

Guidelines on the organisation and recognition of professional traineeships carried out in another Member State or in a third country, in particular on the role of the supervisor of the professional traineeship.

Preamble

Article 55a of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, introduced by Article 1 of Directive 2013/55/EU amending Directive 2005/36/EC, governs the recognition of professional traineeship.

The Article provides that *'1.If access to a regulated profession in the home Member State is contingent upon completion of a professional traineeship, the competent authority of the home Member State shall, when considering a request for authorisation to exercise the regulated profession, recognise professional traineeships carried out in another Member State provided the traineeship is in accordance with the published guidelines referred to in paragraph 2, and shall take into account professional traineeships carried out in a third country. However, Member States may, in national legislation, set a reasonable limit on the duration of the part of the professional traineeship which can be carried out abroad. 2. Recognition of the professional traineeship shall not replace any requirements in place to pass an examination in order to gain access to the profession in question. The competent authorities shall publish guidelines on the organisation and recognition of professional traineeships carried out in another Member State or in a third country, in particular on the role of the supervisor of the professional traineeship'*.

Recital 27 of Directive 2013/55/EU states, *inter alia*, that *'The recognition of a professional traineeship completed in another Member State should be based on a clear written description of learning objectives and assigned tasks, to be determined by the trainee's supervisor in the host Member State. Professional traineeships completed in third countries should be taken into account by Member States when considering a request to access a regulated profession'*.

Article 17-bis of Legislative Decree No 206 of 9 November 2007 implementing Directive 2005/36/EC provides that *'Within 60 days from the date of entry into force of this Article, the Ministry of Education, Universities and Research shall, for the professions for which a period of traineeship is included in undergraduate or postgraduate education, publish guidelines on the organisation and recognition of professional traineeships carried out in another Member State or in a third country, in particular on the role of the supervisor of the professional traineeship'* and, for all other professions, *'guidelines on the organisation and recognition of professional traineeships carried out in another Member State or in a third country, in particular on the role of the supervisor of the professional traineeship, shall be published, within 60 days of the date of entry into force of this Article, by the authorities responsible for establishing the criteria and procedures for carrying out the traineeship in Italy on their respective websites'*.

Article 49 of Presidential Decree No 394 of 31 August 1999 governs the procedures for the recognition of professional qualifications obtained in a third country for the pursuit of a profession.

Pursuant to Article 6 of Presidential Decree No 137 of 7 August 2012, the Regulation on traineeship for access to the profession of customs agent/broker was adopted.

Purpose

Without prejudice to Article 6 of Presidential Decree No 137/2012, these guidelines govern the organisation and recognition of traineeship for customs agents/brokers carried out in another Member State or in a third country.

The traineeships covered by these guidelines shall take into account the criteria, contents and arrangements for the corresponding traineeships carried out at national level.

The traineeship period carried out in accordance with these guidelines shall be recognised and may validly supplement or complete the professional traineeship carried out in Italy, subject to a positive

assessment of the existence of criteria, contents and methods equivalent to those provided for the corresponding traineeships carried out at national level.

Purpose of the professional traineeship abroad

The professional traineeship carried out in a Member State or in a third country, constituting a high-quality theoretical and practical intercultural training experience, is intended, inter alia, to support the transnational mobility of workers and to implement the skills and knowledge acquired in the theoretical and practical educational path carried out in Italy.

How to carry out a professional traineeship abroad

The traineeship may be carried out, for a period not exceeding six months, with bodies or professionals in other countries with an equivalent qualification and authorised to exercise the profession, in accordance with the legislation in force.

The entities (such as education establishments, professional or trade associations) where the traineeship may be carried out must be accredited or recognised by the competent authorities of the host country as suitable for providing such training.

Where the training is provided by a professional, his authorisation to pursue the profession must be certified by the professional association, where it exists, or by the corresponding professional body or other competent authority in the host country.

The entities or professionals of the host country shall provide the trainee with a summary of the training project containing: objectives and mode of delivery of the traineeship; name of the *trainer* and of the manager of the host entity; details of insurance policies (e.g. for occupational accidents or third-party liability); duration and period of the traineeship.

The entities or professionals in the host country will also validate the skills acquired and assess the results obtained within the specific professional sector.

The training shall be delivered directly by the professional providing it or by a person designated by the host entity.

The *trainer* must have the appropriate professional skills and meet the requirements laid down in Article 6 of Presidential Decree No 137/2012, as well as any other relevant requirements for *trainers* in professional traineeships carried out in Italy .

The *trainer* is responsible for the planning and organisation of the training and professional activities and shall define all the operational aspects relating to the performance of the traineeship.

The *trainer* shall also inform the trainee about the internal organisational rules of the host entity and the provisions on occupational health and safety.

The *trainer* shall ensure that the traineeship is carried out in a way that serves its purpose, by periodically assessing the trainee's activity and issuing appropriate certificates at the end of the traineeship period.

The trainee shall comply with the training plan and shall carry out the required professional activities with due care, diligence, loyalty and respect of confidentiality.

