Core Theme 3 RES Heat Taskforce





Co-funded by the Intelligent Energy Europe Programme of the European Union

# Table of Contents

| 1 Introduction                              | 3  |
|---|----|
| 2 The Legislative Landscape                 | 5  |
| 3 Which legislation applies?                | 10 |
| 4 Assessing the Case for Mutual Recognition |    |
| 5 Glossary of Terms                         | 16 |
| 6 Abbreviations                             | 18 |

# Authors:

Kåre Groes, Danish Energy Agency, Denmark Antonio Joyce, LNEG, Portugal Frances Downy, Energy Saving Trust, UK Emma Sims, Energy Saving Trust, UK Emilie Carmichael, Energy Saving Trust, UK



# 1 Introduction

According to Article 14.3, of the European Directive on Renewable Energy Sources (2009/28/EC):

"Member States shall ensure that certification schemes or equivalent qualification schemes become or are available by 31 December 2012 for installers of smallscale biomass boilers and stoves, solar photovoltaic and solar thermal systems, shallow geothermal systems and heat pumps. Those schemes may take into account existing schemes and structures as appropriate, and shall be based on the criteria laid down in Annex IV. Each Member State shall recognise certification awarded by other Member States in accordance with those criteria."

Member States (MS) should now have implemented the Directive in terms of setting up a certification or equivalent scheme for renewable energy installers in their countries. However, through the Concerted Action for the Renewable Energy Sources (CA-RES) Directive we have found that many MS are uncertain about what they should do to meet the requirements to recognise the certification awarded by another MS. This will be referred to as mutual recognition for the purposes of this report.

Through CA-RES several discussions between MS were facilitated, a basic process was developed and broad agreement was reached on the need for (and value of) further work on this topic. A Task Force was established to develop the ideas and supplement this with additional research and thinking with a view to developing guidance for MS on the topic of mutual recognition.

This report is the product of this work. It provides general guidance for MS and identifies the main points to be considered when dealing with a request for mutual recognition.

# Aim of the Guidance

The main aim of this guidance is to provide a framework for assessing requests for the mutual recognition of the installer certification/qualification schemes for the five technologies referred to in the Renewable Energy Sources Directive (2009/28/EC) (hereafter RES Directive) and describe the process for applying this framework. This is guidance only. Each MS is free to adopt processes for ensuring the RES Directive is implemented at their own discretion.

As well as the requirements set out within the RES Directive relating to the mutual recognition of renewable installers there are several other pieces of legislation which also impact on the actions taken with each MS. These have also been considered during the development of this guidance note and we hope that this will start to highlight areas of note for MS to be aware of.

## Structure of the Guidance

This guidance document sets out a framework which MS can use to assist and inform their processes for assessing requests for mutual recognition from installers of small scale renewable technologies. The guidance is based on three diagrams.

- The first outlines the legislation which relates to installer certification schemes<sup>1</sup> and explains the different legislation that applies, depending on the specific set up of the scheme.
- The second sets out a step-by-step approach that MS can follow to review each element of their certification scheme and assess which legislation applies to its' specific circumstances.
- The last sets out a step-by-step process that MS can follow to assess requests for mutual recognition made by installers whose certification or qualification have been awarded in another MS.







1 Throughout this guidance we use the term "certification scheme". However this equally refers to qualification schemes. This is in accordance with Article 14.3 of the RES Directive.

# 2 The Legislative Landscape

The ability of citizens to practise economic activities in another MS is a fundamental right enshrined in the Treaty on the Functioning of the European Union (TFEU)<sup>2</sup>. This Treaty sets the basis for free movement<sup>3</sup> within the European Union which all subsequent legislation must also withhold. This includes the freedom of movement for workers and service providers – allowing EU citizens the right to work in another MS and the freedom to provide services there – which covers the provision of cross border services.

All subsequent legislation must ensure that these freedoms are not inhibited. However, within these limits, there are exceptions to this rule where MS are free to make access to a particular profession legally conditional upon the possession of a specific professional qualification.

Several directives exist to facilitate the free movement of citizens and apply additional guidance in certain situations. These regulate the movement of services and establishment and ensure that individuals are recognised and are implementing best practice within their profession. The two most relevant pieces of legislation to this discussion are:

- Professional Qualifications Directive (2005/36/EC) (hereafter PQD). The PQD applies to all MS
  nationals wishing to practice a regulated profession on either a self-employed or an employed basis,
  in a MS other than that in which they obtained their professional qualifications.
- Directive on Services in the Internal Market (2006/123/EC) (hereafter SD). The SD applies to nationals and companies delivering services for which an authorisation is required.

The guidance for the mutual recognition of renewable installer certification set out within this document draws upon the processes and procedures already established through the two directives mentioned above. The following paragraphs provide some background on these directives and the context within which renewable installer certification schemes should be considered in relation to them.

<sup>2</sup> http://europa.eu/eu-law/decision-making/treaties/index\_en.htm

<sup>3</sup> Free establishment, free movement of services, free movement of workers and free movement of goods etc.

## **Professional Qualifications Directive**

## Scope of the Professional Qualifications Directive

The PQD applies to all individuals wishing to pursue a regulated profession in a MS (Article 2.1). Article 3.1, paragraph a) defines what is meant by a regulated profession:

"regulated profession: a professional activity or group of professional activities, access to which, the pursuit of which, or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative, regulatory or administrative provisions to the possession of specific professional qualifications; in particular, the use of a professional title limited by legislative, regulatory or administrative provisions to holders of a given professional qualification shall constitute a mode of pursuit."

A regulated profession in the meaning of the PQD is therefore a mandatory set of requirements that professionals have to meet in order to pursue this profession in their own or another MS. In relation to the renewables installer certification required in the RES Directive, this means that the PQD is only relevant if it is mandatory (set in law) in a given MS to have the competences required in Annex IV of the RES Directive in order to pursue installation of renewables in a professional capacity.

If, as is the case in the majority of MS (at the time of writing), the scheme is de jure voluntary, then it is not a "regulated profession" under the PQD and thus falls outside of its scope. For example, where the renewable installer certification acts more as a "quality seal" (and not as a precondition to work in the field) this would not be considered a regulated profession.

If a given scheme is not mandatory, and thus not covered by the PQD, it will still have to meet the requirements set in general EU law, which upholds the right to free exchange of services and the right to freedom of establishment.

## Consequences of being covered by the PQD

If renewable installer certification is mandatory in a given MS and therefore falls under the PQD there are two routes which the installer may take.

- Provide services on a *temporary basis* in which case the individual can practice without further approval from the host MS. However, when practising in the host MS, the service provider has to meet the same requirements as those with certification from the host MS.
- Establishment on a *permanent basis* the individual can practice but must meet the certification requirements of the host MS. The individual may need to have their education recognised in the host MS, even if this is not a requirement for certification in the MS in which they obtained their certification.

# Services of the Internal Market Directive

## Scope of the Services of the Internal Market Directive

The key difference between the SD and the PQD is that the SD applies to both individuals and companies, as opposed to the PQD, which only applies to individuals. However in the case of individuals, the SD states that the PQD should take precedence over the SD (Art. 3). As is the case with the PQD, the SD also has rules on free delivering of services and establishment; however these only apply to *mandatory schemes (Art. 4)*.

# Consequences of being covered by the Services Directive

If a given renewables installer certification scheme falls within the scope of the SD, there are certain conditions which may influence how the MS can set up the scheme. For example, a MS cannot set up a scheme that involves direct or indirect discrimination against service providers from other countries and requirements for accession to the scheme must be recognised as valid in EU law and must not be disproportional.

The European Commission has published a handbook on the implementation of the SD that provides useful background. The handbook can be downloaded here: http://ec.europa.eu/internal\_market/services/docs/services-dir/guides/handbook\_en.pdf

In general, the idea is that it is sufficient that an individual or company meets the requirements set in the originating MS, if they want to deliver services in the host MS only on a temporary basis. If, however, they want to establish themselves permanently in the host MS, they must meet the requirements of the host MS.

## Not covered by the PQD or the SD?

If a national renewable certification scheme is not covered by the PQD or SD, it still needs to comply with general EU internal market law. The most important rules are Art. 49 and 56 of the Treaty on the Functioning of the EU (TFEU), that deal with the right to free establishment and the free movement for provision of services. These rules prohibit direct and indirect discrimination against other EU nationals and companies. They also prohibit non-discriminative restrictions to free establishment and provision of services.

Rules that pose an indirect or direct discrimination or a restriction, must have a valid purpose recognised by the European Court of Justice and must be proportionate. Whether a certain requirement constitutes discrimination or restriction depends on many different factors, for instance what the practical consequence of the rule is. In all cases EU law takes precedence over the national law.

In the case of renewable installer certification any rule or requirement (even if the scheme is voluntary) contained within these could, in the worst case, constitute a restriction or be assessed to be discriminatory. Examples of requirements which fall both within and outside the scope of the two directives are language requirements and insurance obligations.

#### The Requirements of the RES Directive

Annex IV of the RES Directive stipulates the minimum requirements which have to be fulfilled by a professional in order to obtain certification. Article 14.3 also states that "Each Member State shall recognise certification awarded by other Member States in accordance with those criteria". Therefore there should, in principle, be automatic recognition of the certificates testifying compliance with those standards outlined in Annex IV.

This means that the host MS should only verify that the documentation presented is authentic and still valid. The host MS cannot ask for additional documents, letters or explanations to prove that the certification scheme the applicant is qualified under meets the requirements laid down in Annex IV. MS are free to impose additional requirements or compensatory measures.

However, these requirements must meet the standards mentioned above set out under general EU law, as these additional requirements would be set outside the scope of the RES Directive.

Once an individual installer has fulfilled the additional requirements he has to be included in the same list as national providers without any mention that his initial certification was obtained in another MS. MS can only have a separate list of installers where the installer/s in question are providing temporary services i.e. on the basis of the installer certification issued in the MS in which they obtained it, and thus automatically recognised by the host MS without meeting any additional requirements.

**Figure 1** describes how the Professional Qualifications Directive (PQD), the Services Directive (SD) and the Renewable Energy Sources Directive (RES Directive) overlap and interlink in different cases depending on how the renewable installer certification scheme has been set up within each MS.

Depending on how the scheme is set up in each MS, a different combination of the PQD, SD and RES Directive may apply in each case.

The centre of the diagram refers to the three main ways in which a certification scheme can be set up. These three areas then link to a different combination of other influencing directives. These are broadly split around whether the scheme in question is mandatory or voluntary and whether the scheme is applicable at the individual installer or company level.

#### FIGURE 1 Overall scheme for Mutual Recognition of Installers of RE in the framework of Article 14 of RES Directive

#### Supplementary rules

means rules governing a renewables installer certification scheme that are not mentioned in Art. 14.3, and Annex IV of the RES Directive. An example of this could be a language requirement.

#### Supplementary rules governing a voluntary company or personal certification scheme General EU law (Treaty on the Functioning of the EU, Art. 49 and 56)

| VOLUNTARY SCHEMES  | Voluntary company or<br>personal certification scheme<br>RES Directive Art. 14. sec. 3 and Annex IV<br>(only if admittance requirements<br>equals Annex IV) |  |   |  |
|--|---|--|---|--|
| MANDATORY SCHEMES  | Mandatory company<br>certification schemes<br>– SD<br>– RES Directive<br>(only if admittance<br>requirements equals<br>Annex IV)                            |  | latory personal<br>ication schemes<br>)<br>Directive<br>y if admittance<br>uirements equals<br>ex IV) |  |
| Supplementary rules within the scope<br>of the SD governing a mandatory company<br>certification scheme<br>SD              |   |  |   | rules within the scope of the<br>rerning a mandatory personal<br>reme  |
| Supplementary rules outside the scope<br>of the SD governing a mandatory company<br>certification scheme<br>General EU law |   |  |   | rules outside the scope of the<br>rerning a mandatory personal<br>reme |

#### Abbreviations

- SD: services on the internal market directive (2006/123/EC)
- PQD: professionals' qualifications directive (2005/36/EC)
- RES Directive: renewable energy sources directive (2009/28/EC)

# 3 Which legislation applies?

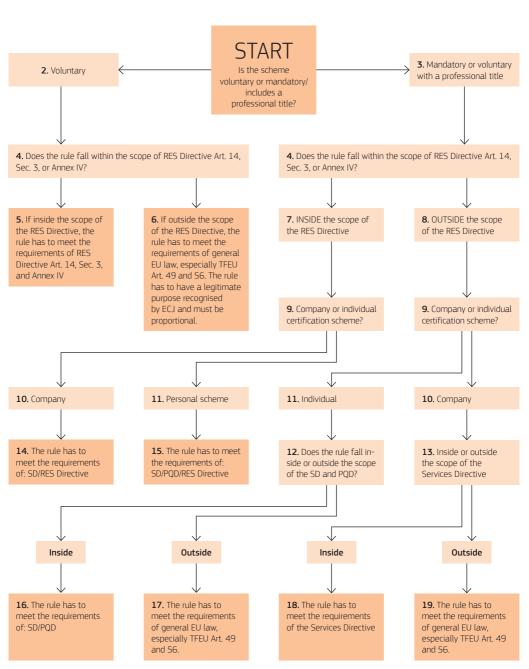
**Figure 1** set out the main legislation which applies when considering whether to accept a request for mutual recognition. In order to evaluate the renewable installer certification scheme of a MS it is important to evaluate each element of the scheme separately. For instance, if the scheme in a MS consists of four elements, MS must consider each element of the scheme individually in order to assess which elements of the EU legal framework apply in each case.

In order to evaluate a renewable installer certification scheme from another MS and take a decision on whether to mutually recognise it MS must follow two steps. As a first step, it is important to first understand which legislation/s applies/apply to each scheme. Understanding this will help MS to assess the certification of the applying installer and its legal basis.

Figure 2 sets out a flow diagram to guide MS through the process of assessing which legislation applies to each element of a certification scheme.







## **FIGURE 2** Flow diagram to assess which legislation applies to each element of a certification scheme

# Guidance for using the flow diagram to assess which legislation applies to each element of a certification scheme (Figure 2)

| Box | Explanation  |
|-----|--|
| 1   | <b>START:</b> Is the scheme voluntary, mandatory or includes a professional title? Choose between either a voluntary scheme <u>or</u> a scheme that is mandatory or with a professional title.   |
| 2   | Voluntary: Meaning that it is entirely voluntary for installers to be in the scheme.   |
| 3   | Mandatory or voluntary with a professional title.<br>Also follow this route if the renewable installer certification is linked to a tax incentive scheme,<br>most likely if this is the case the scheme will be recognised as mandatory.<br>An entirely voluntary scheme granting the renewables installer a certain title does not fall into this category<br>but will be recognised as voluntary.  |
| 4   | Does the certification fall within the scope of the RES Directive Art. 14.3, or Annex IV? Here you must distinguish between rules that are covered by the RES Directive, for instance rules on minimum levels of education. <u>And</u> rules that are not covered by the Directive, for instance rules on insurance, which thus fall outside of the scope of the Directive.  |
| 5   | If inside the scope of the RES Directive, the certification has to meet the requirements of the RES Directive Art. 14.3 and Annex IV.  |
| 6   | If outside the scope of the RES Directive, the certification has to meet the requirements of general EU law,<br>especially TFEU Art. 49 and 56.<br>The rule has to have a legitimate purpose recognized by the European Court of Justice (ECJ) and must be proportional.<br>A legitimate purpose recognised by the ECJ is for instance protection of the environment or consumers.   |
| 7   | Inside the scope of the RES Directive. See box 4.  |
| В   | Outside the scope of the RES Directive. See box 4.   |
| 9   | Company or individual certification scheme?<br>This distinction is important as the PQD only deals with professionals and not the companies they work for. The SD covers both<br>professionals and companies.  |
| 10  | Company  |
| 11  | Individual   |
| 12  | Does the rule fall inside or outside the scope of the SD and PQD?<br>In order to answer this question you will have to understand the detailed and specific requirements of the two directives<br>to understand whether the rule you are examining is subjected to regulation in both.<br>For instance rules on insurance are mentioned in both directives and thus fall inside the scope of both. In this respect you will<br>have to distinguish between rules regulating temporary delivery of services and rules regulating permanent establishment. |
| 13  | Inside or outside the scope of the SD? See box 12.<br>The same considerations apply here, but related only to the SD.  |
| 14  | The rule has to meet the requirements of the SD and the RES Directive.<br>In addition to the rules of the RES Directive, the rule in question also has to meet the requirements of the SD.<br>Again it will be necessary to distinguish between rules regulating temporary delivery of services and<br>rules regulating permanent establishment. See the text of the directives for further guidance.  |
| 15  | The rule has to meet the requirements of the SD, PQD and RES Directive.<br>In addition to the rules of the RES Directive, the rule in question also has to meet the requirements of the PQD and SD.<br>Again it will be necessary to distinguish between rules regulating temporary delivery of services and<br>rules regulating permanent establishment. See the text of the directives for further guidance.   |
| 16  | The rule has to meet the requirements of the SD and PQD.<br>The rule in question falls outside of the scope of the RES Directive, for instance rules on insurance,<br>but have meet the requirements of both the SD and PQD. See the text of the directives for further guidance.  |
| 17  | The rule has to meet the requirements of general EU law, especially TFEU Art. 49 and 56.<br>The rule has to have a legitimate purpose recognized by ECJ and must be proportional.<br>A legitimate purpose recognised by the ECJ is, for instance, protection of the environment or consumers.  |
| 18  | The rule has to meet the requirements of the SD.<br>The rule in question falls outside the scope of the RES Directive, for instance rules on insurance,<br>but have to meet the requirements of the SD. See the text of the Directive for further guidance.  |
| 19  | The rule has to meet the requirements of general EU law, especially TFEU Art. 49 and 56.<br>The rule has to have a legitimate purpose recognized by ECJ and must be proportional.<br>A legitimate purpose recognised by the ECJ is for instance protection of the environment or consumers.  |

# 4 Assessing the Case for Mutual Recognition

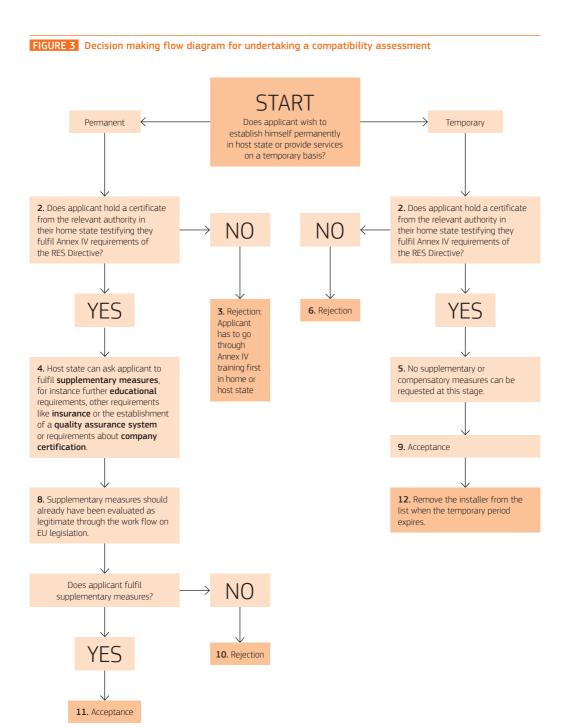
Having undertaken step one and only once a MS has a clear understanding of the legislation affecting each scheme, a MS is in a position to take a decision about whether or not to mutually recognise the certification scheme of another MS. Step 2 in the process is for MS to undertake an assessment of the compatibility of a scheme from another MS with the certification framework in place in their own country.

**Figure 3** is intended to support MS when taking a decision about whether or not to mutually recognise the scheme of another MS. It sets out a decision making flow chart for undertaking a compatibility assessment i.e. a process for assessing applications for mutual recognition from installers from other MS according to the RES Directive Art. 14.3.

N.B. In order for the flow chart set out in **Figure 3** to work as intended, it is first necessary to assess each aspect of the host and originating MS certification schemes in order to ascertain whether they meet the requirements of the EU legal framework (i.e. Step 1 - using the process outlined in **Figure 2**). Once it has been established that both schemes are legally sound, Step 2 - a compatibility assessment - can be undertaken (**Figure 3**).

If a national scheme in itself is not compliant with the relevant EU law covering the scheme, it is difficult to establish how an application for mutual recognition should be treated. In this case the requirements the application has to meet are not themselves legally correct.

The below decision making flow chart for undertaking a compatibility assessment (**Figure 3**) makes a distinction between temporary delivery of services in a host MS and permanent establishment in the host MS, as the EU rules governing the two situations differ significantly.



# Guidance for using the decision making flow diagram for undertaking a compatibility assessment (Figure 3)

#### Box Explanation

1 START: Does the applicant want to establish themselves permanently in the host MS or provide services on a temporary basis?

The applicant should state this in their application for mutual recognition. The distinction between when an installer is providing services temporarily or establishing themselves permanently has to be decided through the case law of the ECJ. There is no prefixed time limit that determines when a situation changes from temporary delivery of services to permanent establishment. As a guideline you can say that, if the installer establishes themselves in the host MS (living and working in), then this should be treated as permanent establishment and they therefore cannot go by the rules on temporary delivery of services. Guidance on the distinction may be found in the ECJ ruling C-171/02 Commission vs. Portugal.

2 Does the applicant hold a certificate from the relevant authority in their originating MS testifying they fulfil Annex IV requirements of the RES Directive?

The relevant authority in the host MS granting the mutual recognition may only ask for the certificate. The authority may not, as a general rule, scrutinise whether the renewable installer certification scheme from the installer's originating MS actually meets the requirements of the RES Directive Annex IV. This is a task reserved for the European Commission.

The authority of the host MS may ask the relevant authority of the installer's originating MS whether the certificate in question is correct and still valid.

3 Rejection:

The applicant has to go through training in order to meet the basic Annex IV requirements in their originating or host MS. If the applicant does not hold a relevant renewable installer certificate, the installer must go through the training as per the requirements for other installers in the host MS.

4 Host MS can ask an applicant to fulfil supplementary measures, for instance further educational requirements, other requirements like insurance or the establishment of a quality assurance system or requirements about company certification.

These supplementary measures should already have been evaluated as legal and in line with the EU law covering it through the flow diagram covering EU legislation (**Figure 2**). As it has already earlier been established that the supplementary requests are in line with the relevant EU law, it is possible to ask the renewables installer to fulfil the supplementary measures on top of the requirements of the RES Directive Annex IV.

- 5 No supplementary or compensatory measures can be requested at this stage. It is only in a situation where the renewables installer is seeking <u>permanent</u> establishment in the host MS that the host MS may ask for compensatory measures. As a general rule of EU internal market law, it is not possible to ask for compensatory measures when the installer is only seeking recognition to provide services for a limited time period.
- 6 Rejection:

The applicant must undertake training on the basic Annex IV topics in the originating or host MS. If the applicant does not hold a relevant renewables installer certificate, the installer must undertake training as required for other installers in their originating MS.

8 Supplementary measures should already have been evaluated as legitimate through the work flow on EU legislation.

These supplementary measures should already have been evaluated as legal and in line with the EU law covering it through the flow diagram covering EU legislation (**Figure 2**). As it has already earlier been established that the supplementary requests are in line with the relevant EU law, it is possible to ask the renewables installer to fulfil the supplementary measures on top of the requirements of the RES Directive Annex IV.

9 Acceptance:

The installer is able to provide services on a temporary basis and can be added to the list of installer in the host MS. (Note: A separate list is possible).

10 Rejection:

The applicant must undertake training on the basic Annex IV topics in originating or host MS. If the applicant does not hold a relevant renewables installer certificate, the installer must undertake training as required for other installers in the originating MS, including topics related to supplementary measures.

11 Acceptance:

The installer is able to provide services on a permanent basis and should be added to the renewables installer list in the host MS. The list must not differentiate the installer from those who have undergone training and certification within the host MS.

12 Remove the installer from the list when the temporary period expires.

The host MS may also ensure, that the installer upholds a valid renewables installer certificate from his originating MS as long as the installer uses this certificate for mutual recognition in the host MS.

# 5 Glossary of Terms

This glossary provides general guidance on the key terminology related to certification or equivalent qualification. This glossary was developed with specific reference to:

- Glossary of the Qualicert project
- Glossary on the terminology of European education and training policy published by Cedefop (European Centre for the Development of Vocational Training),
- European Directive on the promotion of the use of energy from renewable sources,
- European Directive on the Recognition of Professional Qualifications and
- Definitions provided by CEN (European Committee for Standardisation).

| Term   | Definition   |
|--|--|
| Accreditation of an<br>awarding body                   | Procedure by which an authoritative body gives formal recognition that an awarding body is<br>competent to issue qualifications (certificate, diploma, title or label).  |
| Accreditation of an education<br>or training programme | A process of quality assurance executed by an authoritative body through which accredited status<br>is granted to a programme of education or training, which meets predetermined stringent and<br>uniform standards.  |
| Accreditation of an education<br>or training provider  | A process of quality assurance executed by an authoritative body through which accredited status<br>is granted to an education or training provider, which meets predetermined stringent and uniform<br>standards.   |
| Assessment of learning<br>outcomes                     | The process of appraising knowledge, skills and/or competences of an individual against predefined<br>criteria (learning expectations, measurement of learning outcomes). Assessment is usually followed<br>by validation of learning outcomes and/or certification.   |
| Audit  | Examination and verification of an installer's knowledge, skills, and/or competences to install,<br>maintain and troubleshoot a small-scale RE system. Different types of audits exist, such as<br>administrative audits based on documents and administrative proofs submitted by the installer or<br>on-site audits performed during the works or after the installation are achieved. |
| Awarding body  | A body issuing an official document (certificates, diplomas, titles or labels) formally recognising<br>the knowledge, skills and/or competences of an installer, following an assessment and a validation<br>procedure.  |
| Certificate  | An official document, issued by an awarding body, which recognizes the achievements, knowledge, know-how, skills and/or competences of an installer following an assessment and validation against a predefined standard.<br><u>Related terms</u> ; label, diploma, title  |
| Certification of<br>learning outcomes                  | The process of issuing a certificate, diploma or title formally attesting that a set of learning<br>outcomes (knowledge, skills and/or competences) acquired by an individual have been assessed<br>and validated by a competent body against a predefined standard.   |
| Certification  | Procedure by which a third party gives written assurance that a product, process or service conforms to specified requirements.  |
| Compensatory Measures                                  | To serve as, or provide a substitute. Compensatory measures provide evidence of competencies not<br>proven in a standard way.  |
| Curriculum   | The inventory of activities implemented to design, organise and plan an education or training<br>action, including the definition of learning objectives, content, methods (including assessment) and<br>material, as well as arrangements for training teachers and trainers.   |
| Education or<br>training programme                     | An inventory of activities, content and/or methods implemented to achieve education or training<br>objectives (acquiring knowledge, skills and/or competences), organized in a logical sequence over a<br>specified period of time.  |
| Education or training provider                         | Any organisation or individual providing education or training services.   |
| Examination  | Testing of an individual knowledge, skills and/or competences. A proof of successful examination is<br>usually issued.   |
| Installer  | An individual who or an installation company which plans, installs, maintains and troubleshoots a small-scale RE system.   |
| Label  | A recognizable quality brand, issued by an awarding body, which recognizes a set of criteria<br>implemented by a company, following an assessment and a validation procedure.  |

| Term                  | Definition   |  |
|-----------------------|--|--|
| Learning outcomes     | The set of knowledge, skills and/or competences an individual has acquired and/or is able to<br>demonstrate after completion of a learning process.  |  |
| Qualification         | The formal outcome (certificate, diploma, title or label) of an assessment and validation process<br>which is obtained when a competent body determines that an installer has achieved learning<br>outcomes to given standards and/or possesses the necessary competence to do a job in a specific<br>area of work. A qualification confers official recognition of the value of learning outcomes in the<br>labour market and in education and training.  |  |
|                       | The above-cited definition is "formal qualification", to which we refer to in the context of a<br>Quality scheme designed for "certification or equivalent qualification of an installer".   |  |
|                       | <ul> <li>The term qualification can also be defined as:</li> <li>Professional qualification: professional experience achieved either through a training course not forming part of a certificate or diploma, or through full-time pursuit of the profession for three consecutive years or for an equivalent duration on a part time basis during the previous 10 years.</li> <li>Skills requirements: the knowledge, aptitudes and skills required to perform the specific tasks attached to a particular work position (ILO).</li> </ul> |  |
| Quality scheme        | A scheme describing the necessary steps to ensure the overall quality of small-scale RE installations, the qualification process being a part of it.   |  |
| Qualification process | A process encompassing the different stages of vocational training and qualification of an installer,<br>leading to the attestation that an installer has demonstrated the necessary knowledge, skills and<br>competences required to plan, install, maintain and troubleshoot a small-scale RE system.  |  |
|                       | In case of certification or equivalent qualification of a company, the company has to appoint at<br>least one technical referent among its staff. The technical referent is an individual with adequate<br>knowledge, skills and/or competences required according to the Quality scheme.  |  |
| Validation            | Confirmation, through the provision of objective evidence that the requirements for a specific<br>intended use or application have been fulfilled (ISO 9000:2005 3.8.5).   |  |
| Regulated profession  | A professional activity or group of professional activities, access to which, the pursuit of which,<br>or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative,<br>regulatory or administrative provisions, to the possession of specific professional qualifications;<br>in particular, the use of a professional title limited by legislative, regulatory or administrative<br>provisions to holders of a given professional qualification constitutes a mode of pursuit.                   |  |
| Formal qualification  | Diplomas, certificates and other evidence issued by an authority in a Member State designated<br>pursuant to legislative, regulatory or administrative provisions of that Member State and certifying<br>successful completion of professional training obtained mainly in the Community.  |  |
| Adaptation period     | The pursuit of a regulated profession in the host Member State under the responsibility of a<br>qualified member of that profession, such period of supervised practice possibly being accompanied<br>by further training. This period of supervised practice is the subject of an assessment.   |  |
| Aptitude test         | A test limited to the professional knowledge of the applicant, carried out by the competent authorities of the host Member State with the aim of assessing the ability of the applicant to pursue a regulated profession in that Member State. For such tests to be allowed, the competent authorities have to draw up a list of subjects not covered by the evidence of formal qualifications possessed by the applicant.   |  |



# 6 Abbreviations

| Abbreviation  | Meaning  |
|---------------|--|
| Art.          | Article  |
| CA-RES        | Concerted Action   |
| Cedefop       | European Centre for the Development of Vocational Training |
| CEN           | European Committee for Standardisation                     |
| ECJ           | European Court of Justice                                  |
| EU            | European Union   |
| ILO           | International Labour Organisation                          |
| MS            | Member States  |
| PQD           | Professional Qualifications Directive (2005/36/EC)         |
| RE            | Renewable Energy   |
| RES           | Renewable Energy Sources                                   |
| RES Directive | Renewable Energy Sources Directive (2009/28/EC)            |
| SD            | Directive on Services in the Internal Market (2006/123/EC) |
| Sec.          | Section  |
| TFEU          | Treaty on the Functioning of the European Union            |

This is a public CA-RES report

For more information please send an email to: Leonardo.Barreto-Gomez@energyagency.at, Cornelia.Schenk@energyagency.at, Shruti.Athavale@energyagency.at



greenprint\*

The Concerted Action to support the implementation of the RES Directive 2009/28/EC (CA-RES) was launched with the participation of the responsible authorities from 30 EU countries and supported by Intelligent Energy Europe (IEE) in July 2010 to provide a structured and confidential dialogue on how to address the cost-effective implementation of the RES Directive 2009/28/EC.

For further information please visit www.ca-res.eu

**Disclaimer:** The sole responsibility for the content lies with the authors. It does not necessarily reflect the opinion of the European Union. Neither the EASME nor the European Commission are responsible for any use that may be made of the information contained therein. Copyright © Concerted Action - Renewable Energy Sources Directive. All rights reserved.