



Reports of Cases

Case C-111/12

Ministero per i beni e le attività culturali and Others
v
Ordine degli Ingegneri di Verona e Provincia and Others

(Request for a preliminary ruling from the Consiglio di Stato)

(Directive 85/384/EEC — Mutual recognition of qualifications in the field of architecture — Articles 10 and 11(g) — National legislation recognising equivalence of qualifications in architecture and civil engineering, but reserving work on classified heritage buildings to architects — Principle of equal treatment — Situation purely internal to a Member State)

Summary — Judgment of the Court (Fifth Chamber), 21 February 2013

1. *Questions referred for a preliminary ruling — Jurisdiction of the Court — Limits — Question raised concerning a dispute confined within a single Member State — Jurisdiction in the light of the possible applicability of the rule of EU law to that dispute as a result of a prohibition of discrimination laid down by national law*

(Art. 267 TFEU)

2. *Freedom of movement for persons — Freedom of establishment — Freedom to provide services — Architects — Recognition of diplomas and other evidence of formal qualifications — Exercise of operations relating to buildings of artistic interest — Legislation of the host State imposing on holders of diplomas awarded in another State, allowing the pursuit of activities as an architect and referred to in Article 11 of Directive 85/384, specific examination of their professional suitability in the field of cultural assets — Inadmissibility*

(Council Directive 85/384, Arts 10 and 11)

1. See the text of the decision.

(see paras 34, 35)

2. Articles 10 and 11 of Directive 85/384 on the mutual recognition of diplomas, certificates and other evidence of formal qualifications in architecture, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services must be interpreted as precluding a national provision in accordance with which persons holding a qualification issued by a Member State other than the host Member State enabling the holder to take up activities in the field of architecture and expressly referred to in Article 11 thereof, may exercise, in that latter Member State, activities relating to buildings of artistic interest only in so far as they show, where necessary by way of a specific examination of their professional suitability, that they have special qualifications in the field of cultural assets.

(see para. 52, operative part)