

**2001 No. 200**

**PROFESSIONAL QUALIFICATIONS**

**The European Communities (Recognition of Professional Qualifications) (Second General System) (Amendment) Regulations 2001**

*Made* - - - - - *24th January 2001*  
*Laid before Parliament* *29th January 2001*  
*Coming into force* - - *27th February 2001*

The Secretary of State, being a Minister designated<sup>(a)</sup>, for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to measures relating to the recognition of higher education diplomas or formal qualifications required for the pursuit of professions or other occupations, in exercise of the powers conferred on him by that section, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the European Communities (Recognition of Professional Qualifications) (Second General System) (Amendment) Regulations 2001 and shall come into force on 27th February 2001.

(2) In these Regulations “the principal Regulations” means the European Communities (Recognition of Professional Qualifications) (Second General System) Regulations 1996<sup>(c)</sup>.

**Amendment of principal Regulations**

2.—(1) The principal Regulations shall be further amended in accordance with paragraphs (2) to (5) below.

(2) In Part I of Schedule 1 at the end there shall be inserted the following—

“96/26/EC	Council Directive of 29th April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations.	O.J. No. L124, 23.5.1996, p. 1.”
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(3) The provisions of Parts I and II of Schedule 1 shall be substituted for Parts I and II, respectively, of Schedule 2 to the principal Regulations.

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(a) S.I. 1989/1327.

(b) 1972 c. 68.

(c) S.I. 1996/2374 as amended by S.I. 1999/67.

(4) The provisions of Schedule 2 shall be substituted for that part of section 1 (paramedical and childcare training courses) of Part I of Schedule 5 to the principal Regulations which specifies such courses in Austria.

(5) The provisions of Schedule 3 shall be substituted for Part II of Schedule 5 to the principal Regulations.

24th January 2001

*Tessa Blackstone*  
Minister of State,  
Department for Education and Employment

PROVISIONS SUBSTITUTED FOR PARTS I AND II, RESPECTIVELY, OF  
SCHEDULE 2 TO THE PRINCIPAL REGULATIONS

“ PART I

PROFESSIONS REGULATED BY LAW OR PUBLIC AUTHORITY

<i>Profession</i>	<i>Designated Authority</i>
Air Traffic Controller	Civil Aviation Authority
Aircraft Maintenance Engineer	Civil Aviation Authority
Airport Fire Officer	Civil Aviation Authority
Airport Firefighter	Civil Aviation Authority
Assistant Instructor (Motor Bicycles) (in Great Britain)	Secretary of State
Licensed Boatmaster	Secretary of State
Licensed Cab Driver (London)	Transport for London
Licensed Conveyancer	The Council for Licensed Conveyancers
Qualified Conveyancer (Scotland)	The Scottish Conveyancing and Executry Services Board
Dental Hygienist	General Dental Council
Dental Therapist	General Dental Council
Dispensing Optician	General Optical Council
Registered Dispenser of Hearing Aids	Hearing Aid Council
Diver	Health and Safety Executive
Department of Transport Approved Driving Instructor	The Registrar for the purposes of Part V of the Road Traffic Act 1988 <sup>(a)</sup>
Department of the Environment for Northern Ireland Approved Driving Instructor	The Registrar within the meaning of the Motor Cars (Driving Instruction) Regulations (Northern Ireland) 1991 <sup>(b)</sup>
Executry Practitioner	The Scottish Conveyancing and Executry Services Board
Registered Gas Installer	The Council for Registered Gas Installers
Insolvency Practitioner	Secretary of State, The Insolvency Practitioners Association Limited, The Association of Chartered Certified Accountants, The Institute of Chartered Accountants in England and Wales, The Institute of Chartered Accountants in Ireland, The Institute of Chartered Accountants in Scotland, The Law Society, The Law Society of Northern Ireland, The Law Society of Scotland
Inspector of Weights and Measures	Secretary of State
Certified Instructor (Motor Bicycles) (in Great Britain)	Secretary of State
Licensed Lighterman	Port of London Authority
Nurse admitted to any of the following parts of the register—	United Kingdom Central Council for Nursing, Midwifery and Health Visiting
Part 2—Second level nurse trained in general nursing (England and Wales);	
Part 4—Second level nurse trained in the nursing of persons suffering from mental illness (England and Wales);	

(a) 1988 c. 52. Relevant amendments were made by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c. 31).

(b) S.R. 1991 No. 373.

<i>Profession</i>	<i>Designated Authority</i>
Part 6—Second level nurse trained in the nursing of persons suffering from learning disabilities (England and Wales); Part 7—Second level nurse (Scotland and Northern Ireland)	
State Registered Paramedic	The Paramedics Board at the Council for Professions Supplementary to Medicine
Certified Technically Competent Person	Waste Management Industry Training and Advisory Board
Registered Trade Mark Agent	The Institute of Trade Mark Attorneys
Licensed Trainee Driving Instructor	The Registrar for the purposes of Part V of the Road Traffic Act 1988
Listed Veterinary Nurse	The Royal College of Veterinary Surgeons
Licensed Waterman	Port of London Authority

## PART II

### PROFESSIONS REGULATED BY PROFESSIONAL ASSOCIATIONS

<i>Professional title</i>	<i>Designatory letters</i>	<i>Designated Authority</i>
Associate of the Chartered Institute of Arbitrators	A.C.I.Arb	Chartered Institute of Arbitrators
Associate of the Chartered Institute of Building	ACIOB	Chartered Institute of Building
Associate Member of The Chartered Institute of Marketing	ACIM	The Chartered Institute of Marketing
Associate of the Royal Academy of Dancing	A.R.A.D.	The Royal Academy of Dancing
Associate of the Royal College of Organists	ARCO	The Royal College of Organists
Choir Master	(CHM)	The Royal College of Organists
Engineering Technician	EngTech	The Engineering Council
Fellow of the Royal College of Organists	FRCO	The Royal College of Organists
Housing Practitioner		The Chartered Institute of Housing
Licentiate of The Chartered Institute of Marketing		The Chartered Institute of Marketing
Licentiate of the Institute of Mathematics and its Applications		The Institute of Mathematics and its Applications
Licentiate of the Royal Academy of Dancing	L.R.A.D.	The Royal Academy of Dancing
Licentiate of The Society of Dyers and Colourists	LSDC	The Society of Dyers and Colourists
Licentiate of the Textile Institute	LTI	The Textile Institute
Member of the Chartered Institute of Arbitrators	M.C.I.Arb	Chartered Institute of Arbitrators
Technical Member of The Royal Institution of Chartered Surveyors	TechRICS	The Royal Institution of Chartered Surveyors

## SCHEDULE 2

Regulation 2(4)

### PROVISIONS SUBSTITUTED FOR THAT PART OF SECTION 1 (PARAMEDICAL AND CHILDCARE TRAINING COURSES) OF PART I OF SCHEDULE 5 TO THE PRINCIPAL REGULATIONS WHICH SPECIFIES SUCH COURSES IN AUSTRIA

*“in Austria*

- special basic training for nurses specialising in the care of children and young people,
- special basic training for psychiatric nurses,
- contact lens optician (“Kontaktlinsenoptiker”),
- pedicurist (“Fusspfleger”),
- acoustic-aid technician (“Hörgeräteakustiker”),
- druggist (“Drogist”),

which represent education and training courses of a total duration of at least fourteen years, including at least five years’ training followed within a structured training framework, divided into an apprenticeship of at least three years’ duration, comprising training partly received in the workplace and partly provided by a vocational training establishment, and a period of professional practice and training, culminating in a professional examination conferring the rights to exercise the profession and to train apprentices,

- masseur (“Masseur”),

which represents education and training courses of a total duration of fourteen years, including five years’ training within a structured training framework, comprising an apprenticeship of two years duration, a period of professional practice and training of two years’ duration and a training course of one year culminating in a professional examination conferring the rights to exercise the profession and to train apprentices,

- kindergarten worker (“Kindergärtner/in”),
- child care worker (“Erzieher”),

which represent education and training courses of a total duration of thirteen years, including five years of professional training in a specialised school, culminating in an examination.”

## SCHEDULE 3

Regulation 2(5)

### PROVISIONS SUBSTITUTED FOR PART II OF SCHEDULE 5 TO THE PRINCIPAL REGULATIONS

“ PART II

#### COURSES REFERABLE TO THE PRACTICE OF A PROFESSION IN THE UNITED KINGDOM

##### **United Kingdom courses accredited as National Vocational Qualifications or Scottish Vocational Qualifications**

Training for:

- mine electrical engineer,
- mine mechanical engineer,
- dental therapist,
- dental hygienist,
- dispensing optician,
- mine deputy,
- insolvency practitioner,
- licensed conveyancer,
- first mate—freight/passenger ships—unrestricted,
- second mate—freight/passenger ships—unrestricted,
- third mate—freight/passenger ships—unrestricted,
- deck officer—freight/passenger ships—unrestricted,
- engineer officer—freight/passenger ships—unlimited trading area,
- certified technically competent person in waste management,

leading to qualifications accredited as National Vocational Qualifications (NVQs) or in Scotland accredited as Scottish Vocational Qualifications, at levels 3 and 4 of the United Kingdom National Framework of Vocational Qualifications.

These levels are defined as follows:

- **Level 3:** competence in a broad range of varied work activities performed in a wide variety of contexts and most of which are complex and non-routine. There is considerable responsibility and autonomy and control or guidance of others is often required,
- **Level 4:** competence in a broad range of complex, technical or professional work activities performed in a wide variety of contexts and with a substantial degree of personal responsibility and autonomy. Responsibility for the work of others and the allocation of resources is often present. ”

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These regulations further amend the European Communities (Recognition of Professional Qualifications) (Second General System) Regulations 1996 (SI 1996/2374 as amended by SI 1999/67, “the principal Regulations”) which give effect in the United Kingdom to Council Directive 92/51/EEC (“the principal Directive”).

Regulations 2(4) and 2(5) with Schedules 2 and 3 give effect in the United Kingdom to Commission Directive 2000/5/EC of 25th February 2000 (O.J. No. L54, 26.2.2000 p. 42) which amends Annexes C and D to the principal Directive. Regulation 2(4) with Schedule 2 substitutes a new section in Part I of Schedule 5 to the principal Regulations relating to paramedical and childcare training courses in Austria. Regulation 2(5) with Schedule 3 substitutes a new Part II of Schedule 5 to the principal Regulations which relates to courses referable to the practice of a profession in the United Kingdom.

Regulation 2(3) substitutes a new Schedule 2 to the principal Regulations which sets out (in Part I) professions regulated in the United Kingdom by law or public authority and in Part II, professions regulated by professional associations. The changes are:

- in Part I, the addition of Assistant Instructor (Motor Bicycles), Department of the Environment for Northern Ireland Approved Driving Instructor, Certified Instructor (Motor Bicycles) and State Registered Paramedic and the change in the designated authority for Licensed Cab Driver (London) from the Assistant Commissioner of Police for the Metropolis to Transport for London;
- in Part II, the addition of Licentiate of the Institute of Mathematics and its Applications, Member of the Chartered Institute of Arbitrators and Technical Member of The Royal Institution of Chartered Surveyors.

Regulation 2(2) amends Part I of Schedule 1 to the principal Regulations; this Schedule lists directives establishing arrangements for mutual recognition of qualifications in specific professions and those professions are outside the scope of the principal Regulations.

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The European Communities (Recognition of Professional  
Qualifications) (Second General System) (Amendment)  
Regulations 2001

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