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STATUTORY INSTRUMENTS

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**2007 No. 3101**

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

**PART 6**

**PHARMACISTS AND PHARMACY TECHNICIANS: OTHER LEGISLATION**

**Amendment of the Approved European Pharmacy Qualifications Order of Council 2007**

**108.**—(1) The Approved European Pharmacy Qualifications Order of Council 2007<sup>(1)</sup> is amended as follows.

(2) In article 1 (citation, commencement and interpretation)—

(a) in paragraph (2)—

(i) for the definition of “competent authorities” substitute—

““competent authorities” means any authority or body of a relevant European State designated by that State for the purposes of the Directive<sup>(2)</sup> as competent to—

(a) receive or issue evidence of qualifications or other information or documents,

(b) receive applications and take the decisions referred to in the Directive, in connection with the practice of pharmacy;”,

(ii) omit the definition of “the Pharmacy Training Directive”, and

(iii) for the definition of “reference date” substitute—

““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 5.6.2 of the Directive.”; and

(b) after paragraph (2) add—

“(3) References in this Order to any provision of the Directive are references to that provision of the Directive as amended from time to time.”.

(3) In article 2 (appropriate European diplomas)—

(a) in paragraph (1), after “registration in” insert “Part 1 or 2 of”; and

(b) in paragraph (2)—

(i) for sub-paragraph (a) substitute—

“(a) a diploma listed in Annex V, point 5.6.2 of the Directive which has been granted in a relevant European State after its reference date and

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<sup>(1)</sup> [S.I. 2007/564](#).

<sup>(2)</sup> “The Directive” is defined in the Pharmacists and Pharmacy Technicians Order as meaning Directive [2005/36/EC](#) of the European Parliament and of the Council of 7th September 2005.

which is evidence of training commenced after that date, provided that that diploma is accompanied, where appropriate, by the certificate listed in relation to that State in the column of Annex V, point 5.6.2 of the Directive entitled “Certificate accompanying the diploma”; or”, and

(ii) in sub-paragraph (b)—

(aa) omit “(where appropriate, duly authenticated)”, and

(bb) in paragraph (iv), for “not specified in Schedule 2” substitute “not listed in Annex V, point 5.6.2 of the Directive”.

(4) Article 3 (conditions relating to a specified diploma awarded in Italy) is revoked.

(5) For article 4 substitute—

**“Conditions relating to diplomas, whether listed or not, awarded in respect of training before a relevant European State’s reference date**

4. A diploma to which article 2(2)(b)(i) applies is only an appropriate European diploma if—

(a) in the case of a diploma which is listed in Annex V, point 5.6.2 of the Directive—

(i) the Registrar is satisfied (by means of a certificate from the relevant competent authorities or otherwise) that the diploma guarantees that the holder’s training satisfies the requirements of article 44 of the Directive (requirements for pharmacists’ training), and

(ii) the diploma is accompanied, where appropriate, by the certificate listed in relation to the relevant European State in which the diploma was awarded in the column of Annex V, point 5.6.2 of the Directive entitled “Certificate accompanying the diploma”;

(b) in the case of a diploma which is not listed in Annex V, point 5.6.2 of the Directive, the diploma is accompanied by a certificate from the competent authorities of the relevant European State in which the diploma was awarded which attests that the diploma—

(i) is evidence of training which satisfies the requirements of article 44 of the Directive, and

(ii) is treated by the competent authorities of the relevant European State in which it was awarded as equivalent to a diploma listed in relation to that State in Annex V, point 5.6.2 of the Directive,

and the certificate is made available to the Registrar; or

(c) whether or not the diploma is listed in Annex V, point 5.6.2 of the Directive, the competent authorities of a relevant European State have certified that the holder has, in a relevant European State, been effectively and lawfully engaged in the practice of an activity open to pharmacists in that State for at least three consecutive years during the five years preceding the date of the certificate, and the certificate is made available to the Registrar.”.

(6) In article 5 (conditions relating to old diplomas granted in respect of training commenced in the former Czechoslovakia, the former Soviet Union or the former Yugoslavia)—

(a) in paragraph (a), for “specified in Schedule 2” substitute “listed in Annex V, point 5.6.2 of the Directive”; and

(b) for paragraph (b) substitute—

“(b) those competent authorities have also certified that the holder of the diploma has, in the relevant European State specified in the appropriate row of column (c) of the table in Schedule 3, been effectively and lawfully engaged in the practice of an activity open to pharmacists in that State for at least three consecutive years during the five years preceding the date of that certificate; and”.

(7) In article 6 (conditions relating to old diplomas granted in respect of training commenced in the former German Democratic Republic)—

(a) in paragraph (a), for “specified in Schedule 2” substitute “listed in Annex V, point 5.6.2 of the Directive”; and

(b) for paragraph (b) substitute—

“(b) the competent authorities in Germany have certified that the holder of the diploma has been effectively and lawfully engaged in Germany in the practice of an activity open to pharmacists in Germany for at least three consecutive years during the five years preceding the date of that certificate, and the certificate is made available to the Registrar.”.

(8) In article 7 (conditions relating to new diplomas), in paragraph (a)—

(a) for sub-paragraph (i) substitute—

“(i) is evidence of training which satisfies the requirements of article 44 of the Directive, and”; and

(b) in sub-paragraph (ii), for “specified in Schedule 2” substitute “listed in Annex V, point 5.6.2 of the Directive”.

(9) For article 8 substitute—

**“Justified doubts**

**8.** A diploma is only an appropriate European diploma if—

(a) in a case where the Society (including its Registrar) has justified doubts about the authenticity of the evidence of the diploma made available to the Society and has required of the relevant competent authorities confirmation of the authenticity of the evidence, the relevant competent authorities have confirmed the authenticity of the evidence;

(b) in a case where the Society (including its Registrar) has justified doubts about whether the holder of the diploma has completed training which satisfies the requirements of article 44 of the Directive, and has required of the relevant competent authorities confirmation of completion of such training, the relevant competent authorities have confirmed completion of such training;

(c) in a case where the Society (including its Registrar) has justified doubts concerning training received in a relevant European State other than that in which the diploma was awarded, and has required confirmation of the relevant competent authorities in accordance with article 50(3) of the Directive, the relevant competent authorities have provided confirmation in accordance with that article.”.

(10) Schedules 1 (reference dates) and 2 (specified pharmacy qualifications) are revoked.