

Abstract in English

Mutual Recognition of Qualification within the European Union

The thesis deals with the principle of mutual recognition of qualifications. This is one of the guiding principles concerning the free movement of persons and services. The text of the thesis is divided into three main chapters, which are further divided into subchapters depending on the partial question of the main topic of the chapter. A brief summary of the most important information is included at the end of the main chapters.

The first part of the thesis deals with the historical basis for today's legal regulation of mutual recognition of qualifications. The concept of the principle of mutual recognition together with the sources of primary EU law is discussed. Subsequently, the secondary sources of EU law, the directive, which preceded the current form of legislation, are analysed. Finally, the content of the first part includes case law, which gave rise to the principle of mutual recognition and other decisions related to the topic of the thesis.

The second part of the thesis is devoted to the current valid regulation of recognition of qualifications. The structure of Directive 2005/36 / EC of the European Parliament and of the Council on the recognition of professional qualifications of 6 July 2005 is described in more detail. This Directive includes an automatic regime, a general regime for the recognition of qualifications and the recognition of professional experience for the listed professions. The text of the thesis also focuses on the practical aspects of the issue and analyses the procedure of the applicant for the recognition of professional qualifications and its possible modifications, while mentioning the institutes associated with the recognition of qualifications, such as the European professional card, IMI and others.

The last part of the thesis is devoted to the recognition of the qualification of a advocate. The professional qualifications of an advocate are specific because they are always linked to a single legal order of a Member State. This chapter also includes an overview of the most important case law of the CJEU, which, with its decisions, significantly contributed to the creation of not only the system of recognition of advocates' qualifications, but also the general system of recognition.

Key words: recognition of qualifications, mutual recognition principle, professional recognition, regulated profession, Directive 2005/36 / EC, advocate qualification