

---

STATUTORY INSTRUMENTS

---

**2007 No. 3101**

**HEALTH CARE AND  
ASSOCIATED PROFESSIONS**

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

<i>Made</i>	- - - -	<i>1st November 2007</i>
<i>Laid before Parliament</i>		<i>9th November 2007</i>
<i>Coming into force</i>		
	<i>Regulations 81 to 87, 93(e), (f) (g) and (h) and 94(b)</i>	<i>1st April 2008</i>
	<i>Remainder</i>	<i>3rd December 2007</i>

The Secretary of State for Health, who is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972 <sup>M1</sup> in relation to measures relating to access to, the training for, the pursuit of, and the award of qualifications in the professions of dentistry, medicine, midwifery, nursing and pharmacy and their specialties <sup>M2</sup>, in relation to measures relating to access to, the training for, the pursuit of, and the award of qualifications in the profession of social worker <sup>M3</sup>, and in relation to the recognition of higher-education diplomas, formal qualifications, or experience in the occupation, required for the pursuit of professions or occupations <sup>M4</sup>, makes the following Regulations in exercise of his powers conferred under section 2(2) of, as read with paragraph 1A of Schedule 2 <sup>M5</sup> to, the European Communities Act 1972 <sup>M6</sup>.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State for Health that it is expedient for the references to Directive [2005/36/EC](#) of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications <sup>M7</sup>, or to a provision of that Directive, to be construed as references to that Directive, or to that provision of the Directive, as amended from time to time.

**Marginal Citations**

- M1** [1972 c.68](#). The enabling powers of section 2(2) of this Act were extended by virtue of the amendment of section 1(2) by section 1 of the [European Economic Area Act 1993 \(c.51\)](#).
- M2** [S.I. 1995/3207](#).
- M3** [S.I. 2003/2901](#).

- M4** S.I. 2002/248.
- M5** Paragraph 1A of Schedule 2 was inserted by section 28 of the [Legislative and Regulatory Reform Act 2006](#) (c.51).
- M6** The subject matter of section 21 of the National Health Service (Scotland) Act 1978 (requirement of suitable experience for medical practitioners) is not a reserved matter under the [Scotland Act 1998](#) (c.46). In addition, the regulation of the professions of social worker, operating department practitioner, pharmacy technician, dental nurse, clinical dental technician, dental technician and orthodontic therapist is not a reserved matter under that Act. Therefore, as regards Scotland, see [section 57\(1\)](#) of the Scotland Act 1998 which provides that, despite the transfer to the Scottish Ministers by virtue of section 53 of that Act of functions in relation to observing and implementing Community law, any function of a Minister of the Crown in relation to any matter (including therefore in relation to the subject matter of section 21 of the National Health Service (Scotland) Act 1978 and in relation to the regulation of the professions specified above) shall continue to be exercisable by him as regards Scotland for the purposes specified in section 2(2) of the European Communities Act 1972.
- M7** 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.

**Changes to legislation:**

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