
STATUTORY INSTRUMENTS

2007 No. 3101

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

PART 2

MEDICAL PRACTITIONERS: MEDICAL ACT 1983

Amendment of section 17

11.—(1) Section 17^{M1} (primary qualifications obtained in other EEA States) is amended as follows.

(2) In the heading, for “EEA States” substitute “relevant European States”.

(3) In subsection (1)—

(a) for “an EEA State” substitute “a relevant European State”;

(b) for paragraphs (a) to (c) substitute—

“(a) a qualification listed in Annex V, point 5.1.1 of the Directive which was obtained in a relevant European State on or after the reference date and is not evidence of training commenced by the holder before that date, provided that that qualification is accompanied, where appropriate, by the certificate listed in relation to that State in the column of Annex V, point 5.1.1 of the Directive entitled “Certificate accompanying the qualifications”;

(b) subject to compliance with subsection (2) below, a qualification listed in Annex V, point 5.1.1 of the Directive, which was obtained before the reference date, or on or after that date where training of which it is evidence was commenced by the holder before that date;

(ba) subject to compliance with subsection (2A) below, a qualification not listed in Annex V, point 5.1.1 of the Directive, which was obtained on or after the reference date and is not evidence of training commenced by the holder before that date;

(c) subject to compliance with subsection (3) below, a qualification not listed in Annex V, point 5.1.1 of the Directive, which was obtained before the reference date, or on or after that date where training of which it is evidence was commenced by the holder before that date;”;

(c) in paragraph (e)(ii), for “the state or former state” substitute “the former state”.

(4) For subsections (2) and (3) substitute—

“(2) For compliance with this subsection in the case of any qualification, either—

(a) evidence of the qualification must be—

(i) such that the Registrar is satisfied (by means of a certificate of a competent authority of the relevant European State in which it was obtained or otherwise) that it accords with the standards laid down by article 24 of the Directive (basic medical training), and

- (ii) accompanied, where appropriate, by the certificate listed in relation to the State in which the qualification was obtained in the column of Annex V, point 5.1.1 of the Directive entitled “Certificate accompanying the qualifications”; or
 - (b) evidence of the qualification must be accompanied by a certificate of a competent authority of any relevant European State that the holder has effectively and lawfully been engaged in medical practice in that State for at least three consecutive years during the five years preceding the date of the certificate.
- (2A) For compliance with this subsection in the case of any qualification, evidence of it must be accompanied by a certificate of a competent authority of the relevant European State in which it was obtained to the effect that—
- (a) it is evidence of training which satisfies the requirements of article 24 of the Directive; and
 - (b) it is treated by that State as if it were a qualification listed in relation to that State in Annex V, point 5.1.1 of the Directive.
- (3) For compliance with this subsection in the case of any qualification, evidence of it must be accompanied by a certificate such as is described in—
- (a) subsection (2)(b); or
 - (b) subsection (2A).”.
- (5) In subsection (4)—
- (a) in paragraph (a), for “Schedule 2 to this Act” substitute “ Annex V, point 5.1.1 of the Directive ”; and
 - (b) in paragraphs (a) and (b), for “the German medical authorities” substitute “ a competent authority of Germany ”.
- (6) In subsection (4A)—
- (a) in paragraph (a)—
 - (i) for “the medical authorities of the EEA State” substitute “ a competent authority of the relevant European State ”, and
 - (ii) for “Schedule 2 to this Act” substitute “ Annex V, point 5.1.1 of the Directive ”;
 - (b) in paragraph (b), for “those authorities” substitute “ a competent authority of that State ”; and
 - (c) in column (b) of the Table, for “Yugoslavia” substitute “ Former Yugoslavia ”.
- (7) Omit subsection (5).
- (8) For subsection (6) substitute—
- “(6) In this section, “the reference date”, in relation to a relevant European State, means the date specified in relation to that State in the column entitled “Reference date” in Annex V, point 5.1.1 of the Directive.”.

Marginal Citations

M1 Section 17 was substituted by [S.I. 1996/1591](#) and amended by [S.I. 2003/3148](#) and 2004/1947.

Changes to legislation:

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) Regulations 2007, Section 11.