
 STATUTORY INSTRUMENTS

1982 No. 1076

**DENTISTS; MEDICAL PROFESSION; NATIONAL
HEALTH SERVICE, ENGLAND AND WALES;
NATIONAL HEALTH SERVICE, SCOTLAND;
NURSES, MIDWIVES AND HEALTH VISITORS;
VETERINARY SURGEONS**

**The Medical, Nursing, Dental and Veterinary Qualifications (EEC
Recognition) Order 1982**

<i>Made</i>	-	-	-	<i>30th July 1982</i>
<i>Laid before Parliament</i>				<i>9th August 1982</i>
<i>Coming into Operation</i>				<i>30th August 1982</i>

At the Court at Buckingham Palace, the 30th day of July 1982

Present,

The Queen's Most Excellent Majesty in Council

Whereas the Council of the European Communities has adopted a Directive (a) supplementing Directives concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine (b), of nurses responsible for general care (c), of practitioners in dentistry (d) and of veterinary surgeons (e) respectively, with regard to acquired rights;

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 2(2) of the European Communities Act 1972 (f), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

Citation and commencement

1. This Order may be cited as the Medical, Nursing, Dental and Veterinary Qualifications (EEC Recognition) Order 1982 and shall come into operation on 30th August 1982.

Amendment to provision for recognition of medical qualifications

2.—(1) In section 7A of the Medical Act 1956 (g) (recognition of European qualifications other than primary United Kingdom qualifications), for subsection (2) there shall be substituted:—

(a) OJ No.L385, 31.12.81, p.25. (b) OJ No.L167, 30.6.75, p.1. (c) OJ No.L176, 15.7.77, p.1.
 (d) OJ No.L233, 24.8.78, p.1. (e) OJ No.L362, 23.12.78, p.1. (f) 1972 c.68.
 (g) 1956 c.76.

3224 DENTISTS; MEDICAL PROFESSION; NATIONAL HEALTH SERVICE, ENGLAND AND WALES; NATIONAL HEALTH SERVICE, SCOTLAND; NURSES, MIDWIVES AND HEALTH VISITORS; VETERINARY SURGEONS

“(2) The other European qualifications recognised in the United Kingdom are—

- (a) any qualifications listed in Part II of Schedule 3 to this Act which are acquired in a member State on or after the date on which it implemented the Medical Training Directive and are not evidence of training commenced by the holder before that date;
- (b) subject to compliance with subsection (3) below, any qualifications obtained in a member State before the date on which it implemented the Medical Training Directive or on or after that date where the training of which those qualifications are evidence commenced before that date.”.

(2) In the Medical Qualifications (EEC Recognition) Order 1977 (a)—

- (a) in Article 5(2) the words “before the implementation date” shall be omitted; and
- (b) in Article 6—
 - (i) in paragraph (4) for the words “before the implementation date and” there shall be substituted the words “before the implementation date or which was granted on or after that date where training for that qualification had commenced before that date being in either case a qualification which”;
 - (ii) in paragraph (5) for the words from the beginning to “if” there shall be substituted:—

“(5) For the purposes of paragraph (4) above a qualification granted in a member State on or after the implementation date which is not evidence of training commenced by the holder before that date, satisfies the training requirements and any other qualification granted in a member State satisfies the training requirements if—”.

Amendment to provision for recognition of nursing qualifications

3. For subsection (1) of the following sections, namely section 3A of the Nurses Act 1957 (b), section 6A of the Nurses (Scotland) Act 1951 (c) and section 20A of the Nurses and Midwives Act (Northern Ireland) 1970 (d) (recognition of European nursing qualifications), there shall be substituted:—

“(1) A national of a member State who—

- (a) holds one or more of the European nursing qualifications specified in Schedule 1A to this Act which were obtained on or after the date on which the member State in which they were obtained implemented the First Nursing Directive and are not evidence of training commenced by the holder before that date; or
- (b) subject to subsection (4) below, holds any nursing qualifications obtained in a member State before the date on which it implemented the First Nursing Directive or on or after that date where the training of which those qualifications are evidence commenced before that date

(a) S.I.1977/827.
(d) 1970 c. 11 (N.I.).

(b) 1957 c.15.

(c) 1951 c.55.

shall, on making application to the Council and satisfying them that he is of good character, be entitled to be registered in the general part of the register”.

Amendment to provision for recognition of qualifications in dentistry

4.—(1) In section 2A of the Dentists Act 1957 (a) (recognition of European qualifications in dentistry)—

(a) for subsection (1) there shall be substituted:—

“(1) Subject to the provisions of this Act and any Order in Council under section 2(2) of the European Communities Act 1972 a person who is a national of a member State and holds a recognised European diploma in dentistry, that is to say—

(a) any scheduled European diploma in dentistry granted in a member State on or after the date on which that State implemented the Dental Training Directive which is not evidence of training commenced by the holder before that date; or

(b) any European diploma in dentistry granted in a member State before the date on which that State implemented the Dental Training Directive or on or after that date where training of which that diploma is evidence was commenced by the holder before that date,

shall be entitled to be registered in the dentists register in accordance with the provisions of this Act.”;

(b) in subsection (2) after the words “Dental Training Directive” there shall be inserted the words “or on or after the date on which it implemented that Directive where training of which that diploma is evidence was commenced by him before that date”; and

(c) in subsection (3) for the words “which is not a scheduled European diploma” there shall be substituted the words “or on or after the date on which it implemented that Directive where training of which that diploma is evidence was commenced by him before that date (not, in either case, being a scheduled European diploma)”.

(2) In Article 5(2) of the Dental Qualifications (EEC Recognition) Order 1980 (b) the words “before the date on which the United Kingdom implemented the Dental Training Directive” shall be omitted.

Amendment to provision for recognition of qualifications in veterinary medicine

5. In section 5A of the Veterinary Surgeons Act 1966 (c) (right of holders of recognised European qualifications to be registered):—

(a) for paragraph (b) of subsection (1) there shall be substituted:—

“(b) any European qualification in veterinary surgery granted in a member State before the date on which that State implemented the Training Directive or after that date in a case where the training of which the qualification is evidence commenced before that date,”;

(b) in subsection (3) for the words from “a European” to “Directive” there shall be substituted the words “such a European qualification as is mentioned in subsection (1) (b) above”.

N. E. Leigh,
Clerk of the Privy Council.

3226 DENTISTS; MEDICAL PROFESSION; NATIONAL HEALTH
SERVICE, ENGLAND AND WALES; NATIONAL HEALTH
SERVICE, SCOTLAND; NURSES, MIDWIVES AND HEALTH
VISITORS; VETERINARY SURGEONS

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which is made under the European Communities Act 1972 and comes into operation on 30th August 1982, makes amendments to legislation for the registration of medical practitioners, nurses responsible for general care, dentists and veterinary surgeons, to implement the provisions of European Communities Council Directive (81/1057/EEC) relating to the right of establishment of members of those professions and their freedom to provide services. The Directive requires recognition of a qualification, obtained in a member State on or after the date on which that State implemented the relevant directive relating to the minimum standards of training required for such a profession, but which does not comply with those standards, in cases where the holder began training for that qualification before that date and produces a certificate showing that he has lawfully practised the profession in a member State for three of the five previous years.

SI 1982/1076
ISBN 0-11-027076-2

