

## STATUTORY INSTRUMENTS

### 2005 No. 18

## The European Communities (Recognition of Professional Qualifications) (First General System) Regulations 2005

### [<sup>F1</sup>Right to practise in the United Kingdom

5.—(1) Subject to regulation 6, a designated authority for a regulated profession may not, on grounds of inadequate qualifications, refuse to authorise a migrant to practise the profession on the same conditions as apply to someone who holds the diploma required of native applicants, if—

- (a) the migrant holds the diploma required in another relevant State for the practice of a corresponding profession regulated by that State, the diploma having been awarded in a relevant State; or
- (b) the migrant produces evidence that he holds formal qualifications which satisfy the requirements of sub-paragraph (2) below and either—
  - (i) the qualifications were awarded on completion of regulated education and training; or
  - (ii) the migrant has within the ten years immediately prior to his application pursued a corresponding profession for at least two years full-time (or equivalent duration part-time) in a relevant State in which the profession is not regulated.

(2) Formal qualifications satisfy the requirements of this sub-paragraph if they are:

- (a) formal qualifications awarded by a competent authority in a relevant State which—
  - (i) show that the migrant has successfully completed a post-secondary course of at least three years' duration (or equivalent duration part-time) at a university or an establishment of higher education or an establishment of equivalent level in a relevant State;
  - (ii) show the migrant has successfully completed any additional professional training required; and
  - (iii) prepared the migrant for the corresponding profession;or
- (b) formal qualifications awarded by a competent authority in a relevant State on the successful completion of education and training within the relevant State, and recognised by a competent authority in that State as equivalent to the qualifications specified in sub-paragraph (2)(a) of this regulation; provided that notification of such recognition has been duly given in accordance with Article 3(b) of the Directive.]

#### Textual Amendments

- F1** Regulations revoked (except in their application to the profession of company auditor) (19.10.2007) by [The European Communities \(Recognition of Professional Qualifications\) Regulations 2007 \(S.I. 2007/2781\)](#), reg. 1(2), [Sch. 6](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The European Communities (Recognition of Professional Qualifications) (First General System) Regulations 2005, Section 5.