it easier for everybody to move within the Single Market
- Yes, because it will facilitate life of smaller construction companies in this sector
- Yes, but this should not happen through EU intervention
- No, there is no need for action to change/simplify rules for domestic service providers
- I do not know

Impact:

75. What would be the impact of reducing administrative barriers by for example reducing the complexity and length of procedures to access markets and ensuring better cooperation between home and host Member States?

scale: from 1 = "no impact" to 5 = "significant impact"

	1	2	3	4	5	I do not know
It will save costs for service providers that provide services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
More service providers will offer their services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will offer more choice to customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase productivity and competitiveness of the EU business services sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase costs for service providers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase costs for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Not much will change in practice	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide additional comments if necessary:

500 character(s) maximum

76. What would be the impact of facilitating compliance with regulatory requirements (related to for example organisation requirements and rules on technical/professional capacity) for service providers from other Member States?

scale: from 1 = "no impact" to 5 = "significant impact"

	1	2	3	4	5	I do not know
It will save costs for service providers that provide services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
More service providers will offer their services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
It will lower prices for customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will offer more choice for customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase productivity and competitiveness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase costs for service providers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase costs for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It may create an uneven playing field in those markets between providers from other Member States and national providers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not much will change in practice	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide additional explanation as regards potential impact in light of your experience:

500 character(s) maximum

77. What would be the impact of harmonising regulatory requirements for all players in the market?

scale: from 1 = "no impact" to 5 = "significant impact"

	1	2	3	4	5	I do not know
It will save costs for service providers that provide services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will save costs for service providers that provide services in that Member State	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
More service providers will offer their services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
More service providers will enter the market in their own Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will lower prices for customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will offer more choice to customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase productivity and competitiveness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
It will increase costs for service providers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase costs for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Not much will change in practice	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I do not know	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide additional explanation as regards potential impact in light of your experience:

500 character(s) maximum

Please feel free to add general comments on this section:

1000 character(s) maximum

B.6 - Questions on Insurance – Perspective of service providers

I - Internal market for key economic services sectors – Current situation

83. When you provide cross-border services on a temporary basis, do you find insurance products which are sufficiently flexible?

- Yes, I was able to find insurance cover for the limited duration of my temporary cross-border services
- No, I could not find insurance products adapted to the duration of my cross-border activity
- No, I had to contract insurance cover with duration of one year or more, even if my cross-border activity was shorter
- Not applicable

84. When providing services in another Member State, do you contract insurance for such services in the home Member State or in the host Member State?

- I usually extend the coverage of my home country insurance to the territory of the host Member State
- I subscribe to a new insurance in my home Member State
- I contract insurance locally in the host Member State
- I subscribe to a new insurance in a different Member State
- I cannot find a local insurer in the host Member State
- I avoid insurance because it is too expensive
- I rely on my insurance broker
- Other
- Not applicable

Please specify:

500 character(s) maximum

Although companies may be denied professional indemnity insurance by their home insurer when wanting to offer services abroad, the great majority of service providers have not decided against operating cross-borders because of this. In that sense, Chambers Ireland does not see a direct need to take action in this field, although country-specific issues might exist.

85. When providing services in another Member State and in the event that an insurance requirement was applied to you, was your insurance policy from the home Member State recognised as sufficient/equivalent in the host Member State?

- My insurance policy was accepted without restrictions in the host Member State
- My insurance policy was accepted, but I needed to contract a complementary insurance in the host Member State
- My insurance policy was not accepted and I needed to contract a totally new insurance in the host Member State
- My insurance policy was not accepted and I worked without any insurance coverage
- Insurance coverage was given by a local partner
- Insurance coverage was reached by becoming member of a chamber in the host Member State
- Other
- Not applicable

Please specify:

500 character(s) maximum

86. Did you encounter difficulties to find information about the applicable rules on insurance obligations in the host Member State?

- I could easily find information via a website of the host Member State
- I needed to contact competent authorities in the host Member State to find out
- I needed to contact a law firm in the host Member State to find out
- I could not find information about the applicable rules on insurance obligations in the host Member State
- I used a broker and it worked well
- I used a broker but the broker was too expensive
- Other
- Not applicable

87. When contracting professional indemnity insurance with an insurer in the host Member State, was your track-record as a company insured in the home Member State duly taken into account?

- Yes, my previous track record in the home Member State was taken into account
- Yes, my previous track record in the home Member State was partially taken into account
- No, my previous track record in the home Member State was irrelevant for the insurer in the host Member State when assessing my risk profile
- No, my previous track record led even to an increase of the risks to be ensured
- Not applicable

88. Do you consider that national rules requiring professional indemnity insurance for a given services activity lead to administrative burden for service providers (e.g. information and documentation requirements, submission of evidence on previous track-record, assessment of equivalence of home country insurance)?

- Yes, these rules create a significant administrative burden
- Yes, these rules lead to a certain degree of administrative burden
- Rather no administrative burden
- No administrative burden at all
- I do not know

Please provide additional explanation as regards potential impact in light of your experience:

500 character(s) maximum

89. Based on your experience, have rules on professional indemnity insurance slowed down or prevented a possible expansion of your activities into the market of another Member State?

- Yes
- No
- Not applicable

Please describe the situation, for example: in which country, how did you deal with the situation, how much time did this take you and how much did it cost.

1000 character(s) maximum

90. Which sectors do you consider to be the most affected by the problems mentioned above regarding professional indemnity insurance? (multiple choice)

- Business services at large
- Accounting services
- Engineering services
- Architecture services
- Construction services
- Other sectors
- None

Please specify and give reasons why:

1000 character(s) maximum

Please provide additional explanation for choice above where possible:

500 character(s) maximum

II - Need for action and potential policy options

91. Do you consider that the difficulties in obtaining adequate professional indemnity insurance coverage for cross-border activities need to be addressed at EU level?

- Those difficulties need to be addressed at EU level
- Those difficulties need to be addressed at national level
- Those difficulties need to be addressed both at national and EU level
- Those difficulties should be left to the markets
- I do not know
- Other

Please specify:

500 character(s) maximum

92. Which kind of action do you deem necessary?

- It would be necessary to address the administrative difficulties
- It would be necessary to address the legislative discrepancy between Member States through regulatory intervention
- It would be necessary to take action both at administrative and at regulatory level
- I do not know
- Other
- Not applicable

Please specify:

500 character(s) maximum

93. Which of the following actions do you deem necessary?

- Standardisation of the information attesting insurance coverage, e.g. through a standardised insurance certificate building on the Insurance Directive
- Using existing points of contact in Member States, to coordinate access to insurance for cross-border service providers
- Designing dedicated websites, which may include for instance electronic comparison tools for insurance policies, thus enabling service providers to compare coverage, fees etc.
- I do not know
- Other
- Not applicable

Please specify:

500 character(s) maximum

94. Which of the following actions do you deem necessary?

- Clearly stating in specific EU secondary legislation that professional indemnity insurance obligations need to comply with the principle of proportionality
- Harmonizing minimum conditions of access to insurance (e.g. insured sum, insured risks, exclusions from cover, territorial scope) in all Member States
- Fully harmonizing professional indemnity insurance for the activities in the scope of the services passport
- I do not know
- Other
- Not applicable

Please specify:

500 character(s) maximum

III - Impacts

95. What would be the impact of reducing insurance related administrative barriers?

scale: from 1 = "no impact" to 5 = "significant impact"

	1	2	3	4	5	I do not know
It will save costs for service providers that provide services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More service providers will offer their services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will offer more choice to customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase productivity and competitiveness of the EU business services sector	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase costs for service providers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase costs for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Not much will change in practice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please provide additional comments on potential impact in light of your experience:

500 character(s) maximum

96. What would be the impact of addressing insurance related regulatory requirements

scale: from 1 = "no impact" to 5 = "significant impact"

	1	2	3	4	5	I do not know
It will save costs for service providers that provide services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
More service providers will offer their services in other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will lower prices for customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will offer more choice to customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase productivity and competitiveness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
It will increase costs for public administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Not much will change in practice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Please provide additional information on potential impact in light of your experience:

500 character(s) maximum

Please feel free to add general comments on this section:

1000 character(s) maximum

B.9 - General questions on the scope of the actions

108. Which services sectors should be covered by potential action to facilitate cross-border activities through a services passport?

(Please also describe why)

1000 character(s) maximum

It is very difficult to assess this without knowing how it would be implemented and function in practice. Chambers of Commerce members are in favour of supporting the European Commission in their efforts to reduce administrative burdens for businesses and service recipients. However, it is not clear from our members that an initiative like a services passport is the required solution.

109. Which business services sectors should be covered by potential action to facilitate cross-border activities through a services passport?

(Please also describe why)

1000 character(s) maximum

n/a

110. Which construction services sectors should be covered by potential action to facilitate cross-border activities through a services passport?

(Please also describe why)

1000 character(s) maximum

n/a

111. Which services sectors other than business services and construction should be covered by potential action to address regulatory obstacles?

1000 character(s) maximum

n/a

Please feel free to add general comments on this section:

1000 character(s) maximum

Chambers Ireland considers that that work remains to be done at the level of the implementation of the Services Directive. If the integration of the service sector lags behind in Europe, the reasons are among others to be found in the poor implementation of the Services Directive.

The Services Passport could cover should cover all relevant requirements in cross-border trade of services (authorisations and registrations, recognition of professional qualifications, social security, VAT formalities and posting of workers

Contact

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