



## EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP  
AND SMES  
Networks & Governance  
D.1 – Skills, Services, Professions

Brussels  
GROW.D.1/SRG

Dear Mr Jankowski,

Thank you for your letter of 9 November 2022 in which you ask our service to provide the Polish Supreme Chamber of Physicians and Dentists with a legal opinion on whether basic medical training provided by **academic higher institutions not having the status of a university** and **vocation academic higher institutions** in Poland may be considered as compliant with the minimum training requirements laid down in Article 24 of Directive 2005/36/EC (hereinafter “the Directive”).

First, I would like to briefly explain the provisions of Article 24 of the Directive, which is relevant for your question and you have also mentioned in your letter.

Article 24(1) of the Directive states that admission to basic medical training requires possession of a diploma or certificate providing access, for the studies in question, to **universities**.

Under Article 24 (2) of the Directive, **basic medical training should comprise a total of at least five years of study, which may also be expressed with the equivalent ECTS credits and should consist of at least 5500 hours of theoretical and practical training provided by, or under the supervision of, a university**.

It should be noted that Article 24 of the Directive clearly states that basic medical training shall be provided by or under the supervision of, a university. This means that the Directive does not prevent Member States from authorising institutions other than universities to deliver such basic medical training, as long as their activity is carried out under the supervision of a university (1) and the substantial requirements as regards the content of the studies are complied with (2).

You mention that Directive 2005/36/EC contains different provisions as regards the educational institutions delivering diplomas of other sectoral professions. This is without relevance for Article 24, which defines the harmonised minimum training requirements applicable for basic medical training.

When it comes to your specific question regarding the four Polish educational institutions, which are not universities but are authorised to provide basic medical training in Poland and to award diplomas with the basic medical degree, first let me note that the Directive does not provide for any definition of the term “university”. Indeed, as per Article 165 TFEU, Member States are responsible for the organisation of their education systems. Accordingly, it cannot be excluded that a higher education

institution, which is not formally called university, might fulfil the exact same status, purpose and function.

We understand that the Ministry of Education and Science has provided their explanations on the organisation of the education for doctors and the accreditation of medical studies in Poland. Based on the limited information available, we do not have evidence suggesting that the status and functioning of the abovementioned institutions would be manifestly incompliant with the requirements of the Directive. While the Commission services continue monitoring the situation, please do not hesitate to communicate any further information on this matter.

This opinion expresses the view of the Commission service and does not commit the European Commission. Only the Court of Justice of the European Union is competent to authoritatively interpret Union law.

Yours faithfully,

Henning EHRENSTEIN  
Head of Unit