

**Question for written answer E-005453/2014
to the Commission**

Rule 117

Roberta Angelilli (PPE)

Subject: Further information on the proper deployment of tourist guides

Further to the answer given to question E-000901/2014, it is necessary to point out that, when applied to the profession of tourist guide, Directive 2006/123/EC sets the relevant limits in its 'whereas' clause 31 and Article 3.

In fact the protection of service users and of historical and artistic heritage does constitute an 'overriding reason relating to the public interest' of a country. The case law of the Court of Justice, and 'whereas' clause 40 of the same Directive 2006/123/EC, can both be taken as justifying any restrictions. Both recognise such protection as an overriding reason in the public interest.

The work of a tourist guide is a profession in its own right. It cannot be exercised without obtaining authorisation, after meeting specific cultural and technical requirements. This is issued by the competent regional authorities after examinations, set in accordance with the regional laws. The purpose is to check that the guide knows the working languages of the job and possesses other specific skills, and knowledge of the relevant historical and cultural heritage.

Furthermore, the international conventions and charters on cultural assets and tourism recognise that the 'contexts' of tourist guide practice are much more than 'territorial boundaries,' although they do formally refer to a territory (because cultural heritage and environmental assets occupy physical space). Indeed, these 'contexts' correspond to the scope of the tourist's guide 'proven competence.' They are based on the assumptions and conditions underlying the authorisation and its issue, and the specific subject-matter of the profession. Thus they identify the portion of heritage which the professional guide has proved that he/she knows well enough to 'illustrate,' and to pass on the appropriate knowledge to service users.

Can the Commission therefore state whether the principle holds good that only the Member State concerned can know how the profession of tourist guide can properly be exercised in accordance with the regulated national legislation in force?