



MEP

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**Hubert Gambs**

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24 April 2019

**Re.: EC study on Effects of Regulation on Service Quality**

**Critical comments**

Dear Mrs. Grapini,

Dear Mr Gambs,

As we have discussed at the SME Intergroup Breakfast on "EU legislation on Services and the Liberal Professions - Two years after the Service package" which took place on 30 January 2019 I would like to provide you with a few comments on the EC study on Effects of Regulation on Service Quality. As the European Council of Engineers Chambers ([www.ecec.net](http://www.ecec.net)) represents European Chartered Engineers the comments are focused on the case study of Architects and Engineers in Germany.

Nevertheless the serious concerns about the scientific quality of the study's approach have to be applied to the other case studies as well.

Validity of data on a scientific basis is only ensured when the chosen indicators precisely measure the values that are adequate in order to answer the scientific questioning. For the case study on architects and engineers this requirement does not seem to be fulfilled.

In order to measure quality of architectural and engineering services parameters as score of an international peer-ranking of architectural firms, professional-to-inhabitants-ratio, number of firm owners and number of employees have been used. They are obviously inadequate - possible quality indicators would have been contentment of clients and inhabitants, energy savings, social integration, acceptance of a building by the community etc.

There are about 1,6 millions of engineers in Germany, for the absolute majority of them the reform of the insurance contact law is of no relevance at all because they are neither self-employed nor working in construction. This has to lead to the assumption that the study authors did not comprehend the professional system of engineers in Germany enough for reaching reliable results.

The ranking of the BauNetz Media GmbH, which was used as an indicator in the study, is completely irrelevant as engineers are not included at all and also 99% of architects are not included. In this ranking professionals can register themselves by operating a fee-based profile at "Baunetz Architekten". The assessment for the ranking is solely based on the number of articles in 6 building magazines. Thus this can give no results in regard to the assessment of quality whatsoever but only in regard to the assessment of visibility of a company. A company that is not registered on the mentioned "Baunetz Architekten" has no chance to be part of this ranking. So this clearly shows that this indicator is completely inappropriate.

All study conclusions that concern engineers have their origin in the German micro census. Based on its broad range of survey characteristics and the big sampling size it is applicable for analyzing smaller subpopulations, nevertheless it is grossly unscientific to base all conclusions on a whole professional group only on one sole source.

Many highly relevant aspects in regard to the relation between regulation and quality have not been taken into account: For example the exclusion of a number of planning services from the binding part of the HOAI, the influence of the digitalization on small and medium sized planning structures, the changes in procurement legislation, the growing asymmetry between procuring authorities and professionals, regulations in regard to professional access and recognition and in regard to building products. All these factors have an enormous impact on number of company foundations, employment, quality etc. and should therefore have been included and enumerated.

I hope these examples clearly shows why the ECEC is concerned about the scientific value of this study and would like to strongly appeal to the European Commission not to use these results as a basis for any relevant decisions / argumentations.

The ECEC is of course ready to support the development of a better and more adequate methodology.

With my best Regards,

A handwritten signature in blue ink, which appears to read 'Klaus Thürriedl', is positioned above the printed name.

Klaus Thürriedl  
ECEC President