
STATUTORY INSTRUMENTS

2007 No. 3101

**The European Qualifications (Health and
Social Care Professions) Regulations 2007**

PART 10

NURSES AND MIDWIVES: NURSING AND MIDWIFERY ORDER 2001

Amendment of article 13

162. In article 13 (approved qualifications)—

(a) in paragraph (1), for sub-paragraphs (b) and (c) substitute—

“(b) he is an exempt person who has a qualification of the kind mentioned in article 14;

(c) subject to paragraph (1A), he is an exempt person (other than a person to whom sub-paragraph (b), (e) or (f) applies) who has a qualification awarded outside the United Kingdom, and either—

(i) the Council is satisfied that his qualification attests to a standard of proficiency comparable to that attested to by a qualification referred to in sub-paragraph (a), or

(ii) the Council is not so satisfied, but the applicant has undergone in the United Kingdom or elsewhere such additional training or experience as satisfies the Council, following any test of competence as it may require him to take, that he has the requisite standard of proficiency for admission to the part of the register in respect of which he is applying;

(d) he is not an exempt person and he has, elsewhere than in the United Kingdom, undergone training in nursing or midwifery, and either—

(i) the Council is satisfied that his qualification attests to a standard of proficiency comparable to that attested to by a qualification referred to in sub-paragraph (a), or

(ii) the Council is not so satisfied, but the applicant has undergone in the United Kingdom or elsewhere such additional training or experience as satisfies the Council, following any test of competence as it may require him to take, that he has the requisite standard of proficiency for admission to the part of the register in respect of which he is applying,

and, in either case, he satisfies prescribed requirements as to knowledge of English;

(e) he is an exempt person—

(i) whose case falls within regulation 3(9)(a), (c), (d) or (e) of the General Systems Regulations,

- (ii) to whom regulations 20 to 26 of those Regulations apply by reason of the operation of regulation 3(4) of those Regulations, and
 - (iii) who is permitted to pursue the profession of nursing or midwifery in the United Kingdom by virtue of Part 3 of those Regulations (having, in particular, successfully completed any adaptation period, or passed any aptitude test, that he may be required to undertake pursuant to that Part of those Regulations); or
 - (f) he is an exempt person (other than a person to whom sub-paragraph (e) applies) who is permitted to practise as a nurse in the United Kingdom by virtue of Part 3 of the General Systems Regulations (having, in particular, successfully completed any adaptation period, or passed any aptitude test, that he may be required to complete pursuant to that Part of those Regulations).”; and
- (b) after paragraph (1) insert—
- “(1A) In the case of an exempt person to whom paragraph (1)(c) applies, who holds a qualification in nursing or midwifery which was granted otherwise than in a relevant European State, and has not previously been accepted by a relevant European State as qualifying him to practise as a nurse or midwife in that State, that qualification shall not be regarded as an approved qualification unless the qualification—
- (a) is evidence of nursing training that meets, or under article 22(a) of the Directive (part-time training) is to be treated as meeting, the requirements of article 31 of the Directive (training of nurses responsible for general care), or
 - (b) is evidence of training in midwifery that meets, or under article 22(a) of the Directive is to be treated as meeting, the requirements of article 40 of the Directive (training of midwives),
- as the case may be.
- (1B) In considering whether an exempt person to whom paragraph (1)(c) applies is to be regarded as having an approved qualification, the Council shall take into account—
- (a) if the person holds a qualification in nursing or midwifery which—
 - (i) was granted otherwise than in a relevant European State, but
 - (ii) has been accepted by a relevant European State, other than the United Kingdom, as qualifying him to practise as a nurse or midwife in that State (as the case may be),the acceptance of that qualification; and
 - (b) all other qualifications, knowledge or experience, wherever acquired, which are relevant to the determination of the application.”.

Changes to legislation:

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) Regulations 2007, Section 162.