



The voice of the European Outdoors

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To whom it may concern,

As president of the **European Confederation of Outdoor Employers (EC-OE)** I would like to react on the 'Consultation paper by DG Internal Market and Services on the professional qualifications directive'. EC-OE represents 10 full members and 3 associated members (= 13 out of 27 EU countries). Each member is a national Outdoor Employers Federation. Through this structure EC-OE represents some ± 70.000 SME's and some ± 300.000 employees.

The core business of our members is organising and selling '**active leisure**' activities such as canoeing, hiking, rafting, skiing, teambuilding, ... to our clients. We do **not** organise sport and are **not** linked to any 'sport federation', as we are **not** engaged into competition, training, rankings, etc. We do organise and sell outdoor activities within a context of fun and leisure and hence operate exclusively in the **Tourism and Leisure sector**.

- Our business must not be considered as sport. ¹

Reading the 'Consultation paper...' our attention was drawn on the fact that professional ski instructors are mentioned in this document (p.7). Once again (ever since 1984) we must bring to your attention that a particular organisation i.e. the Ecole de Ski Français (ESF) – though not mentioned as such in this document - is lobbying to interfere with our commercial business. The ultimate goal is once again '**protectionism**' in favour of the ESF and as such claiming a commercial segment of the Tourism and Leisure market.

¹ For more information we attached the article 'Defining the Outdoors'.

The fundamental question for EC-OE is: can the EU support a non-for-profit sport organisation assuming authority in commercial business? Or, to put it otherwise for example, can the EU support a photographers non-for-profit hobby club to impose a code of conduct on professional photographers?

To summarize the situation:

1. The members of EC-OE are all commercial companies delivering a **service** (to their clients). They are offering 'leisure', 'fun', etc... They are not into SPORT. Our clients pay us for our services.
2. Through their French system of protectionism the ESF is really causing 'unfair competition' to European commercial companies as they are **officially exempted from VAT and other taxes**. The French ESF is **illegally into business** and in the meantime bypasses by all means every rule on 'fair trade' and 'fair competition'.
3. As a non-for-profit organisation the ESF does not have to cope with e.g. 'Consumer Safety' issues. It's not even an issue for the ESF if their customers don't understand the French language. They are the so-called professionals and their customers will have to accept this situation ... Just imagine e.g. Danish children taking an ESF ski course: what about customer service, what about safety, what about learning to ski, what about fun, etc. ?
4. As Outdoor entrepreneurs we therefore have to cope with **institutionalized unfair competition** by the ESF.
5. It is out of question that the ESF is a legitimate French Sport federation but the ESF is not a commercial body and therefore should reframe from all commercial activities vis-à-vis our customers.
6. The ESF should concentrate on its members and keep out of 'illegal business'.
7. It therefore is in no way up to the ESF to impose any kind of 'aptitude test' on other EU professional ski instructors working in the tourism or leisure business.
8. For a better understanding of this 'illegal situation' we attached a 'Communiqué' on this issue. This communiqué was launched by EC-OE (basically in France) some weeks ago.

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