

**Question for written answer E-015477/2015
to the Commission**
Rule 130
Manolis Kefalogiannis (PPE)

Subject: Licences for the establishment of pharmacies

Joint Decision of the Ministers of Economy, Development and Tourism and Health of the Hellenic Republic No C5 (b) /G.P. oik.82829 / 29.10.2015 (Government Gazette vol. B 2330 /29.10.2015) entitled 'Rules governing the profession of pharmacist and the establishment of pharmacies' provides, in Article 2, that:

'1. Licences for the establishment of pharmacies shall be granted to pharmacists holding authorisation to practise the profession of pharmacist in an EU Member State and other natural persons who are citizens of an EU Member State by the Directorate of Public Health of the regional unit where the pharmacies are located and, in particular, by decision of the competent head of region and shall be declared by the licence-holder to the relevant Pharmaceutical Association within sixty (60) days.

Without prejudice to paragraph 4 of this Article, a licence to establish and operate a pharmacy may not be granted to legal persons other than pharmacists' cooperatives, members of the Federation of Pharmacists' Cooperatives of Greece, subject to a reasoned decision of the Board of OSFE.'

The ban on the establishment of pharmacies by legal entities through the above provision is unconstitutional and directly violates national and Community law, since it illegally restricts freedom of establishment.

Will the Commission say what it intends to do in this case?