
STATUTORY INSTRUMENTS

2007 No. 3101

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

PART 10

NURSES AND MIDWIVES: NURSING AND MIDWIFERY ORDER 2001

Amendment of Schedule 4

173. In Schedule 4 ^{M1} (interpretation)—

- (a) omit the definition of “the Accession of Greece Act”;
- (b) omit the definition of “the Accession of Spain and Portugal Act”;
- (c) omit the definition of “the Accession of Austria, Finland and Sweden Act”;
- (d) omit the definition of “the Act of Accession 2003”;
- (e) omit the definition of “Community law”;
- (f) for the definition of “competent authority” substitute—
““competent authority” means any authority or body of a relevant European State designated by that State for the purposes of the Directive as competent to—
 - (a) receive or issue evidence of qualifications or other information or documents, or
 - (b) receive applications and take the decisions referred to in the Directive, in connection with the practice of nursing or midwifery;”;
- (g) after the definition of “the Council” insert—
““the Directive” means Directive [2005/36/EC](#) of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications ^{M2}, and references in this Order to the Directive or to any provision of the Directive are references to the Directive, or to that provision of the Directive, as amended from time to time;”;
- (h) omit the definition of “EEA Agreement”;
- (i) omit the definition of “EEA national”;
- (j) omit the definition of “EEA State”;
- (k) for the definition of “exempt person” substitute—
““exempt person”, in relation to the profession of nursing or in relation to the profession of midwifery, means—
 - (a) a national of a relevant European State other than the United Kingdom;
 - (b) a national of the United Kingdom who is seeking access to, or is pursuing, the profession by virtue of an enforceable Community right; or
 - (c) a person who is not a national of a relevant European State but who is, by virtue of an enforceable Community right, entitled to be treated, for the purposes of access to and

pursuit of the profession, no less favourably than a national of a relevant European State;”;

- (l) after the definition of “exempt person” insert—
““General Systems Regulations” means the European Communities (Recognition of Professional Qualifications) Regulations 2007 ^{M3}.”;
- (m) omit the definition of “Midwifery Directive”;
- (n) in the definition of “national”, for “an EEA State” substitute “ a relevant European State ”;
- (o) omit the definition of “Nursing Directive”;
- (p) after the definition of “Registrar” insert—
““relevant European State” means an EEA State or Switzerland;”;
- (q) omit the definition of “second Nursing Directive”;
- (r) omit the definition of “second Midwifery Directive”;
- (s) omit the definition of “the Swiss Agreement”; and
- (t) after the definition of “United Kingdom country” insert—
““visiting nurse or midwife from a relevant European State” means a nurse or midwife registered in exercise of entitlement under article 39A (visiting general systems nurses from relevant European States) or Schedule 2A (visiting midwives, and certain visiting nurses, from relevant European States); and”.

Marginal Citations

- M1** Relevant amendments to Schedule 4 were made by [S.I. 2003/3148](#) and 2004/1947.
- M2** OJ No. L255, 30.09.2005, p.22, as amended by Council Directive 2006/100/EC of 20th November 2006, OJ No. L363 of 20.12.2006, p.141.
- M3** [S.I. 2007/2781](#).

Changes to legislation:

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) Regulations 2007, Section 173.