

# Facts, Figures and Perspectives on the Liberal Professions

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Liberal professions in European  
organised civil society 2020

Brüssels, 24.06.2014

# Overview

- I. Introduction
- II. The economic and social function and significance of the liberal professions
- III. The legal framework of the liberal professions
- IV. Summary



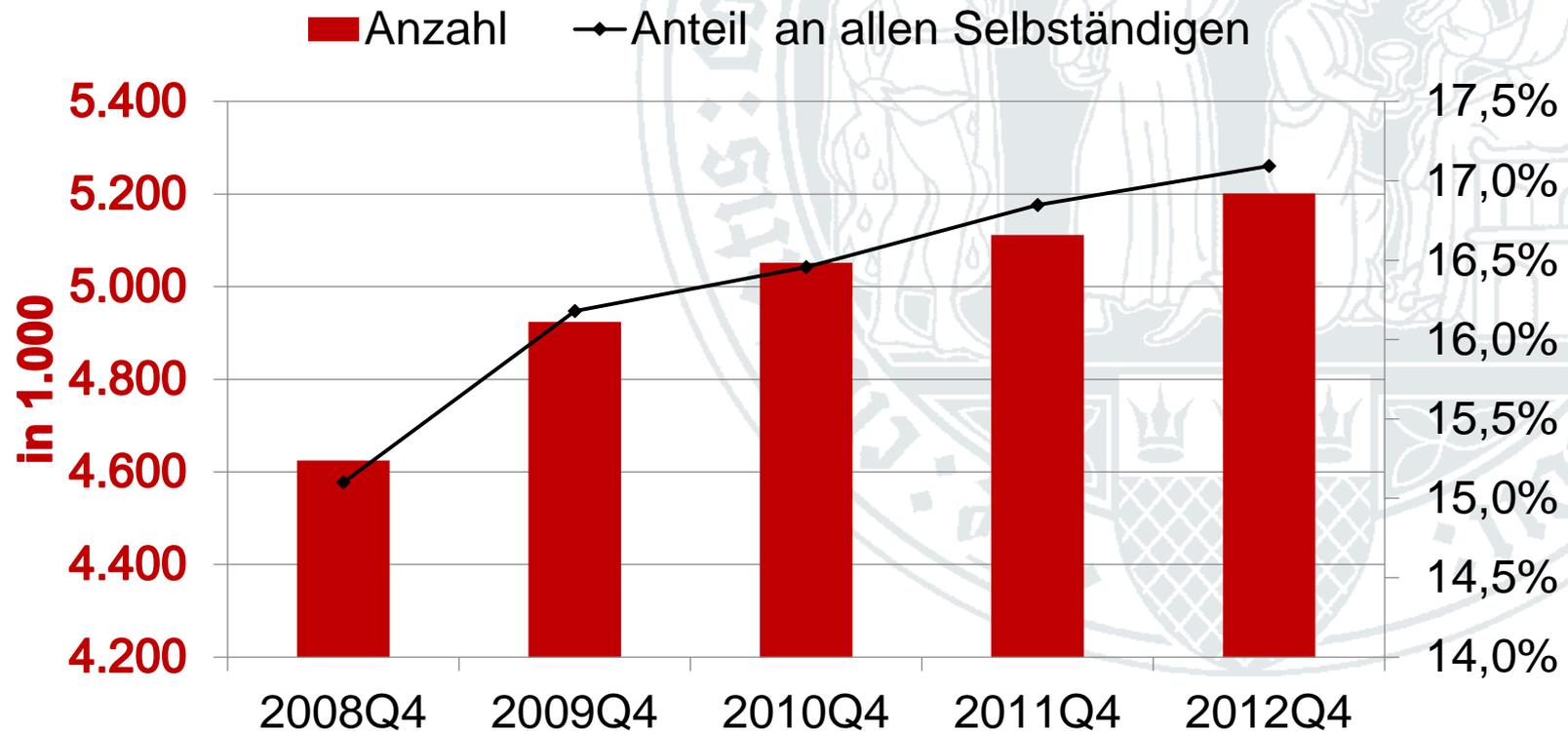
# I. Introduction

- The study provides an overview of
  - quantitative aspects,
  - economic indicators,
  - functions and
  - legal frameworkof the liberal professions in Europe using jurisprudential, economic, and social science methods.

# II. Economic and social function

- Characteristics of liberal professions
  - self-employed entrepreneurs
  - use of own capital
  - life-long occupation
- The members of liberal professions provide essential services for the public.

# Number of self-employed persons

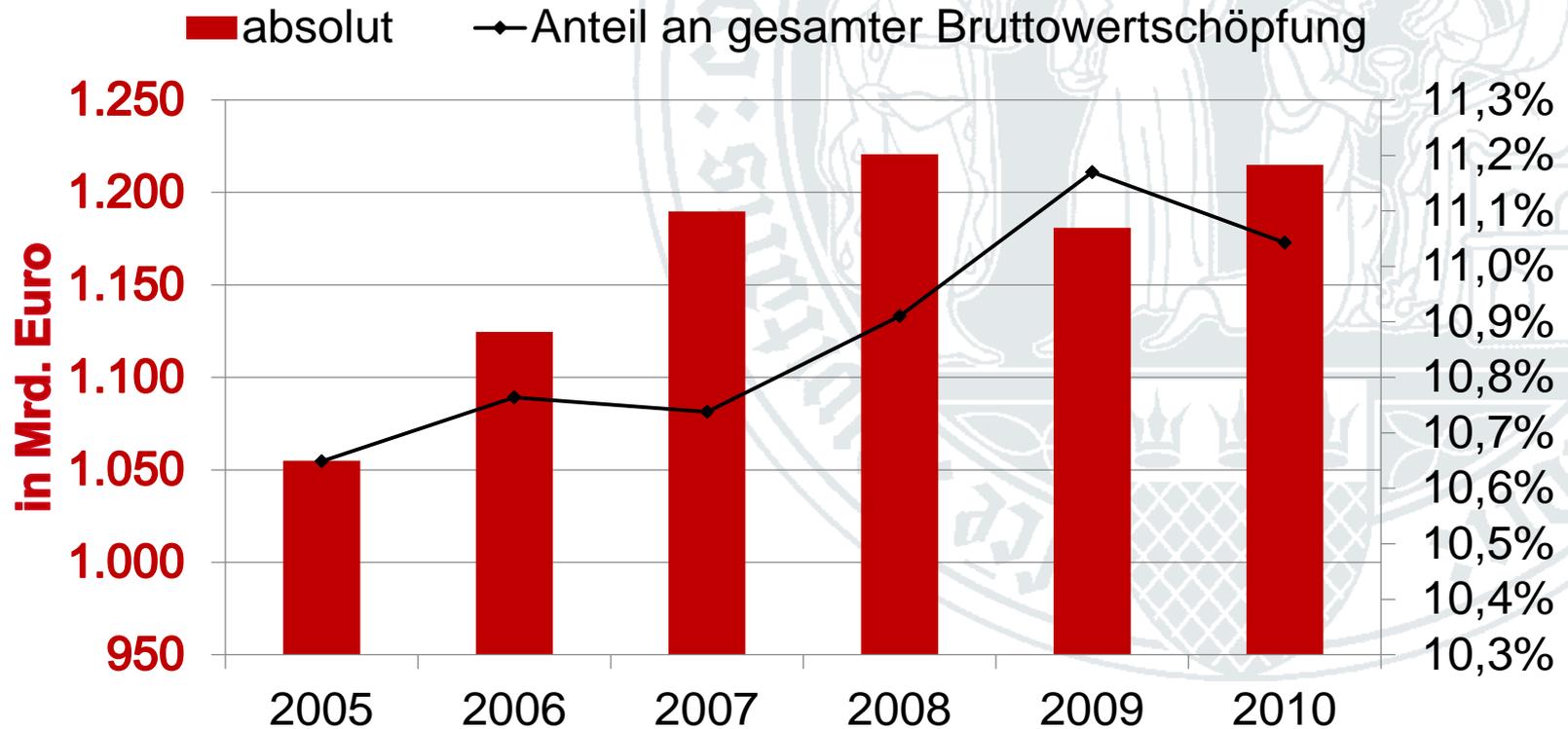


Quelle: Eigene Darstellung nach Angaben von Eurostat

## II. Economic and social function

- In 2010, almost one in six companies was active in the "provision of professional, scientific and technical services" sector. Of these, 96.5 percent were micro-enterprises with less than 10 employees.

# Gross-value-added generated by industries dominated by liberal professions

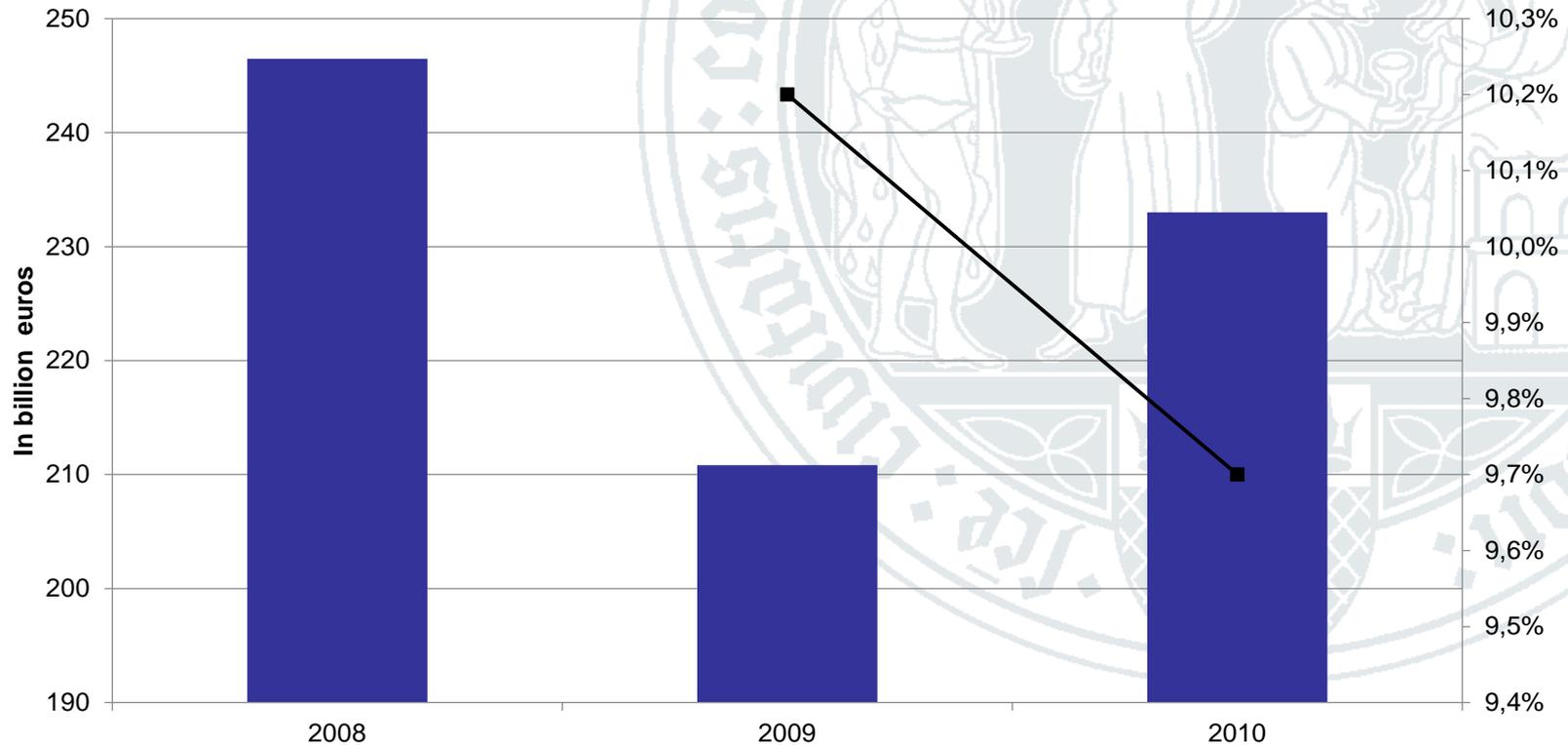


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## II. Economic and social function

- More than a third of self-employed persons in the industries dominated by liberal professions were between 50 and 64 years old.
- In certain countries, the proportion was even higher at approximately 50 percent.
- The share of services exports in the Gross Domestic Product of the EU-27 has increased from 8.9 percent in 2005 to 11.1 percent in 2012.

# Gross operating surplus in industries dominated by liberal professions



# III. The legal framework

## Theses No. 1

**All liberal professions examined here are predominantly subject to specific regulation in the Member States of the EU.**

# III. The legal framework

## Theses No. 2

**The density of regulation is strongly dependent on the particular profession.**



# III. The legal framework

## Theses No. 3

**Liberal professions are subject to a specific form of professional administration, which regulates and monitors admission to the profession and professional practice.**

# III. The legal framework

## Theses No. 3

**Mostly, this administration is not exercised by a government authority, but carried out by professional chambers or professional associations.**

# III. The legal framework

## Models of professional administration

- Chambers
- Professional associations
  - obligatory membership
  - non obligatory membership
- Councils

# III. The legal framework

## Theses No. 4

**A principle of self-administration in one form or another can be identified as a key characteristic of the liberal professions within the European Union.**

# IV. The legal framework

- Advertising rules for liberal professional services have been significantly deregulated.
- Liberal professionals are often required to show a certain degree of restraint with regard to advertising.
- In most cases, the fees for professional services are freely negotiated.

# III. The legal framework

- The joint provision of liberal professional services by several members of the same profession is now not only commonplace, but necessary for many professions.
- Inter-professional collaboration
  - majority or a qualified majority
    - of the shares
    - of the voting rights
    - of the positions in the administrative body or on the board of directors

# III. The legal framework

## Theses No. 5

**Elementary principles of professional ethics and professional duties can be found for many professions in the majority of Member States.**

# III. The legal framework

## Theses No. 6

**The majority of liberal professionals are bound to autonomously established internal regulation in the form of by-laws or deontology codes.**

# IV. Summary

- Various groups are currently calling for further "deregulation".
- Future studies are faced with the task of developing scientific methods allowing an analysis of the efficiency and effectiveness of a legal rule from all relevant viewpoints and placing these in relation to one another.

# IV. Summary

- Different legal models, resulting from different legal traditions, can certainly lead to similar overall results.
- Member States should be offered the opportunity to take national characteristics into consideration and to continue to develop their respective regulatory systems autonomously.

# University of Cologne

## European Centre for Liberal Professions



European Economic and Social Committee

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