

[EXPLANATORY NOTE – ENTERING REGULATED PROFESSIONS](#)

Guidance on how to specify in the database the relevant legal provision applicable:

- **How to indicate the level of education and training/or harmonised training conditions for a given profession?**
- **How to introduce regulated professions for sectoral professions not listed in Annexes V and VI of Directive 2005/36/EC?**

ENTERING REGULATED PROFESSIONS:

I. GENERAL SYSTEM – INTRODUCTION

General system professions are to be entered into database and managed by coordinators.

Since the inclusion of the sectoral professions into the database in April 2008, coordinators will find a larger menu to choose from when introducing regulated professions. This note explains how the data which you introduce need to be consistent:

For all regulated professions which do not enjoy automatic recognition, the so-called "general system" applies and therefore the level at which they are regulated in terms of the Directive must be indicated. This is done by selecting the appropriate level of the directive from Article 11 (a to e).

- **General system** (primary application) applies to professions where there is no harmonisation of minimum training requirements: the general system will therefore apply straight away. This is also for sectoral professions where the specialisation or the formal qualifications for architects are not listed in Annex V of Directive 2005/36/EC (see chapters IV and V of this note).

- **General system** (subsidiary application): applies only to crafts professions which would normally benefit from automatic recognition but where a migrant does not fulfil the requirements for automatic recognition. It applies to crafts professions whenever the conditions of professional experience are not met.

However with the introduction of a new feature in the database in version 4 (launched in 2010) the term "subsidiary" is not used anymore:

The system allows coordinators not only to indicate "recognition of professional experience under Annex IV" but in addition also to indicate the level of education and required under Article 11 (general system), if the migrant does not fulfill the conditions for automatic recognition.

II. GENERAL SYSTEM - LEVELS OF QUALIFICATION

Distinction has to be made between cases where:

- **direct correspondence** exists between levels of education and training referred to in abrogated Directives 92/51/EEC and 89/48/EEC and Directive 2005/36/EC and

¹ <https://webgate.ec.europa.eu/regprof/index.cfm> (secure site with log-in to enter regulated professions)

http://ec.europa.eu/internal_market/qualifications/regprof/index.cfm (public site on Europa)

- where **no such direct correspondence** exists.

1.1. **Direct correspondence** between levels of abrogated Directive 92/51/EEC and levels of Article 11 a-c of Directive 2005/36/EC:

Direct correspondence exists between the levels of qualification referred to in Directive 92/51/EEC (i.e. attestation of competence, certificate 92/51/EEC, Diploma 92/51/EEC) and the levels of education and training listed in Article 11 a-c of Directive 2005/36/EC.

The following 3 options are available:

Option 1: Art. 11 a = attestation of competence of Directive 92/51/EEC

Option 2: Art. 11 b = certificate of Directive 92/51/EEC

Option 3: Art. 11 c = diploma certifying post-secondary education of at least 1 year of Directive 92/51/EEC.

Remark: In the old database, the system permitted a reference (direct link) to EU legislation amending Annexes C and D of Directive 92/51. Such references to Annexes C and D have been dropped in the new database application, the emphasis being put now on the levels of qualification as listed in Article 11.

1.2. **No direct correspondence** exists between the levels of abrogated Directive 89/48/EEC and levels of Article 11 d and e of Directive 2005/36/EC:

It is up to Member States to decide which level applies when education and training for a certain profession takes 4 years: Article 11d) or Article 11e). In the database, a specific level was created for training of 4 years classified under Article 11e). This is an important indicator for the bridging possibilities.

Remark: bridging is possible between level Article 11 e) in case of 4 years duration with Article 11c), (see Article 13 (3) of Directive 2005/36/EC).



















The following 3 options are available:

Option 1: Article 11 d = Diploma 89/48/EEC certifying post-secondary education of at least 3-4 years

Option 2: Article 11 e = Diploma 89/48/EEC certifying post-secondary education of 4 years

Option 3: Article 11 e = Diploma 89/48/EEC diploma certifying post-secondary education of more than 4 years

For further clarification see table below:

  Diploma 89/48 becomes "Article 11 (d)" or "Article 11 (e) 4 years" or "Article 11(e) more than 4 years"
  Diploma 92/51 becomes "Article 11(c)"
  Diploma 92/51 (Annex C) becomes "Article 11 (c)"
  Certificate 92/51 becomes "Article 11 (b)"
  Attestation of competence 92/51 becomes "Article 11 (a)"
  Directive 94/38 becomes "Article 11 (c)"
  Directive 95/43 becomes "Article 11 (c)"
  Directive 97/38 becomes "Article 11 (c)"
  Directive 2000/05 becomes "Article 11 (c)"

III. RECOGNITION OF PROFESSIONAL EXPERIENCE ("CRAFTS")

The professions subject to recognition of professional experience (Annex IV 'crafts' professions) are to be entered into database and managed by coordinators.

Only for professions related to activities listed under Annex IV of Directive 2005/36/EC.

Annex IV should replace former references to Directive 1999/42. The countries which have not added these professions into the database should do so.

Remark: the same profession (covering the same activities as Annex IV deals with "activities") cannot appear under "automatic recognition" in some Member States and "General system" in others (however, there are examples in the current database with this scenario which need to be corrected).

Example: **Hairdresser**

Slovakia	Holič a kaderník	Recognition of professional experience Annex IV - automatic recognition	All regions		
4616	Portugal	Cabeleireiro/a	General system of recognition - application (primary or secondary) to be defined	All regions	
5564	Liechtenstein	Coiffeur/Friseur	Recognition of professional experience Annex IV - automatic recognition	All regions	
4984	Italy	Parrucchiere	Recognition of professional experience Annex IV - automatic recognition	All regions	
5297	Iceland	Hársnyrtiiðn	Recognition of professional experience Annex IV - automatic recognition	All regions	
6604	Greece	Kommotis	General system of recognition - primary application	All regions	
7786	Germany	Friseure	General system of recognition - primary application	All regions	
7039	Czech Republic	Holičství, kadeřnictví	Recognition of professional experience Annex IV - automatic recognition	All regions	
5361	Cyprus	Κομμωτής/ρια	Recognition of professional experience Annex IV - automatic recognition	All regions	
4895	Belgium	Coiffeur / Kapper	Recognition of professional experience Annex IV - automatic recognition	All regions	
4972	Austria	Friseur und Perückenmacher (Stylist) (Handwerk)	Recognition of professional experience Annex IV - automatic recognition	All regions	

NEW feature in version 4 of database (launched in 2010): a new functionality has been introduced which allows coordinators to introduce not only the reference to Annex IV, but – in a drop down menu – also the appropriate level of Article 11 of Directive 2005/36/EC (general system) in case the automatic recognition does not apply.

IV. GENERAL SYSTEM – PRIMARY AND SUBSIDIARY APPLICATION

Primary Application of the General System

The appropriate level of Article 11 (a to e) at which the profession is regulated should be selected for cases of primary application of the general system.

This applies to the following professions:

- Professions which traditionally fall under the general system (which do not benefit from automatic recognition), e.g. teacher, physiotherapist, engineer.
- Sectoral professions (cases of application of Article 10 of Directive 2005/36/EC):
 - Architects formal qualifications not listed in Annexes V and VI of the Directive (Article 10c)
 - Medical and dental specialisations which are not listed in Annexes V of the Directive (Article 10 d)
 - Specialist nurse qualifications, for instance, Paediatric nurses and Psychiatric nurses (Article 10 e and f)
 - Specialised vets (Article 10d)
 - Specialised pharmacists (Article 10d)

A NEW feature has been introduced into the database with version 4 in a concern to provide the utmost clarity to citizens concerning the required level of education and training for sectoral specialisations (ie.: for a medical specialisation not listed in Annex V the migrating professional has to have obtained a basic medical qualification and a specialisation).

Up to now you could choose "general system – primary application".

In the future you are asked to choose from the elaborate list which we have introduced and which we copy for your convenience below:

ARE3 DOCTOR IN BASIC (LISTED) AND SPECIALISED MEDECINE IN FIELD NOT LISTED IN ANNEX V (Doctor with basic and specialist qualification, listed in Annex V, 5.1.1 and 5.1.2 in a field for the Member State not listed in Annex V, 5.1.3)

ARE6 SPECIALIST (AND GENERAL CARE) NURSE (Specialist nurse who must necessarily hold the general care nurse qualification listed in Annex V, 5.2.2)

ARE7 SPECIALIST NURSE (Specialist nurse who must not necessarily hold the general care nurse qualification listed in Annex V, 5.2.2)

ARE10 SPECIALIST DENTAL PRACTITIONER NOT LISTED IN ANNEX V (Dental practitioner with basic qualification listed in Annex V, 5.3.2 and specialist qualification for the Member State not listed in Annex V, 5.3.3)

ARE12 VETERINARY SURGEON SPECIALIST (Veterinary surgeon specialist holding veterinary surgeon qualification listed in Annex V, 5.4.2)

ARE14 MIDWIFE SPECIALIST (Midwife specialist holding midwife qualification listed in Annex V, 5.5.2)

ARE16 PHARMACIST SPECIALIST (Pharmacist specialist holding pharmacist qualification listed in Annex V, 5.6.2)

ARE18 ARCHITECT SPECIALIST (Specialist architect holding architect qualification listed in Annex V.5.7.1)

Attention:

Primary application is never applicable for Annex IV 'craft' professions (see next section).

Subsidiary Application of the General System – this is relevant for crafts only

This applies to the following professions:

Craft professions under Chapter II of Title III of Directive 2005/36/EC when the migrant does not fulfil the relevant conditions for benefiting from automatic recognition (Article 10a). The appropriate level of Article 11 (a to e) at which the profession is regulated can be indicated for cases of subsidiary application of the general system

Example for Article 10 (a)

A manufacturer of bakery products or a beautician might not fulfil the requirements set out in Article 17 or 19 respectively and therefore they cannot benefit from automatic recognition.

V. SECTORAL PROFESSIONS

National titles of sectoral professions listed in Annexes V and VI are entered into the database and managed by the Commission. These are professions for which the minimum training requirements have been harmonised by Directive 2005/36/EC and therefore subject to automatic recognition.

Under this category, will be listed the following:

- Sectoral professions qualifications listed in Annex V and VI and therefore subject to automatic recognition.
- Specific medical and dental specialisations listed in Annex V and therefore subject to automatic recognition.

However, national titles not listed in these annexes should be entered by the Member States into the database, also grouped under the sectoral profession. Under this category, the following professions are to be listed:

- Specific specialisations for pharmacists, nurses, veterinary surgeons subject to primary application of the general system.

Example:

A hospital pharmacist wishing to exercise his/her profession in another Member State. The automatic recognition of pharmacists only concerns the 'basic qualification' and does not apply to the specialist training. Therefore, the general system will apply. Since there is no harmonisation of the minimum training requirements, these specialities are subject to primary application of the general system.

- Other specific national medical and dental specialisations not listed in Annex V (subject to primary application of general system). There are two different types of cases:

1) Specialisations not listed at all in Annex V: professions exercising the activities of a speciality for which the minimum training requirements have not been harmonised at EU level but which are regulated at national level. These are subject to primary application of the general system.

Example: A national speciality in sports medicine.

2) A specialisation which is listed amongst the 52 medical specialisations and 2 dental specialisations in Annex V but where a Member State has not listed its national title in the Annex. This is subject to primary application of the general system.

Example: A Belgian national title for tropical medicine.

The appropriate level of Article 11 (b to e) at which the profession is regulated should be selected for cases of application of the General system.

NB: How to calculate the number of years of training to determine the level required?

Always include the number of years of basic training if this qualification is a condition of access to the specialist training and therefore to the exercise of the specialisation. This means that in the case of doctors and dentists, for example, the level will always be 11e) due to the fact that the minimum length of basic training is 6 or 5 years respectively.

Sectoral professions - for information

Grouping of sectoral professions in the database

With the introduction of the sectoral professions into the database in April 2008, we have tried to improve the structure and clarity of the database to facilitate the search for regulated professions. Therefore, **we will regroup all specialisations previously entered into the old database under the sectoral profession.**

For example, the former generic profession "anaesthetic nurse" will no longer exist and regulated professions previously attached to it will be grouped instead under the sectoral (generic) profession "**nurse**", under the type of training "specialised nurse training (national training requirements)". As a consequence, a search for the profession must be made under "nurse".

The other consequence is that statistics originally entered for "anaesthetic nurse" will be migrated and counted amongst "Specialised nurse training (national training requirements)". This way, **statistics will group all specialisations together collectively under specialised training.**

Article 10 b cases

Article 10b cases concern decisions for doctors, nurses responsible for general care, dental practitioners and dental specialisations, veterinary surgeons, midwives, pharmacists and architects, when the migrant does not fulfil the relevant professional experience conditions for benefiting from acquired rights provisions and therefore cannot get automatic recognition.

These are exceptional cases. Decisions are taken on qualifications of migrants which do not meet the automatic recognition requirements (i.e. a non-conform qualification) but their holder does not meet the acquired rights professional experience requirement either. They will therefore fall under the general system and decisions² should be taken under the general system.

Remark: There is no level of regulation to enter as such for these professions which already exist as Annex V professions entered by COM.

² See explanatory note on entering statistics on establishment

Practical guidance for sectoral professions

How to enter national titles for sectoral professions not listed in Annex V and VI of the directive into the database¹?

A special "provider" log-in and password is needed for this purpose. New coordinators needing this log-in should send a request by e-mail to MARKT-D4@ec.europa.eu

Procedure:

1. Click on "Professions"
2. "Find a profession"
3. Choose "harmonised training requirements" (tick box yes) + search.
4. Select, for example, "Doctor of Medicine".
5. "Add a regulated profession for your country for this profession" (click on icon at top of screen).
6. Under the "Data" section:
 - Under "Recognition under Directive 2005/36/EC": always select the respective profession, ie. "ARE3 Doctor in basic (listed) and specialised medicine in a field not listed in Annex V."
 - Under "Type of training": select "specialised medical training"
 - Under "Level": select the appropriate level.

16/03/2010

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http://ec.europa.eu/internal_market/qualifications/index_en.htm

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