
STATUTORY INSTRUMENTS

1996 No. 2374

PROFESSIONAL QUALIFICATIONS

The European Communities (Recognition of Professional Qualifications) (Second General System) Regulations 1996

<i>Made</i>	- - - -	<i>9th September 1996</i>
<i>Laid before Parliament</i>		<i>18th September 1996</i>
<i>Coming into force</i>	- -	<i>14th October 1996</i>

The Secretary of State, being a Minister designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to measures relating to recognition of higher-education diplomas or formal qualifications required for the pursuit of professions or other occupations, in exercise of the powers conferred on her by that section, hereby makes the following Regulations:—

PART I
INTRODUCTION

Citation and commencement

1.—(1) These Regulations may be cited as the European Communities (Recognition of Professional Qualifications) (Second General System) Regulations 1996.

(2) These Regulations shall come into force on 14th October 1996.

Application

2.—(1) Subject to paragraph (2) below, Parts II to V of these Regulations shall apply to the practice of a regulated profession whether in an employed or a self-employed capacity.

(2) Parts II to V of these Regulations shall not apply to

(a) any profession the mutual recognition of qualifications in which is the subject of one of the directives of the European Community listed in Part I of Schedule 1;

(1) S.I. 1989/1327.
(2) 1972 c. 68.

- (b) any activity the taking up or pursuit of which in a self-employed capacity or, as the case may be, a self-employed or employed capacity is the subject of one or more of the directives listed in Part II of Schedule 1;
- (c) any profession the taking up or pursuit of which is regulated pursuant to an instrument listed in Part III of Schedule 1.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires, the following words and phrases have the following meanings (and cognate expressions shall be construed accordingly)—

“adaptation period” has the meaning ascribed to it by Regulation 15(2);

“another relevant State” means a relevant State other than the United Kingdom;

“appeal body” means—

- (a) in relation to a profession listed in the first column of the table in paragraph 1 of Schedule 4 to the First General System Regulations, the body, court or person there specified;
- (b) in relation to a profession for the time being listed in Column 1 of the table in Schedule 3 to these Regulations, the body, court or person specified in Column 2 of that table;
- (c) in any other case, a county court or a sheriff court;

“aptitude test” has the meaning ascribed to it by Regulation 15(3);

“Attestation of Competence” has the meaning ascribed to it by Regulation 7;

“competent authority” has the meaning ascribed to it by Regulation 8;

“Certificate” has the meaning ascribed to it by Regulation 6;

“designated authority” has the meaning ascribed to it by Regulation 9;

“Diploma” means a First or Second General System Diploma;

“evidence of professional experience” has the meaning ascribed to it by Regulation 15(1);

“First General System Diploma” means a Diploma within the meaning of Regulation 2 of First General System Regulations;

“First General System Regulations” means the European Communities (Recognition of Professional Qualifications) Regulations 1991(3);

“holder” means a person to whom a competent authority has awarded evidence of education and training;

“home relevant State” means, as the case requires, the relevant State from which a migrant originates or comes or in which the migrant obtained his evidence of education and training or formerly practised;

“migrant” means a person seeking authorisation to practise pursuant to these Regulations who is a national of a relevant State and whose home relevant State in one or more of the senses of that expression, is not the United Kingdom;

“practice”, in relation to any regulated professional activity or regulated profession within the meaning of Regulation 4 includes—

- (a) the taking up or pursuit of that activity or that profession in a relevant State, whether in a self-employed capacity or as an employed person; and
- (b) in the course of such pursuit—

- (i) the use of a professional title or designatory letters; and
- (ii) the enjoyment of the benefit of the status associated with membership of the profession;

“profession” includes occupation and trade;

“professional association” means an association or organisation, recognised in special form by a relevant State, the purpose of which is, in particular, to promote and maintain a high standard in the professional field with which it is concerned and which, to that end,

- (a) prescribes, and enforces respect within its membership for, rules of professional conduct; and
- (b) awards evidence of education and training to its members; and
- (c) confers on its members the right to use one or more professional titles, or designatory letters or to benefit from a status corresponding to that education and training;

“regulated education and training” has the meaning ascribed to it by Regulation 4(3);

“regulated profession” has the meaning ascribed to it by Regulation 4(1);

“regulated professional activity” has the meaning ascribed to it in Regulation 4(2);

“relevant State” means a member State, Iceland, Norway or Liechtenstein;

“Second General System Diploma” has the meaning ascribed to it by Regulation 5:

“third country” means a country other than a relevant State.

(2) A reference in these Regulations to “the United Kingdom” shall, as the context requires, include a reference to any of the following: England and Wales, Scotland, and Northern Ireland.

(3) In these Regulations, the expressions “UK Diploma”, “UK Certificate”, “UK Attestation of Competence”, “UK attestation of general education” and “UK qualification” mean, respectively, the Diploma, Certificate, Attestation of Competence, attestation of general education or qualification to possession of which the practice of the regulated profession in question is subject in the United Kingdom.

(4) For the purposes of these Regulations, an association or organisation established in the United Kingdom shall be taken to have been recognised in special form if the mode of its establishment was incorporation by Royal Charter.

(5) Any reference in these Regulations to a numbered Regulation or Schedule is a reference to the Regulation or Schedule so numbered in these Regulations.

Regulated Profession, Regulated Professional Activity and Regulated Education and Training

4.—(1) For the purposes of these Regulations, a profession is regulated—

- (a) in the United Kingdom—
 - (i) if it is, or a professional title or designatory letters associated with the pursuit of the profession is or are, listed in Schedule 1 to the First General System Regulations or in Schedule 2 to these Regulations; or
 - (ii) at any time when it is not so listed, if and in so far as any professional activity or range of such activities which constitutes the profession is regulated within the meaning of paragraph (2) below;
- (b) in another relevant State if and in so far as any professional activity or range of such activities which constitutes the profession is regulated within the meaning of paragraph (2) below.

(2) For the purposes of these Regulations, a professional activity is regulated in a relevant State if and in so far as—

- (a) the practice, or any mode of practice, of that activity in that relevant State is subject, directly or indirectly, by virtue of laws, regulations or administrative provisions, to the possession of evidence of education and training or an Attestation of Competence; or
- (b) it is practised under a professional title or designatory letters the use of which is reserved to holders of evidence of education and training or an Attestation of Competence governed by laws, regulations or administrative provisions; or
- (c) it relates to health and the remuneration or reimbursement received for the practice of the activity in the relevant State in question is, by virtue of national arrangements for the administration of social security, subject to the possession of evidence of education and training or an Attestation of Competence; or
- (d) it is practised by members of a professional association.

(3) For the purposes of these Regulations, education and training is regulated if—

- (a) it is listed in Schedule 6; or
- (b) it is specifically geared to the pursuit of a given profession in a relevant State, and comprises a course or courses complemented where appropriate by professional training or probationary or professional practice the structure and level of which are determined by the laws regulations or administrative provisions of that relevant State or which are monitored or approved by the competent authority.

Definition of “Second General System Diploma”

5.—(1) In these Regulations, “Second General System Diploma” means any evidence of education and training received in accordance with paragraph (3) below, or any set of such evidence, which has been awarded by a competent authority in a relevant State and which shows that the holder has successfully completed either—

- (a) a post-secondary course such as is described in paragraph (4) below and the professional training which may be required in addition to that course, or
- (b) one of the courses listed in Schedule 5

and has the professional qualifications required for the practice of a regulated profession in that relevant State.

(2) Any evidence of education and training, or any set of such evidence, which has been awarded by a competent authority in a relevant State and which

- (a) shows that the holder has successfully completed education and training received in the Community and recognised by a competent authority in that relevant State as being at a level equivalent to education and training satisfying paragraph (1) above and
- (b) confers the same rights in respect of the practice of the regulated profession in that relevant State

shall, for the purposes of these regulations, be treated in the same way as a Second General System Diploma.

(3) The education and training referred to in paragraph (1) above will have been received wholly or mainly

- (a) in the Community or
- (b) outside the Community at teaching establishments which provide education and training in accordance with the laws regulations or administrative provisions of a relevant State or

- (c) if neither (a) nor (b) is the case, in a third country, provided that the holder has at least three years' professional experience certified by a relevant State which recognised evidence of education and training from that country.
- (4) A post-secondary course of the kind referred to in paragraph (1) above will have been one
 - (a) which, if pursued full-time, was of at least one year's duration or, if pursued part-time, was of equivalent duration, and
 - (b) one of the conditions of entry of which is, as a general rule, the successful completion of the secondary course required to obtain entry to university or higher education,

but will not have been a course of three or more years' duration if pursued full-time, or of an equivalent duration if pursued part-time, completed at a university or establishment of higher education or another establishment of similar level.

Definition of "Certificate"

6.—(1) In these Regulations, "Certificate" means any evidence of education and training received in accordance with paragraph (3) below, or any set of such evidence, which has been awarded by a competent authority in a relevant State and which shows that the holder either

- (a) followed a secondary course of a technical or vocational nature of a kind which renders it unnecessary to complete any further course of education and training of the kind described in paragraph (4) or probationary or professional practice, or
- (b) in any other case, after having followed a secondary course has completed either
 - (i) a course of education and training such as is described in paragraph (4) and, where appropriate, the probationary or professional practice which may be required in addition to that course, or
 - (ii) the probationary or professional practice required in addition to the secondary course;

and that the holder has the professional qualifications required for the practice of a regulated profession in that relevant State.

(2) The education and training referred to in paragraph (1) above will have been received wholly or mainly

- (a) in the Community or
- (b) outside the Community at teaching establishments which provide education and training in accordance with the laws regulations or administrative provisions of a relevant State or otherwise
- (c) in a third country, provided that the holder has at least two years' professional experience certified by a relevant State which recognised evidence of education and training from that country.

(3) A course of education and training of the kind referred to in paragraph (1)(a) or (1)(b) above will have been provided either—

- (a) at an educational or training establishment or
- (b) on the job or
- (c) in a combination of (a) and (b)

but will not be a post-secondary course of the kind evidenced by a First or a Second General System Diploma.

(4) Any evidence of education and training, or any set of such evidence, which has been awarded by a competent authority in a relevant State and which

- (a) shows that the holder has successfully completed education and training received in the Community and recognised by a competent authority in that relevant State as being of equivalent level to education and training satisfying paragraph (1) above, and
- (b) confers the same rights in respect of the practice of the regulated profession in that relevant State

shall, for the purposes of these regulations, be treated in the same way as a Certificate.

Definition of “Attestation of Competence”

7.—(1) In these Regulations, an “Attestation of Competence” means any evidence of qualifications either

- (a) attesting to education and training not forming part of a set constituting a First General System Diploma or a Second General System Diploma or a Certificate or
- (b) awarded following an assessment of the holder by reference to the personal qualities, aptitudes or knowledge which a competent authority considers essential for the pursuit of a profession, without proof of prior education and training being required.

PART II

ADMINISTRATION

Competent authority

8.—(1) For the purposes of these Regulations, the expression “competent authority” means

- (a) in relation to
 - (i) any document (including any evidence of education and training or any set of such evidence), statement, attestation or notification,
 - (ii) subject to sub-paragraph (b), below, any function of deciding, recognising, monitoring or approving,

the authority, body or person in the relevant State in question authorised to issue, make, award or give such document, statement, attestation or notification or invested with such function under the laws regulations or administrative provisions of that State;

- (b) in relation to any profession which is regulated in a relevant State, the person, body or authority in that relevant State invested by any enactment, rule of law, charter, by-law or other rule (however described) governing the conduct of the profession or activity, with the function—
 - (i) of authorising the practice of the profession in that State or,
 - (ii) if no person, body or authority has that function in the case in question, of conferring membership of the professional association for the professional field concerned or the right to the use of certain professional titles or designatory letters or other benefits of such membership.

(2) For the purposes of paragraph (1) above, if in a relevant State a profession is regulated by different persons, bodies or authorities for different parts of the relevant State, the competent authority for that relevant State shall be the person, body or authority which has the function in question for the part of the relevant State in respect of which the identity of the competent authority falls to be determined.

Designated Authorities

9.—(1) For the purposes of these Regulations, the following shall be regarded as the designated authorities for their profession—

- (a) in respect of any profession for the time being listed in Schedule 1 to the First General System Regulations, the person, body or authority there specified as the designated authority in relation to that profession;
- (b) in respect of any profession for the time being listed in Part I of Schedule 2 to these Regulations, the person, body or authority there specified as the designated authority in relation to that profession or activity;
- (c) in respect of any professional title or designatory letters listed for the time being in Part II of Schedule 2 to these regulations, the person, body or authority there specified as the designated authority in relation to that title or those letters.

(2) If at any time a profession is regulated within the United Kingdom, or a part of it, but is not listed in one of the ways mentioned in paragraph (1), the designated authority in respect of that profession or, as the case may be, professional activity shall be the competent authority, determined in accordance with Regulation 8(1)(b).

10.—(1) Without prejudice to its other powers and functions, a designated authority shall have the functions of considering applications and granting authorisations under these Regulations.

(2) If, for purposes other than those of these Regulations, a designated authority has as its function or one of its functions the conferring of a professional title or designatory letters then for the purposes of paragraph (1) above as it affects that body the function of authorising the practice of a profession or activity shall include the authorising of the use of that professional title or those designatory letters.

(3) Nothing in this Regulation shall be taken to require a designated authority to authorise the practice of any profession save in so far as it has that function in relation to the holders of the relevant UK qualification.

PART III

RIGHT TO PRACTISE IN THE UNITED KINGDOM

11.—(1) This Regulation applies in any case in which the practice of a profession in the United Kingdom is subject to the possession of a Diploma one of the conditions for the issue of which is the completion of a post-secondary course of four years' duration or less.

(2) Subject to paragraph (3) below, the designated authority for a profession may not, on the grounds of inadequate qualifications, refuse to authorise a migrant to practise the profession on the same conditions as those which apply to holders of the required UK Diploma—

- (a) in the case of in which the UK Diploma is a First General System Diploma, if any one of paragraphs 1(a) or (b) or 2 of Schedule 4 applies;
- (b) in the case in which the UK Diploma is a Second General System Diploma, if any one of paragraphs 1 to 3 of that Schedule applies.

(3) The requirement in paragraph (2) to authorise on the same conditions as those which apply to a holder of the required UK Diploma shall not restrict the right of the designated authority, in the circumstances and on the conditions laid down in Part IV of these Regulations to require a migrant—

- (a) to provide evidence of professional experience, or
- (b) successfully to complete an adaptation period, or
- (c) to take and pass an aptitude test.

12.—(1) This Regulation applies in any case in which the practice of a profession in the United Kingdom is subject to the possession of a Certificate.

(2) Subject to paragraph (3), the designated authority for a profession may not, on the grounds of inadequate qualifications, refuse to authorise a migrant to practise the profession on the same conditions as those which apply to holders of the required UK Certificate if any one of paragraphs 1, 4 or 5 of Schedule 4 applies.

(3) The requirement in paragraph (2) to authorise on the same conditions as those which apply to a holder of the required UK Certificate shall not restrict the right of the designated authority, in the circumstances and on the conditions laid down in Part IV of these Regulations, to require a migrant—

- (a) successfully to complete an adaptation period, or
- (b) to take and pass an aptitude test.

13.—(1) This Regulation applies in any case in which the practice of a profession in the United Kingdom is subject to the possession of an Attestation of Competence.

(2) Subject to paragraph (3) below, the designated authority for a profession may not, on the grounds of inadequate qualifications, refuse to authorise a migrant to practise the profession on the same conditions as those which apply to holders of the required UK Attestation of Competence—

- (a) if the migrant holds at least the Attestation of Competence required in another relevant State for the practice of the same profession, or
- (b) if the applicant provides proof of other qualifications obtained in other relevant States.

(3) The designated authority shall be entitled to satisfy itself that the Attestation of Competence or, as the case may be, other qualifications presented by the migrant are the equivalent of the UK Attestation of Competence in terms of the guarantees (in particular in the matter of health, safety, environmental protection and consumer protection) required of those practising the profession in the United Kingdom by laws, regulations or administrative provisions.

(4) In any case in which the designated authority cannot reasonably satisfy itself in the terms of paragraph (3) as to the equivalence of the Attestation of Competence presented by the migrant, the migrant shall be required to comply with such domestic requirements for authorisation as have been laid down for the practice of the profession.

14.—(1) This Regulation applies in any case in which the practice of a profession is subject only to the possession of evidence of education attesting to general education at primary or secondary school level.

(2) The designated authority for a profession may not, on the grounds of inadequate qualifications, refuse to authorise a migrant to practise the profession on the same conditions as those which apply to holders of evidence of the required UK attestation of general education if the migrant possesses formal qualifications of the corresponding level or higher satisfying the requirements of paragraph (3) below.

(3) The formal qualifications will satisfy the requirements of this paragraph if they have been awarded by the competent authority in another relevant State.

PART IV

REQUIREMENTS OF EVIDENCE OF PROFESSIONAL EXPERIENCE, ADAP TATION PERIODS AND APTITUDE TESTS

Meaning of evidence of professional experience, adaptation period and aptitude test

15.—(1) Evidence of professional experience means evidence of the actual and lawful pursuit in a relevant State of a profession corresponding to the regulated profession which the migrant seeks to take up or pursue in the United Kingdom.

(2) An adaptation period means, in relation to the regulated profession which the migrant seeks to take up or pursue in the United Kingdom, a period of pursuit of the profession under the supervision of a qualified member of the profession, with or without the undertaking of further education and training with the aim of assessing the ability of the migrant to pursue that profession in the United Kingdom.

(3) An aptitude test means, in relation to the regulated profession which the migrant seeks to take up or pursue in the United Kingdom, a test of the migrant’s professional knowledge conducted by the designated authority for the profession with the aim of assessing the ability of the migrant to pursue that profession in the United Kingdom.

Choice of evidence of professional experience, adaptation period or aptitude test

16.—(1) A designated authority may not in any case in which a migrant had made application to take up or pursue a regulated profession require the migrant to comply with more than one of the following requirements, that is to say—

- (i) to produce evidence of professional experience;
- (ii) successfully to complete an adaptation period;
- (iii) to take and pass an aptitude test.

(2) A designated authority wishing to apply to a migrant a requirement either to complete an adaptation period or to take an aptitude test shall, except in a case provided for as an exception by Regulation 6(2) of, and Schedule 3 to, the First General System Regulations or by paragraph (3) below, afford the migrant the right to choose between them.

(3) In the case of a profession listed in the first column of the table in Schedule 7 the requirement shall be as specified in the second column of that table.

Circumstances in which evidence of professional experience may be required

17.—(1) Evidence of professional experience may only be required in a case where the duration of education and training adduced by a migrant in support of his application is at least one year less than the duration required of holders of UK Diplomas.

(2) Paragraph (1) notwithstanding, evidence of professional experience may not be required in a case in which the migrant holds either—

- (i) a First General System Diploma or
- (ii) a Second General System Diploma evidencing education and training of the kind described in Regulation 5(1)(a) above

if the UK Diploma or evidence of education and training required by the designated authority attests to one of the courses of education and training listed in Part II of Schedule 5.

Conditions affecting the requirement of evidence of professional experience

18.—(1) The period of professional experience evidence of which may be required of a migrant shall not exceed the shorter of—

- (i) in a case in which the shortfall between the duration of the education and training required by the designated authority and the duration of the education and training evidence of which has been adduced by the migrant (“the shortfall”) relates to a post-secondary course, or to a period of probationary practice carried out under the supervision of a qualified member of the profession and ending with an examination, or to both, a period twice the duration of the shortfall;
- (ii) in a case in which the shortfall relates to practice of the profession acquired with the assistance of a qualified member of the profession, a period equal to the shortfall;
- (iii) four years.

(2) For the purposes of paragraph (1) above, in a case in which the UK Diploma evidences a course of education and training listed in Part II of Schedule 5 and in which the migrant’s claim to recognition rests on paragraphs 9 of Schedule 4, the duration of the education and training of which evidence has been adduced by the migrant shall be taken to be the duration of the post-secondary education and training of which it is the recognised equivalent.

(3) In a case in which, during the previous ten years, the migrant has pursued the profession either full-time for at least two years or part-time for an equivalent period in another relevant State which does not regulate the profession, the period of professional experience of which evidence may be required under paragraph (1) shall be reduced by the duration of that pursuit.

Circumstances in which an adaptation period or an aptitude test may be required

19.—(1) In a case falling within Regulation 12 and in which a migrant’s claim to recognition of his right to practice depends upon his ability to meet the requirements of paragraph 1 or 4 of Schedule 4, a designated authority may only apply to the migrant a requirement to complete an adaptation period or to take an aptitude test if either

- (i) although the fields of activity of the profession in the relevant State in which the migrant obtained his qualification and in the United Kingdom are broadly comparable, the education and training which the migrant received in relation to theoretical or practical matters, taken as a whole, differs substantially in coverage from that which is evidenced by the UK Certificate; or
- (ii) the fields of activity of the profession in the relevant State in which the migrant obtained his qualification and in the United Kingdom differ and those differences are reflected in substantial differences in education and training in relation to theoretical or practical matters.

(2) In a case falling within Regulation 12 and in which a migrant’s claim to recognition of his right to practise depends upon his ability to meet the requirements of paragraph 5 of Schedule 4, a designated authority may apply to the migrant a requirement to complete an adaptation period or to take an aptitude test.

20.—(1) In a case falling within Regulation 11 other than one in which a migrant’s claim for recognition depends upon his ability to meet the requirements of paragraph 1(c) of Schedule 4, a designated authority may only apply to the migrant a requirement to complete an adaptation period or to take an aptitude test if either—

- (i) although the fields of activity of the profession in the relevant State in which the migrant obtained his qualification and in the United Kingdom are broadly comparable, the education and training relating to theoretical, or practical, or theoretical and practical matters received by the migrant differs substantially in coverage from that which is evidenced by the required UK Diploma; or

- (ii) in a case in which the migrant meets the requirements of paragraph 1(a) or (b) of Schedule 4, one or more of the regulated professional activities which form the profession in the United Kingdom is or are not included in the regulated profession in the relevant State in which the migrant obtained his qualification and the omission is reflected in substantial differences in education and training in relation to theoretical, or practical, or theoretical and practical matters evidenced by the Diploma held by the migrant on the one hand and the required UK Diploma on the other;
- (iii) in any other case, one or more of the regulated professional activities which form the profession in the United Kingdom is or are not included in the profession in the relevant State in which the migrant obtained his qualification and the omission is reflected in substantial differences in education and training in relation to theoretical, or practical, or theoretical and practical matters of which evidence is held by the migrant on the one hand and evidenced by the required UK Diploma on the other.

(2) In a case falling within Regulation 11 and in which a migrant's claim to recognition of his right to practise depends upon his ability to meet the requirements of paragraph 1(c) of Schedule 4, a designated authority may apply to the migrant a requirement to complete an adaptation period or to take an aptitude test.

Conditions affecting the requirement to complete an adaptation period

21.—(1) The adaptation period shall be the subject of an assessment.

(2) Subject to paragraph (3) below, the designated authority shall lay down the detailed rules governing

- (i) the length of the period and
- (ii) the form of the assessment

and in any case in which the choice between an adaptation period and an aptitude test rests with the migrant shall notify the migrant of the rules in advance of the migrant's exercise of that choice.

(3) The adaptation period shall not exceed

- (i) 2 years in duration, in a case falling within Regulation 19;
- (ii) 3 years in duration, in a case falling within Regulation 20.

Conditions affecting the requirement to take an aptitude test

22.—(1) A designated authority wishing to apply to a migrant the requirement to take an aptitude test shall draw up a list of subjects which, on the basis of a comparison between the education and training required for the practice of the profession by a holder of a UK Diploma or, as the case may be, UK Certificate and the education and training received by the migrant have not been covered by the education and training evidence of which has been produced by the migrant and in any case in which the choice between an adaptation period and an aptitude test rests with the migrant shall notify the migrant of the contents of the list in advance of his exercise of his choice.

(2) The subjects listed pursuant to paragraph (1) above may cover theoretical knowledge and practical skills required for the pursuit of the profession.

(3) Subject to paragraphs (4) and (5) below, the detailed application of the aptitude test shall be determined by the designated authority and in any case in which the choice between an adaptation period and an aptitude test rests with the migrant shall be notified to the migrant in advance of his exercise of his choice.

(4) The aptitude test shall only consist of

- (i) subjects selected from the list drawn up pursuant to paragraph (1), knowledge of which is essential to the pursuit of the profession within the United Kingdom; and

(ii) if required, a test of the migrant's knowledge of the professional rules applicable to the activities in question in the United Kingdom.

(5) In setting the aptitude test the designated authority shall take appropriate account of the migrant's status as a qualified professional in the home relevant State.

PART

ANCILLARY PROVISIONS

Evidence from competent authorities

23.—(1) A designated authority shall, in connection with any matter requiring to be established pursuant to Parts III and IV, accept as sufficient evidence thereof the documents duly issued by a competent authority of the appropriate relevant State for the purpose of attesting such matters.

(2) A designated authority which—

(i) requires of an applicant for authorisation to practice proof that he is of good character or repute, or that he has not been declared or adjudged bankrupt, or had a bankruptcy or similar order made against him or in relation to his estate; or

(ii) suspends or prohibits practice in the event of serious professional misconduct or the commission of a criminal offence;

shall, in respect of a migrant, accept as sufficient evidence in relation to the foregoing the documents duly issued by the competent authorities of the home relevant State showing, in the case of (i) above, that the relevant conditions are met, or, in the case of (ii) above, that the migrant has committed no such misconduct or offence.

(3) In any case in which the competent authorities do not issue such documents as may be required under paragraph (2), the designated authority shall, subject to paragraph (4) below, accept in the place of such documents a declaration or oath or solemn declaration to the required effect, made by the migrant before a competent judicial or administrative authority or (where appropriate) a notary or duly qualified professional body of the home relevant State;

(4) A declaration for the purposes of paragraph (3) above shall only be required to be accepted if it is accompanied by written confirmation of its authenticity issued by the authority, notary or body.

(5) A designated authority which requires of persons wishing to practise a statement of physical or mental health, shall accept as sufficient evidence thereof the documents required for such a purpose in the home relevant State.

(6) In any case in which the competent authority of the migrant's home relevant State does not impose the requirement referred to in paragraph (5) above, the designated authority shall accept a statement issued by a competent authority there which corresponds to the statement issued for that purpose in the United Kingdom.

(7) A designated authority may require any document or statement referred to in paragraph (2), (3), (5) or (6) of this regulation to be presented no more than three months after the date of its issue.

(8) Where a designated authority requires applicants to take an oath or make a solemn declaration, the form of which is such that it cannot be taken or made by nationals of another relevant State, it shall ensure that an appropriate equivalent form of oath or declaration is available for those nationals.

Use of professional title

24.—(1) A migrant who has been granted authorisation to practise a regulated profession pursuant to these Regulations shall have the right to use—

- (i) the professional title and designatory letters applicable to that profession in the United Kingdom; and
- (ii) the lawful academic title (and where appropriate the abbreviation thereof) acquired by him in the relevant State in which he qualified and in the language of that State.

(2) Where the migrant makes use of the possibility provided for in sub-paragraph (1)(ii) of this Regulation, the designated authority may require that the title shall be followed by the name and location of the establishment or examining board which awarded it.

(3) Where the migrant makes use of the possibility provided for in sub-paragraph (1)(i) of this Regulation, and either

- (a) the professional title or designatory letters appear in Part 2 of Schedule 1 to the First General System Regulations or Part II of Schedule 2 to these Regulations or
- (b) they do not so appear but the profession is regulated by a professional association

he shall only be entitled to use the professional title or designatory letters on proof of membership of the professional association.

(4) Where membership of a professional association is subject to any qualification requirements, such requirements may be applied to a migrant whose evidence of education and training satisfies the relevant provisions of Schedule 4 only so far as they are consistent with the provisions of these Regulations.

Decisions of designated authorities and appeals

25.—(1) The designated authority to which a migrant applies for authorisation to practise shall consider the migrant's application as soon as is reasonably practicable, and shall notify him of its decision together with the reasons upon which it is based within four months of receipt of all the relevant documents.

(2) The migrant may appeal—

- (a) against the decision of the designated authority referred to in paragraph (1) above, or
- (b) in a case in which the period of four months mentioned in paragraph 1 above has expired without the notification referred to, in respect of the failure of such authority to make a decision

to the appeal body for the profession provided that such appeal is lodged within three months of the notification to him of the designated authority's decision, or of the expiry, without a decision being notified to him, of the period laid down in paragraph (1) or thereafter with leave of the appeal body.

(3) The appeal body for a profession may, for the purpose of determining any appeal under these Regulations against the decision of a designated authority—

- (a) give any authorisation to practise and impose any condition which the designated authority could give or impose in relation to that profession; or
- (b) remit the matter to the designated authority with such directions as the appeal body sees fit.

(4) Without prejudice to any powers of the Court of Session in Scotland to regulate the proceedings of itself and those of the sheriff courts, an appeal body in England and Wales or Northern Ireland may make rules of procedure governing the hearing and determination of any appeal under these Regulations against the decision of a designated authority. Such rules may make different provision for different cases.

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Information from designated authorities and competent authorities

26. Designated authorities shall provide the Secretary of State with such information (including statistical information) as she may require concerning applications made and decisions taken under these Regulations.

27. Any authority, body or person who is the competent authority in respect of information or evidence sought by the holder of a UK qualification in support of his application to practise a profession in another relevant State which regulates that profession shall, as soon as is reasonably practicable following the request of the holder, produce to the holder such information and evidence as the holder reasonably requires to that end.

Signed by order of the Secretary of State.

Department for Education and Employment
9th September 1996

Cheryl Gillan
Parliamentary Under Secretary of State,

SCHEDULE 1

Regulation 2

SCOPE OF THE REGULATIONS

In the tables forming Parts I and II of this Schedule, in respect of each Council Directive listed, the first column refers to the legislative act number, the second column gives the title and the third column gives the publication reference in the Official Journal of the Communities.

PART I

DIRECTIVES ESTABLISHING ARRANGEMENTS FOR
MUTUAL RECOGNITION OF DIPLOMAS, CERTIFICATES
AND OTHER EVIDENCE OF FORMAL QUALIFICATIONS IN
SPECIFIC PROFESSIONS AND PROFESSIONAL ACTIVITIES

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
77/452/EEC(4)	Council Directive of 27 June 1977 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications of nurses responsible for general care measures to facilitate the effective exercise of this right of establishment and freedom to provide services	O.J. No. L176, 15.7.1977, p. 1.
78/686/EEC(5)	Council Directive of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications of practitioners of dentistry, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services	O.J. No. L233, 24.8.1978, p. 1.
78/1026/EEC(6)	Council Directive of 18 December 1978 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in veterinary medicine, including measures to facilitate the effective exercise of the right of	O.J. No. L362, 23.12.1978, p. 1.

(4) Supplemented by Council Directive [81/1057/EEC](#), O.J. No. L385, 31.12.1981, p. 25, and amended by Council Directive [89/594/EEC](#), O.J. No. L341, 23.11.1989, p. 19.

(5) Supplemented by Council Directive [81/1057/EEC](#), O.J. No. L385, 31.12.1981, p. 25, and amended by Council Directive [89/594/EEC](#), O.J. No. L341, 23.11.1989, p. 19.

(6) Supplemented by Council Directive [81/1057/EEC](#), O.J. No. L385, 31.12.1981, p. 25, and amended by Council Directive [89/594/EEC](#), O.J. No. L341, 23.11.1989, p. 19.

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
	establishment and freedom to provide services	
80/154/EEC(7)	Council Directive of 21 January 1980 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in midwifery and including measures to facilitate the effective exercise of the right of establishment and freedom to provide services	O.J. No. L33, 11.2.80, p. 1.
85/384/EEC	Council Directive of 10 June 1985 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	O.J. No. L223, 21.8.1985, p. 15.
85/433/EEC	Council Directive of 16 September 1985 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy, including measures to facilitate the effective exercise of this right of establishment relating to certain activities in the field of pharmacy	O.J. No. L253, 24.9.1985, p. 37.
87/540/EEC	Council Directive of 9 November 1987 on access to the occupation of carrier of goods by waterway in national and international transport and on the mutual recognition of diplomas, certificates and other evidence of formal qualifications for this occupation	O.J. No. L322, 12.11.1987, p. 20.
91/670/EEC	of 16 December 1991 on mutual acceptance of personnel licences for the exercise of functions in civil aviation	O.J. No. L373, 31.12.1991, p. 21.

(7) Amended by Council Directive [89/594/EEC](#), O.J. No. L341, 23.11.1989, p. 19.

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
93/16/EEC	Council Directive of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications	O.J. No. L165, 7.7.1993, p. 1.

PART II

DIRECTIVES CONCERNING FREEDOM OF ESTABLISHMENT AND FREEDOM TO PROVIDE SERVICES OR TRANSITIONAL MEASURES IN RESPECT OF ACTIVITIES

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
64/429/EEC	Council Directive of 7 July 1964, concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in manufacturing and processing industries falling within ISIC Major Groups 23–40 (Industry and small craft industries)	O.J. No. 117, 23.7.1964, p. 1880/64.
64/427/EEC(8)	Council Directive of 7 July 1964, laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in manufacturing and processing industries falling within ISIC Major Groups 23–40 (Industry and small craft industries)	O.J. No. 117, 23.7.1964, p. 1863/64.
68/365/EEC	Council Directive of 15 October 1968, concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the food manufacturing and beverage industries falling (ISIC Major Groups 20 and 21)	O.J. No. L260, 22.10.1968, p. 9.

(8) Amended by Council Directive [69/77/EEC](#), O.J. No. L059, 10.03.69, p. 8.

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
68/366/EEC	Council Directive of 15 October 1968, laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the food manufacturing and beverage industries falling (ISIC Major Groups 20 and 21)	O.J. No. L260, 22.10.1968, p. 12.
64/223/EEC	Council Directive of 25 February 1964, concerning the attainment of freedom of establishment and freedom to provide services in respect of activities in wholesale trade	O.J. No. 56, 4.4.1964, p. 863/64.
64/224/EEC	Council Directive of 25 February 1964, concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of intermediaries in commerce, industry and small craft industries	O.J. No. 56, 4.4.1964, p. 869/64.
64/222/EEC	Council Directive of 25 February 1964, laying down detailed provisions concerning transitional measures in respect of activities in wholesale trade and activities of intermediaries in commerce, industry and small craft industries	O.J. No. 56, 4.4.1964, p. 857/64.
68/363/EEC	Council Directive of 15 October 1968, concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in retail trade (ISIC ex Group 612)	O.J. No. L260, 22.10.1968, p. 1.
68/364/EEC	Council Directive of 15 October 1968, laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in retail trade (ISIC ex Group 612)	O.J. No. L260, 22.10.1968, p. 6.
70/522/EEC	Council Directive of 30 November 1970 concerning	O.J. No. L267, 10.12.1970, p. 14.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
	the attainment of freedom to provide services in respect of activities of self-employed persons in wholesale coal trade and activities of intermediaries in the coal trade (ISIC ex Group 6112)	
70/523/EEC	Council Directive of 30 November 1970 laying down detailed provisions concerning transitional measures in respect of activities of intermediaries in the coal trade (ISIC ex Group 6112)	O.J. No. L267, 10.12.1970, p. 18.
74/557/EEC	Council Directive of 4 June 1974 on the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons and of intermediaries engaging in the trade and distribution of toxic products	O.J. No. L307, 18.11.1974, p. 5.
74/556/EEC	Council Directive of 4 June 1974 laying down detailed provisions concerning transitional measures relating to activities, trade in and distribution of toxic products and activities entailing the professional use of such products including activities of intermediaries	O.J. No. L307, 18.11.1974, p. 1.
68/367/EEC	Council Directive of 15 October 1968 the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the personal services sector (ISIC ex Major Group 85): (1) restaurants, cafes, taverns and other drinking and eating places (ISIC Group 852) (2) hotels, rooming houses, camps and other lodging places (ISIC Group 853)	O.J. No. L260, 22.10.1968, p. 16.
68/368/EEC	Council Directive of 15 October 1968 laying down	O.J. No. L260, 22.10.1968, p. 19.

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
	<p>detailed provisions concerning transitional measures in respect of activities of self-employed persons in the personal services sector (ISIC ex Major Group 85):</p> <p>(1) restaurants, cafes, taverns and other drinking and eating places (ISIC Group 852)</p> <p>(2) hotels, rooming houses, camps and other lodging places (ISIC Group 853)</p>	
77/92/EEC	<p>Council Directive of 13 December 1976 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of the activities of insurance agents and brokers (ex ISIC Group 630) and, in particular, transitional measures in respect of those activities</p>	O.J. No. L26, 31.1.1977, p. 14.
82/470/EEC	<p>Council Directive of 29 June 1982 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in certain services incidental to transport and travel agencies (ISIC 718) and in storage and warehousing (ISIC group 720)</p>	O.J. No. L213, 21.7.1982, p. 1.
82/489/EEC	<p>Council Directive of 19 July 1982 laying down measures to facilitate the effective exercise of the right of establishment and freedom to provide services in hairdressing</p>	O.J. No. L218, 27.7.1982, p. 24.
75/368/EEC	<p>Council Directive of 16 June 1975 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of various activities (ex ISIC Division 01 to 85) and, in particular, transitional</p>	O.J. No. L167, 30.6.1975, p. 22.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
	measures in respect of those activities	
75/369/EEC	Council Directive of 16 June 1975 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of itinerant activities and, in particular, transitional measures in respect of those activities	O.J. No. L167, 30.6.1975, p. 29.

PART III

INSTRUMENTS PURSUANT TO WHICH THE TAKING UP AND PURSUIT OF PROFESSIONS IS REGULATED IN THE UNITED KINGDOM

<i>Chapter/SI Number</i>	<i>Short Title/Title</i>
S.I. 1984/1115(9)	The Fishing Vessels (Certification of Deck Officers and Engineers) Regulations 1984
S.I. 1985/1306(10)	The Merchant Shipping (Certification of Deck Officers) Regulations 1985
S.I. 1986/1935(11)	The Merchant Shipping (Certification of Marine Engineer Officers and Licensing of Marine Engine Operators) Regulations 1986
S.I. 1992/1675	The Road Works (Qualifications of Supervisors and Operatives) (Scotland) Regulations 1992
The Street Works (Qualifications of Supervisors and Operatives) Regulations 1992	

SCHEDULE 2

Regulation 4

PART I

PROFESSIONS REGULATED BY LAW OR PUBLIC AUTHORITY

<i>Profession</i>	<i>Designated Authority</i>
Air Traffic Controller	Civil Aviation Authority
Aircraft Maintenance Engineer	Civil Aviation Authority

(9) Amended by [S.I. 1995/1428](#).

(10) Relevant amending instruments are [S.I. 1987/884](#) and [1995/1429](#).

(11) Relevant amending instruments are [S.I. 1987/884](#) and [1995/1429](#).

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<i>Profession</i>	<i>Designated Authority</i>
Airport Fire Officer	Civil Aviation Authority
Airport Firefighter	Civil Aviation Authority
Dental Hygienist	General Dental Council
Dental Therapist	General Dental Council
Department of Transport Approved Driving Instructor	The Registrar for the purposes of Part V of the Road Traffic Act 1988 ⁽¹²⁾
Dispensing Optician	General Optical Council
Diver	Health and Safety Executive
Inspector of Weights and Measures	Secretary of State
Licensed Boatmaster	Secretary of State
Licensed Cab Driver (London)	The Assistant Commissioner of Police of the Metropolis
Licensed Conveyancer	The Council for Licensed Conveyancers
Licensed Lighterman	Port of London Authority
Licensed Trainee Driving Instructor	The Registrar for the purposes of Part V of the Road Traffic Act 1988
Licensed Waterman	Port of London Authority
Registered Dispenser of Hearing Aids	Hearing Aid Council

PART II

PROFESSIONS REGULATED BY PROFESSIONAL ASSOCIATIONS

<i>Professional title</i>	<i>Designatory letters</i>	<i>Designated Authority</i>
Associated of the Chartered Institute of Building	ACIOB	Chartered Institute of Building
Associate of the Royal Academy of Dance	A.R.A.D.	The Royal Academy of Dance
Associate of the Royal College of Organists	ARCO	The Royal College of Organists
Choir Master	(CHM)	The Royal College of Organists
Engineering Technician	EngTech	The Engineering Council
Fellow of the Royal College of Organists	FRCO	The Royal College of Organists
Housing Practitioner		The Chartered Institute of Housing

⁽¹²⁾ 1988 c. 52. Relevant amendments were made by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c. 31).

<i>Professional title</i>	<i>Designatory letters</i>	<i>Designated Authority</i>
Licentiate of the Royal Academy of Dance	L.R.A.D.	The Royal Academy of Dance
Licentiate of the Textile Institute	LTI	The Textile Institute

SCHEDULE 3

Regulation 3(1)

APPEAL BODIES

<i>Profession</i>	<i>Appeal Body</i>
Licensed Cab Driver (London)	The magistrates' court

SCHEDULE 4

Regulations 11, 12, 18, 19, 20

CIRCUMSTANCES IN WHICH DESIGNATED AUTHORITIES ARE REQUIRED NOT TO REFUSE TO AUTHORISE THE TAKING UP OR PURSUIT OF A PROFESSION

PART I

CONDITIONS FOR THE AUTHORISATION OR THE PRACTICE OF A PROFESSION REGULATED IN THE UNITED KINGDOM AT THE LEVEL OF A DIPLOMA OR A CERTIFICATE

1. This paragraph applies if the migrant holds either—
 - (a) a First General System Diploma or
 - (b) a Second General System Diploma or
 - (c) a Certificate

being the Diploma or Certificate required in another relevant State for the practice of the profession within the territory of that State.

2. This paragraph applies if the migrant—
 - (a) possesses evidence of education and training which satisfies
 - (i) paragraph 6 below and
 - (ii) the evidential requirements of either paragraph 7 or paragraph 8 below or, where it applies, paragraph 9 below, and
 - (b) in a case in which the requirement of professional experience is permissible under paragraph 17 below and is imposed by the designated authority, meets the practising requirements of paragraph 16 below.
3. This paragraph applies if the migrant—
 - (a) possesses evidence of education and training which satisfies
 - (i) paragraph 6 below and

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- (ii) the evidential requirements of paragraph 11 below, and
 - (b) in a case in which the requirement of professional experience is permissible under paragraph 17 below and is imposed by the designated authority, meets the practising requirements of paragraph 16 below.
4. This paragraph applies if the migrant—
- (a) possesses evidence of education and training which satisfies
 - (i) paragraph 6 below and
 - (ii) the evidential requirements of either paragraph 7 or paragraph 11 below or, where it applies, paragraph 12 below, and
 - (b) in a case in which the requirement of professional experience is permissible under paragraph 17 and is imposed by the designated authority, meets the practising requirements of paragraph 16 below.
5. This paragraph applies if, during the previous ten years, the migrant has pursued the profession either full-time for at least three consecutive years or part-time for an equivalent period in another relevant State which does not regulate the profession.

PART II

EVIDENCE OF EDUCATION AND TRAINING

6. The education and training of which the holder possesses evidence must, in every case to which this paragraph applies, have been such as to have prepared the holder for the pursuit of the profession.
7. Evidence of education and training satisfies this paragraph if it has been awarded by a competent authority in a relevant State and it shows that the holder has successfully completed a post-secondary course of the kind described in paragraph 14 below.
8. Evidence of education and training satisfies this paragraph if it has been awarded by a competent authority in a relevant State and it attests to one of the courses of regulated education and training listed in Schedule 6.
9. Subject to paragraph 10 below, evidence of education and training satisfies this paragraph if
- (a) it has been awarded by a competent authority in a relevant State on the completion of education and training in the Community and
 - (b) it is recognised in that relevant State as being of an equivalent level to evidence of education and training constituting either a First General System Diploma or a Second General System Diploma or which satisfies paragraph 7 or 8 above.
10. Paragraph 9 above only applies if the recognition given to the evidence of education and training by the relevant State has been notified to the other relevant States and to the European Commission.
11. Evidence of education and training satisfies this paragraph if it has been awarded by a competent authority in a relevant State and either—
- (a) it shows that the holder, having followed a secondary course of a technical or vocational nature has, where necessary, completed either
 - (i) a course of education and training such as is described in paragraph 15 below, or
 - (ii) the probationary or professional practice which is integral to the secondary course; or
 - (b) it shows that the holder, having followed a secondary course other than a course of a technical or vocational nature has completed either

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- (i) a course of education and training such as is described in paragraph 15 below and, where appropriate, the professional training which may be required in addition to that course, or
- (ii) has completed the probationary or professional practice which is integral to the secondary course.

12. Subject to paragraph 13 below, evidence of education and training satisfies this paragraph if

- (a) it has been awarded by a competent authority in a relevant State on the completion of education and training in the Community and
- (b) it is recognised in that relevant State as being of an equivalent level to evidence of education and training which satisfies paragraph 11 above.

13. Paragraph 12 above only applies if the recognition given to the evidence of education and training by the relevant State has been notified to the other relevant States and to the European Commission.

14. A post-secondary course of the kind referred to in paragraph 7 above will be one

- (a) which, if pursued full-time, is of at least one year's duration or, if pursued part-time, is of equivalent duration, and
- (b) one of the conditions of entry of which is, as a general rule, the successful completion of the secondary course required to obtain entry to university or higher education,

but will not be a course of three or more years' duration if pursued full-time, or of an equivalent duration if pursued part-time, completed at a university or establishment of higher education or another establishment of similar level.

15. A course of education and training of the kind referred to in paragraph 11 above will be provided either—

- (a) at an educational or training establishment or
- (b) on the job or
- (c) in a combination of (a) and (b)

but will not be a course of the kind evidenced by a First or Second General System Diploma.

PART III

REQUIREMENTS OF PROFESSIONAL EXPERIENCE

16. The practising requirements referred to in this Schedule are that during the previous ten years, the migrant has pursued the profession either full-time for at least two years or part-time for an equivalent period in another relevant State which does not regulate the profession.

17. The practising requirements of paragraph 16 above are permissible only in the case in which the evidence of education and training held by the migrant relates to education and training other than regulated education and training.

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SCHEDULE 5

Regulation 4(1)(b)

LIST OF COURSES EVIDENCE OF SUCCESSFUL COMPLETION
OF WHICH IS CONSTITUENT OF A SECOND GENERAL SYSTEM
DIPLOMA WITHIN THE MEANING OF REGULATION 4(1)(b)

PART I

COURSES REFERABLE TO THE PRACTICE OF A
PROFESSION IN ANOTHER RELEVANT STATE

1 Paramedical and childcare training course**1. Training for the following:***In Germany:*

- paediatric nurse ('Kinderkrankenschwester/Kinderkrankenpfleger'),
- physiotherapist ('Krankengymnast(in)/Physiotherapeut(in)'),
- occupational therapist ('Beschäftigungs- und Arbeitstherapeut(in)'),
- speech therapist ('Logopäde/Logopädin'),
- orthoptist ('Orthoptist(in)'),
- State-recognised childcare worker ('Staatlich anerkannte(r) Erzieher(in)'),
- State-recognised remedial teacher ('Staatlich anerkannte(r) Heilpädagog(-in)'),
- medical laboratory technician ('medizinisch-technische(r) Laboratoriums-Assistent(in)'),
- medical X-ray technician ('medizinisch-technische(r) Radiologie-Assistent(in)'),
- medical functional diagnostics technician ('medizinisch-technische(r) Assistent(in) für Funktionsdiagnostik'),
- veterinary technician ('veterinärmedizinisch-technische(r) Assistent(in)'),
- dietitian ('Diätassistent(in)'),
- pharmacy technician ('Pharmazieingenieur') received prior to 31 March 1994 in the former German Democratic Republic or in the territory of the new *Laänder*,
- psychiatric nurse ('Psychiatrische(r) Krankenschwester/Krankenpfleger'),
- speech therapist ('Sprachtherapeut(in)').

In Italy:

- dental technician ('odontotecnico'),
- optician ('ottico'),
- chiropodist ('podologo').

In Luxembourg:

- medical X-ray technician (assistant(e) technique médical(e) en radiologie),
- medical laboratory technician (assistant(e) technique médical(e) de laboratoire),
- psychiatric nurse (infirmier/ière psychiatrique),
- medical technician—surgery (assistant(e) technique médical(e) en chirurgie),
- paediatric nurse (infirmier/ière puériculteur/trice),

- nurse—anaesthetics (infirmier/ière anesthésiste),
- qualified masseur/masseuse (masseur/euse diplômé(e)),
- childcare worker (éducateur/trice).

In the Netherlands:

- veterinary assistant (“dierenartassistent”) which represent education and training courses of a total duration of at least thirteen years, comprising:
 - (i) either at least three years of vocational training in a specialised school culminating in an examination, in some cases supplemented by a one or two-year specialisation course culminating in an examination,
 - (ii) or at least two and a half years in a specialised school culminating in an examination and supplemented by work experience of at least six months in an approved establishment,
 - (iii) or at least two years in a specialised school culminating in an examination and supplemented by work experience of at least one year or by a traineeship of at least one year in an approved establishment,
 - (iv) or in the case of the veterinary assistant (“dierenartassistent”) in the Netherlands three years of vocational training in a specialised school (“MBO”-scheme) or alternatively three years of vocational training in the dual apprenticeship system (“LLW”), both of which culminate in an examination.

In Austria:

- contact lens optician (“Kontaktlinsenoptiker”),
- pedicurist (“Fusspfleger”),
- acoustic-aid technician (“Hörgeräteakustiker”),
- druggist (“Drogist”),

which represent education and training courses of a total duration of at least fourteen years, including at least five years' training followed within a structured training framework, divided into an apprenticeship of at least three years' duration, comprising training partly received in the workplace and partly provided by a vocational training establishment, and a period of professional practice and training, culminating in a professional examination conferring the rights to exercise the profession and to train apprentices,

- masseur (“Masseur”),

which represents education and training courses of a total duration of fourteen years, including five years' training within a structured training framework, comprising an apprenticeship of two years' duration, a period of professional practice and training of two years' duration and a training course of one year culminating in a professional examination conferring the rights to exercise the profession and to train apprentices,

- kindergarten worker (“Kindergärtner/in”),
- child care worker (“Erzieher”),

which represent education and training courses of a total duration of thirteen years, including five years of professional training in a specialised school, culminating in an examination.

2 Master craftsman sector (‘Mester/Meister/Maitre’) which represents education and training courses concerning skills not covered by the Directive listed in Annex A

2. Training for the following:

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In Denmark:

- optician ('optometrist'),

this course is of a total duration of 14 years, including five years' vocational training divided into two-and-a-half years' theoretical training provided by the vocational training establishment and two-and-a-half years' practical training received in the workplace, and culminating in a recognised examination, relating to the craft and conferring the right to use the title 'Mester';

- orthopaedic technician ('ortopaedimekaniker')

this course is of a total duration of 12.5 years, including three-and-a-half years' vocational training divided into six months' theoretical training provided by the vocational training establishment and three years' practical training received in the workplace, and culminating in a recognised examination relating to the craft and conferring the right to use the title 'Mester';

- orthopaedic boot and shoemaker ('ortopaediskomager')

this course is of a total duration of 13.5 years, including four-and-a-half years' vocational training divided into two years' theoretical training provided by the vocational training establishment and two-and-a-half years' practical training received in the workplace, and culminating in a recognised examination relating to the craft and conferring the right to use the title 'Mester'.

In Germany:

- optician ('Augenoptiker'),
- dental technician ('Zahntechniker'),
- surgical truss maker ('Bandagist'),
- hearing-aid maker ('Hörgeräte-Akustiker'),
- orthopaedic technician ('Orthopädiemechaniker'),
- orthopaedic bootmaker ('Orthopädienschuhmacher'),

In Luxembourg:

- dispensing optician ('opticien'),
- dental technician ('mécanicien dentaire'),
- hearing-aid maker ('audioprothésiste'),
- orthopaedic technician/surgical truss maker ('mécanicien orthopésiste/bandagiste'),
- orthopaedic bootmaker ('orthopédiste-cordonnier').

These courses are of a total duration of 14 years, including at least five years' training followed within a structured training framework, partly received in the workplace and partly provided by the vocational training establishment, and culminating in an examination which must be passed in order to be able to practise any activity considered as skilled, either independently or as an employee with a comparable level of responsibility.

In Austria:

- surgical truss maker ("Bandagist"),
- corset maker ("Miederwarenerzeuger"),
- optician ("Optiker"),
- orthopaedic shoemaker ("Orthopädienschuhmacher"),
- orthopaedic technician ("Orthopädietechniker"),
- dental technician ("Zahntechniker"),

— gardener (“Gärtner”),

which represent education and training of a total duration of at least fourteen years, including at least five years' training within a structured training framework, divided into an apprenticeship of at least three years' duration, comprising training received partly in the workplace and partly provided by a vocational training establishment, and a period of professional practice and training of at least two years' duration culminating in a mastership examination conferring the rights to exercise the profession, to train apprentices and to use the title “Meister”,

training for master craftsmen in the field of agriculture and forestry, namely:

- master in agriculture (“Meister in der Landwirtschaft”),
- master in rural home economics (“Meister in der ländlichen Hauswirtschaft”),
- master in horticulture (“Meister im Gartenbau”),
- master in market gardening (“Meister im Feldgemüsebau”),
- master in pomology and fruit-processing (“Meister im Obstbau und in der Obstverarbeitung”),
- master in viniculture and wine-production (“Meister im Weinbau und in der Kellerwirtschaft”),
- master in dairy farming (“Meister in der Molkerei und Käsewirtschaft”),
- master in horse husbandry (“Meister in der Pferdewirtschaft”),
- master in fishery (“meister in der Fischereiwirtschaft”),
- master in poultry farming (“Meister in der Geflügelwirtschaft”),
- master in apiculture (“Meister in der Bienenwirtschaft”),
- master in forestry (“Meister in der Forstwirtschaft”),
- master in forestry plantation and forest management (“Meister in der Forstgarten- und Forstpflégewirtschaft”),
- master in agriculture warehousing (“Meister in der landwirtschaftlichen Lagerhaltung”),

which represent education and training of a total duration of at least fifteen years including at least six years' training followed within a structured training framework divided into an apprenticeship of at least three years' duration, comprising training partly received in the workplace and partly provided by a vocational training establishment, and a period of three years of professional practice culminating in a mastership examination relating to the profession and conferring the rights to train apprentices and to use the title “Meister”.

In Norway:

- landscape gardener (“anleggsgartner”),
- dental technician (“tanntekniker”).

These courses are of a total duration of at least 14 years, including at least five years training within a structured training framework divided into an apprenticeship of at least three years' duration, comprising training partly received in the workplace and partly provided by a vocational training establishment, and a period of professional practice and training of two years' duration, culminating in a mastership examination relating to the craft and conferring the rights to train apprentices and to use the title “Mester”.

3 Seafaring sector

3. Training for the following:

- (a) Sea transport

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In Denmark:

- ship's captain ('skibsfører'),
- first mate ('overstyrmand'),
- quartermaster, deck officer ('enestyrmand, vagthavende styrmand'),
- deck officer ('vagthavende styrmand'),
- engineer ('maskinchef'),
- first engineer ('1.maskinmester'),
- first engineer/duty engineer ('1.maskinmester/vagthavende maskinmester'),

In Germany

- captain, large coastal vessel ('Kapitän AM'),
- captain, coastal vessel ('Kapitän AK'),
- deck officer, large coastal vessel ('Nautischer Schiffsoffizier AMW'),
- deck officer, coastal vessel ('Nautischer Schiffsoffizier AKW'),
- chief engineer, grade C ('Schiffsbetriebstechniker CT—Leiter von Maschinenanlagen'),
- ship's mechanic, grade C ('Schiffsmaschinist CMA—Leiter von Maschinenanlagen'),
- ship's engineer, grade C ('Schiffsbetriebstechniker CTW'),
- ship's mechanic, grade C—solo engineer officer ('Schiffsmaschinist CMAW—Technischer Alleinoffizier').

In Italy:

- deck officer ('ufficiale di coperta'),
- engineer officer ('ufficiale di macchina').

In the Netherlands:

- first mate (coastal vessel) (with supplementary training) ['stuurman kleine handelsvaart (met aanvulling)'],
- coaster engineer (with diploma) ('diploma motordrijver'),
- VTS-official ("VTS-functionaris")

which represents training:

- in Denmark, of nine years' primary schooling followed by a course of basic training and/or service at sea of between 17 and 36 months, supplemented by:
 - for the deck officer, one year of specialised vocational training,
 - for the others, three years of specialised vocational training,
- in Germany, of a total duration of between 14 and 18 years, including a three-year course of basic vocational training and one year's service at sea, followed by one or two years of specialised vocational training supplemented, where appropriate, by two year's work experience in navigation,
- in Italy, of a total duration of 13 years, of which at least five years consist of professional training culminating in an examination, and are supplemented, where appropriate, by a traineeship,
- in the Netherlands:

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- (i) for the first mate (coaster vessel) (with supplementary training (“stuurman keline handelsvaart (met aanvulling)”), and coaster engineer (with diploma) (“diploma motordrijver”), involving a course of 14 years, at least two years of which takes place in a specialised vocational training establishment, supplemented by a twelve month traineeship,
- (ii) for the VTS-official (“VTS-functoinaris”) of a total duration of at least 15 years, comprising at least three years of Higher Vocational Education (“HBO”) or Intermediate Vocational Training (“MBO”), which are followed by national and regional specialisation courses, comprising at least 12 weeks of theoretical training each and culminating each in an examination,

and which are recognised under the International STCW Convention (International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978).

— *In Iceland:*

- ship’s captain (“skipstjóri”),
- chief mate (“stýrimaður”),
- watchkeeping officer (“undirstýrimaður”),
- marine engineer, first grade (“yélstjóri 1.stigs”).

— *In Norway:*

- master mariner/deck officer Class 1 (“skipsfører”),
- chief mate/deck officer Class 2 (“overstyrmann”),
- master home/deck officer Class 3 (“kystskipper”),
- mate/watchkeeping officer/deck officer Class 4 (“styrmann”),
- chief engineer officer/engineer officer Class 1 (“maskinsjef”),
- second engineer officer/engineer officer Class 2 (“1.maskinist”),
- solo engineer/engineer officer Class 3 (“enemaskinist”),
- watchkeeping engineer/engineer officer Class 4 (“maskinoffiser”),

which represents training

- in Iceland, of nine or 10 years' primary schooling followed by two year’s service at sea, supplemented by three years of specialised vocational training (five years for the marine engineer),
- in Norway, of nine years' primary schooling followed by a course of basic training and service at sea of three years (two and a half years for engineering officers), supplemented by,
- for watchkeeping officers, one year of specialised vocational training,
- for the others, two years of specialised vocational training,

and by further service at sea and which is recognised under the International STCW Convention (International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978),

- electro-automation officer (ship’s electrician) (“elektroautomasjonstekniker/skipselek triker”),

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which represents training of nine years' primary schooling followed by a two year course of basic training, supplemented by one year of practical experience and service at sea and one year of specialised vocational training.

(b) Sea fishing

In Germany:

- captain, deep-sea fishing ('Kapitän BG/Fischerei'),
- captain, coastal fishing ('Kapitän BK/Fischerei'),
- deck officer, deep-sea vessel ('Nautischer Schiffsoffizier BGW/Fischerei'),
- deck officer, coastal vessel ('Nautischer Schiffsoffizier BKW/Fischerei'),

In the Netherlands:

- first mate/engineer V ('stuurman werktuigkundige V'),
- engineer IV (fishing vessel) ('werktuigkundige IV visvaart'),
- first mate IV (fishing vessel) ('stuurman IV visvaart'),
- first mate/engineer VI ('stuurman werktuigkundige VI')

which represent training:

- in Germany, of a total duration of between 14 and 18 years, including a three-year course of basic vocational training and one year's service at sea, followed by one or two years of specialised vocational training supplemented, where appropriate, by two-years' work experience in navigation,
- in the Netherlands, involving a course varying in duration between thirteen and fifteen years, at least two years of which are provided in a specialised vocational school, supplemented by a 12-month period of work experience,

and are recognised under the Torremolinos Convention (1977 International Convention for the Safety of Fishing Vessels).

In Iceland:

- ship's captain ("skipstjóri"),
- chief mate ("stýrimaður"),
- watchkeeping officer ("undirstýrimaður"),

which represents training of nine or 10 years' primary schooling followed by two years' service at sea, supplemented by two years of specialised vocational training culminating in an examination and is recognised under the Torremolinos Convention (1977 International Convention for the Safety of Fishing Vessels).

(c) Mobile drilling rig personnel

In Norway:

- Platform manager ("plattformsjef"),
- stability section manager ("stabilitetssjef"),
- control room operator ("kontrollromoperatør"),
- technical section leader ("teknisk sjef"),
- assistant technical section leader ("teknisk assistent"),

which represents training of nine years' primary schooling, followed by a two-year course of basic training, supplemented by at least one year's service offshore and,

- for the control room operator, one year of specialised vocational training,

— for the others, two and a half years of specialised vocational training.

Technical sector

4. Training for the following:

In Italy:

- building surveyor ('geometra'),
- land surveyor ('perito agrario'),

which represents secondary technical courses of a total duration of at least 13 years, comprising eight years' compulsory schooling followed by five years' secondary study, including three years vocational study, culminating in the Technical Baccalaureat examination, and supplemented,

- (i) for building surveyors by: either a traineeship lasting at least two years in a professional office, or five years' work experience,
- (ii) for land surveyors, by the completion of a practical traineeship lasting at least two years, followed by the State Examination.

In the Netherlands:

- bailiff ('gerechtsderuwaarder'),
- dental-prosthesis maker ("tandprotheticus"),

which represents a course of study and vocational training:

- (i) in the case of the bailiff ('gerechtsdeurwaarder'), totalling nineteen years, comprising eight years' compulsory schooling followed by eight years' secondary education including four years' technical education culminating in a State examination and supplemented by three years' theoretical and practical vocational training,
- (ii) in the case of the dental-prosthesis maker ("tandprotheticus"), totalling at least 15 years of full time training and three years of part time training, comprising eight years of primary education, four years of general secondary education, completion of three years of vocational training, involving theoretical and practical training as a dental technician, supplemented by three years of part time training as a dental prosthesis-maker, culminating in an examination.

In Austria:

- forester ("Förster"),
- technical consulting ("Technisches Büro"),
- labour leasing ("Überlassung von Arbeitskräften-Arbeitsleihe"),
- employment agent ("Arbeitsvermittlung"),
- investment adviser ("Vermögensberater"),
- private investigator ("Berufsdetektiv"),
- security guard ("Bewachungsgewerbe"),
- real estate agent ("Immobilienmakler"),
- real estate manager ("Immobilienverwalter"),
- advertising and promotion agent ("Werbeagentur"),
- building project organiser ("Bauträger/Bauorganisator/Baubetreuer"),
- debt-collecting agent ("Inkassobüro/Inkassoinstitut"),

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which represents education and training of a total duration of at least 15 years, comprising eight years' compulsory schooling followed by five years' secondary technical or commercial study, culminating in a technical or commercial mature level qualifying examination, supplemented by at least two years' workplace education and training culminating in a professional examination,

- insurance consultant (“Berater in Versicherungsangelegenheiten”),

which represents an education and training course of a total duration of 15 years and includes six years' training followed within a structured training framework, divided into an apprenticeship of three-years' duration and a three-year period of professional practice and training, culminating in an examination,

- master builder/planning and technical calculation (“Planender Baumeister”),
- master woodbuilder/planning and technical calculation (“Planender Zimmermeister”),

which represents education and training of a total duration of at least 18 years, including at least nine years' vocational training divided into four years of secondary technical study and five years of professional practice and training culminating in a professional examination conferring the rights to exercise the profession and to train apprentices, in so far as this training relates to the right to plan buildings, to make technical calculations and to supervise construction work (“the Maria Theresian privilege”).

PART II

COURSES REFERABLE TO THE PRACTICE OF A PROFESSION IN THE UNITED KINGDOM

United Kingdom courses accredited as National Vocational Qualifications or Scottish Vocational Qualifications

Training for:

- mine electrical engineer,
- mine mechanical engineer,
- approved social worker—mental health,
- dental therapist,
- dental hygienist,
- dispensing optician,
- mine deputy,
- insolvency practitioner,
- licensed conveyancer,
- first mate—freight/passenger ships—unrestricted,
- second mate—freight/passenger ships—unrestricted,
- third mate—freight/passenger ships—unrestricted,
- deck officer—freight/passenger ships—unrestricted,
- engineer officer—freight/passenger ships—unlimited trading area,

leading to qualifications accredited as National Vocational Qualifications (NVQs) or approved or recognised as equivalent by the National Council for Vocational Qualifications, or in Scotland

accredited as Scottish Vocational Qualifications, at levels 3 and 4 of the United Kingdom National Framework of Vocational Qualifications.

These levels are defined as follows:

- Level 3: competence in a broad range of varied work activities performed in a wide variety of contexts and most of which are complex and non-routine. There is considerable responsibility and autonomy and control or guidance of others is often required,
- Level 4: competence in a broad range of complex, technical or professional work activities performed in a wide variety of contexts and with a substantial degree of personal responsibility and autonomy. Responsibility for the work of others and the allocation of resources is often present.

SCHEDULE 6

Regulation 4(3), Schedule 4

LIST OF COURSES OF REGULATED EDUCATION AND TRAINING

In Germany

The following regulated courses:

- regulated courses preparatory to the pursuit of the professions of technical assistant ('technisch(r) Assistent(in)'), commercial assistant ('kaufmännisch(r) Assistent(in)'), social professions ('soziale Berufe') and the profession of State-certified respiration and elocution instructor ('staatlich geprüfte(r) Atem-, Sprech- und Stimmlehrer(in)'), of a total duration of at least 13 years, which require successful completion of the secondary course of education ('mittlerer Bildungsabschluß') and which comprise:
 - (i) at least three years of vocational training at a specialised school ('Fachschule') culminating in an examination and, where applicable, supplemented by a one-year or two-year specialisation course also culminating in an examination,
 - (ii) or at least two and a half years at a specialised school ('Fachschule') culminating in an examination and supplemented by work experience of a duration of not less than six months or a traineeship of not less than six months in an approved establishment,
 - (iii) or at least two years at a specialised school ('Fachschule') culminating in an examination and supplemented by work experience of a duration of not less than one year or a traineeship of not less than one year in an approved establishment,
- Regulated courses for the professions of State-certified ('staatlich geprüfte(r)') technician ('Techniker(in)'), business economist ('Betriebswirt(in)'), designer ('Gestalter(in)') and family assistant ('Familiepfleger(in)'), of a total duration not less than 16 years, a prerequisite of which is successful completion of compulsory schooling or equivalent education and training (of a duration of not less than nine years) and successful completion of a course at a trade school ('Berufsschule') of a duration of not less than three years and comprising, upon completion of at least two years of work experience, full-time education and training of a duration of not less than two years or part-time education and training of equivalent duration.
- Regulated courses and regulated in-service training, of a total duration of not less than 15 years, a prerequisite of which is, generally speaking, successful completion of compulsory schooling (of a duration not less than nine years) and of vocational training (normally three years) and which generally comprise at least two years of work experience (three years in most cases) and an examination in the context of in-service training preparation for which generally comprises a training course which is either

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concurrent with the work experience (at least 1,000 hours) or is attended on a full-time basis (at least one year).

In the Netherlands:

- Regulated training courses of a total duration of not less than 15 years, a prerequisite of which is successful completion of eight years of primary education plus four years of either intermediate general secondary education (“MAVO”) or Preparatory Vocational Education (“VBO”) or general secondary education of a higher level, and which require the completion of a three year or four year course at a college for intermediate vocational training (“MBO”), culminating in an examination,
- Regulated training courses of a total duration not less than 16 years, a prerequisite of which is successful completion of eight years of primary education plus four years of at least preparatory vocational education (“VBO”) or a higher level of general secondary education, and which require the completion of at least four years of vocational training in the apprenticeship system, comprising at least one day of theoretical instruction at a college each week and on the other days practical training in a practical training centre or in a firm, and culminating in a secondary or tertiary level examination.

In Austria:

- Courses at higher vocational schools (“Berufsbildende Höhere Schulen”) and higher education establishments for agriculture and forestry (“Höhere Landund Forstwirtschaftliche Lehranstalten”), including special types (“einschließlich der Sonderformen”), the structure and level of which are determined by law, regulations and administrative provisions.

These courses have a total length of not less than 13 years and comprise five years of vocational training which culminate in a final examination, the passing of which is proof of professional competence.

- Courses at master schools (“Meisterschulen”), master classes (“Meisterklassen”), industrial master schools (“Werkmeisterschulen”) or building craftsmen schools (“Bauandwerkerschulen”), the structure and level of which are determined by law, regulations and administrative provisions.

These courses have a total length of not less than 13 years, comprising nine years of compulsory education, followed by either at least three years of vocational training at a specialised school or at least three years of training in a firm and in parallel at a vocational training school (“Berufsschule”), both of which culminate in an examination, and are supplemented by successful completion of at least a one year training course at a master school (“Meisterschule”), master classes (“Meisterklassen”), industrial master school (“Werkmeisterschule”) or a building craftsmen school (“Bauhandwerkerschule”). In most cases the total duration is at least 15 years, comprising periods of work experience, which either precede the training courses at these establishments or are accompanied by part time courses (at least 960 hours).

SCHEDULE 7

Regulation 16(3)

PROFESSIONS IN RESPECT OF WHICH THE RIGHT OF THE MIGRANT TO CHOOSE BETWEEN AN ADAPTATION PERIOD AND AN APTITUDE TEST IS DISPLACED

<i>Profession</i>	<i>Requirement</i>
Licensed Conveyancer	Adaptation period

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations give effect in the United Kingdom to Council Directive 92/51 EEC (O.J. No. L209, 24.7.92., p. 25) on a second general system for the regulation of professional education and training to supplement Directive 89/48/EEC and Commission Directives 94/38/EC of 26 July 1994 (O.J. No. L217, 23.8.94, p. 8) and 95/43/EC of 20 July 1995 (O.J. No. L184, 3.8.95, p. 21) which amend it and to the Decision of the EEA Joint Committee No. 7/94 of 21 March 1994 (O.J. No. L160, 28.6.94, p. 1) amending Annex VII to the EEA Agreement in relation to the Directive.

The Regulations apply to all professions that are regulated by law or public authority or by membership of a chartered body other than those professions or professional activities which are the subject of one of the measures listed in Schedule 1.

Where they apply, the Regulations provide a scheme for the recognition of the qualifications of migrants from member States of the European Community or from Iceland, Norway or Liechtenstein seeking to take up or pursue a profession which is regulated in the United Kingdom. In respect of professions already the subject of the European Communities (Recognition of Professional Qualifications) Regulations 1991 (S.I. 1991/824) these Regulations supplement the scheme for recognition contained in those Regulations.

Part I of the Regulations contains provisions relating to citation, commencement, application and interpretation.

Part II of the Regulations provides for the identification of the competent authorities exercising functions in relation to the taking up or pursuit of professions and for the designation of bodies (“designated authorities”) in relation to each of the regulated professions. The designated authorities have the function of processing applications from migrants having qualifications obtained wholly or mainly in another member State of the European Community or Iceland, Norway or Liechtenstein (the “relevant States”) and wishing to practice the relevant profession in the United Kingdom.

Part III of the Regulations sets out the rights of migrants to practise in the United Kingdom. It imposes duties, subject to certain conditions and exceptions, upon designated authorities not to refuse, on grounds of inadequate qualifications, applications by migrants to practise the relevant profession in the United Kingdom if they hold the qualification required by a relevant State to practice the profession in that State.

Part IV of the Regulations permits the designated authorities, in certain cases, to require a migrant to complete an adaptation period or to take an aptitude test or to provide evidence of professional experience and lays down conditions affecting such requirements.

Part V of the Regulations makes provision for the acceptance of evidence issued by a competent authority in a relevant State, for the right of a migrant to use the professional title or designatory letters applicable to the profession in the United Kingdom, or the lawful academic title acquired by the migrant in a relevant State, for appeals against the decisions of designated authorities and for the provision of information by designated authorities and competent authorities in the United Kingdom.