
STATUTORY INSTRUMENTS

2015 No. 2059

The European Union (Recognition of Professional Qualifications) Regulations 2015

PART 3

[^{F1}Applications for Authorisation]

F1 Pt. 3 heading substituted (31.12.2020) by [The Recognition of Professional Qualifications \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/312\)](#), reg. 1(3), **Sch. 1 para. 16** (with Sch. 1 Pt. 3) (as amended by [S.I. 2020/1038](#), regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER 1

General System for the Recognition of Training

Levels of qualification

27. For the purpose of applying conditions for recognition under regulation 29, professional qualifications are grouped under the following levels—

^{F2}(a)

(b) a certificate attesting to a successful completion of a course of secondary education either—

(i) general in character, supplemented by a course of study or professional training other than that referred to in paragraph (c) and/or by the probationary or professional practice required in addition to that course, or

(ii) technical or professional in character, supplemented where appropriate by a course of study or professional training as referred to in sub-paragraph (i), and/or by the probationary or professional practice required in addition to that course;

(c) a diploma certifying successful completion of either—

(i) training at post-secondary level other than that referred to in paragraphs (d) and (e) of a duration of at least one year or of an equivalent duration on a part-time basis, one of the conditions of entry of which is, as a general rule, the successful completion of the secondary course required to obtain entry to university or higher education or the completion of equivalent school education of the second secondary level, as well as the professional training which may be required in addition to that post-secondary course; or

(ii) regulated education and training or, in the case of a regulated profession, vocational training with a special structure with competences going beyond what is provided for at paragraph (b) equivalent to the level of training provided for under sub-paragraph (i), which provides a comparable professional standard and which

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The European Union (Recognition of Professional Qualifications) Regulations 2015, PART 3. (See end of Document for details)

- prepares the trainee for a comparable level of responsibilities and functions provided that the diploma is accompanied by a certificate from the home state;
- (d) a diploma certifying successful completion of training at post-secondary level of at least three and not more than four years' duration, or of an equivalent duration on a part-time basis, which may in addition be expressed with an equivalent number of ECTS credits, at a university or establishment of higher education or another establishment providing the same level of training, and that the applicant has successfully completed the professional training which may be required in addition to that post-secondary course;
- (e) a diploma certifying that the holder has successfully completed a post-secondary course of at least four years' duration, or of an equivalent duration on a part-time basis, which may in addition be expressed with an equivalent number of ECTS credits, at a university or establishment of higher education or another establishment providing the same level of training, and that the applicant has successfully completed the professional training which may be required in addition to the post-secondary course.

F2 Reg. 27(a) omitted (31.12.2020) by virtue of [The Recognition of Professional Qualifications \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/312\)](#), reg. 1(3), [Sch. 1 para. 17](#) (with [Sch. 1 Pt. 3](#)) (as amended by [S.I. 2020/1038](#), regs. 1(3), [Sch. 1 para. 3](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Equal treatment of qualifications

^{F3}28.

F3 Reg. 28 omitted (31.12.2020) by virtue of [The Recognition of Professional Qualifications \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/312\)](#), reg. 1(3), [Sch. 1 para. 18](#) (with [Sch. 1 Pt. 3](#)) (as amended by [S.I. 2020/1038](#), regs. 1(3), [Sch. 1 para. 3](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Conditions for recognition

29.—^{F4}(1) If access to, or pursuit of, a regulated profession in the United Kingdom is contingent on possession of specific qualifications, a competent authority must permit access to, and pursuit of, that profession to an applicant, where that applicant possesses evidence of formal qualifications required by a relevant European State, where the profession is regulated, in order to gain access to and pursue the same profession in that relevant European State.]

^{F5}(1A) The requirement on the competent authority in paragraph (1) does not apply where—

- (a) the training the applicant has received covers substantially different matters than those covered by the evidence of formal qualifications required for the regulated profession in the United Kingdom; or
- (b) the regulated profession in the United Kingdom—
- (i) comprises one or more regulated professional activities which do not exist in the profession in the applicant's home State; and
 - (ii) requires specific training that covers substantially different matters from those covered by the applicant's evidence of formal qualifications; or
- (c) the level of the professional qualifications of the applicant is lower than the level of the specific professional qualifications required to access and pursue the regulated profession in the United Kingdom;

(1B) In paragraph (1A), “substantially different matters” means matters of which knowledge, skills and competences acquired are essential for pursuing the profession and with regard to which

the training received by the applicant shows significant differences in terms of duration or content from the training required in the United Kingdom.]

(2) ^{F6}... Evidence of formal qualifications must satisfy the following conditions—

(a) they must have been issued by a competent authority of [^{F7}a] relevant European State;

^{F8}(b)

[^{F9}(3) Nothing in paragraphs (1) or (1A) prevents a competent authority from exercising any other powers it may have to permit an applicant to access and pursue a regulated profession.]

^{F10}(4)

^{F10}(5)

F4 Reg. 29(1) substituted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 19(a)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

F5 Reg. 29(1A)(1B) inserted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 19(b)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 paras. 2(c), 3); 2020 c. 1, **Sch. 5 para. 1(1)**

F6 Words in reg. 29(2) omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 19(c)(i)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

F7 Word in reg. 29(2)(a) substituted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 19(c)(ii)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

F8 Reg. 29(2)(b) omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 19(c)(iii)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

F9 Reg. 29(3) substituted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 19(d)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

F10 Reg. 29(4)(5) omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 19(e)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

Compensation measures - adaptation periods and aptitude tests

^{F11}30.

F11 Regs. 30-37 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 20** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

^{F11}31.

F11 Regs. 30-37 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 20** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The European Union (Recognition of Professional Qualifications) Regulations 2015, PART 3. (See end of Document for details)

Conditions for compensation measures

FII32.

F11 Regs. 30-37 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 20** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

FII33.

F11 Regs. 30-37 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 20** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

FII34.

F11 Regs. 30-37 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 20** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER 2

Recognition of Professional Experience

Automatic Recognition

FII35.

F11 Regs. 30-37 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 20** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER 3

United Kingdom Certificates of Experience

Issue and revocation of Certificates of Experience

FII36.

F11 Regs. 30-37 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 20** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

FII37.

F11 Regs. 30-37 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 20** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

CHAPTER 4

[^{F12}General Provisions]

F12 Pt. 3 Ch. 4 heading substituted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 21** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

Documentation and formalities

38.—[^{F13}(1) When considering an application for authorisation to pursue a regulated profession, the competent authority may require any information or documentation necessary to enable the competent authority to assess the application, including—

- (a) evidence of formal qualifications, and any information necessary to determine the level and content of those qualifications;
- (b) information concerning the applicant's training to the extent necessary to determine the existence of potential substantial differences to the training requirements in the United Kingdom;
- (c) the applicant's fitness to practice and professional or financial standing; and
- (d) the applicant's insurance cover.]

^{F14}(2)

(3) The competent authority must keep confidential all such information received by it.

F13 Reg. 38(1) substituted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 22(a)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

F14 Reg. 38(2) omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 22(b)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

39.—(1) A competent authority, in cases of justified doubt, may [^{F15}request] from a competent authority of a relevant European State confirmation of the authenticity of the ^{F16}... evidence of formal qualifications awarded in that ^{F16}... relevant European State.

(2) A competent authority, in cases of justified doubt, is entitled, where evidence of formal qualifications has been issued by a competent authority of a relevant European State and includes training received in whole or in part in an establishment legally established in a relevant European State other than that which awarded the qualification, to verify with a competent authority of the relevant European State of origin of the award—

- (a) whether the training course at the establishment which gave the training has been formally certified by the educational establishment in the relevant European State of origin of the award;

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the The European Union (Recognition of Professional Qualifications) Regulations 2015, PART 3. (See end of Document for details)

- (b) whether the evidence of formal qualifications issued is the same as that which would have been awarded if the course had been followed in the relevant European State of origin of the award; and
- (c) whether the evidence of formal qualifications confers the same professional rights in the territory of the relevant European State of origin of the award.

(3) A competent authority, in cases of justified doubt, is entitled to [^{F17}request] confirmation from a competent authority of a relevant European state that the applicant is not suspended or prohibited from the pursuit of the profession as a result of serious professional misconduct or conviction of criminal offences relating to the pursuit of any of the applicant's professional activities.

[^{F18}(4) Where a competent authority of another relevant European State does not provide the confirmation required or the verification sought by a competent authority under this regulation before the expiry of the time limit for notifying the applicant of its decision under regulation 42(2), the competent authority may refuse the application.]

- F15** Word in reg. 39(1) substituted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 23(a)(i)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in reg. 39(1) omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 23(a)(ii)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)
- F17** Word in reg. 39(3) substituted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 23(b)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)
- F18** Reg. 39(4) inserted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 23(c)** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

^{F19}**40.**

- F19** Reg. 40 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 24** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

^{F20}**41.**

- F20** Reg. 41 omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), **Sch. 1 para. 24** (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

Decisions of competent authorities

42.—(1) The competent authority must acknowledge receipt of an applicant's application [^{F21}for authorisation to practise] in the United Kingdom pursuant to Part 3 of these Regulations within one month of receipt, and must inform the applicant if any document is missing.

(2) The competent authority must consider the applicant's application as soon as is reasonably practicable, and must notify the applicant of its decision together with the reasons upon which it is based [^{F22}within four months] of receipt of all the relevant documentation.

(3) The decision referred to in paragraph (2), or failure to take that decision within the deadlines set out in that paragraph, is subject to appeal pursuant to regulation 68.

(4) For the purposes of this regulation, if a competent authority fails to take a decision and notify it to the applicant within the period mentioned in paragraph (2), it shall be deemed to have taken a decision to reject the application and to have notified it to the applicant on the last day of that period.

^{F23}(5)

F21	Words in reg. 42(1) substituted (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), Sch. 1 para. 25(a) (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)
F22	Words in reg. 42(2) substituted for reg. 42(2)(a)(b) (31.12.2020) by The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), Sch. 1 para. 25(b) (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)
F23	Reg. 42(5) omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), Sch. 1 para. 25(c) (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)

Use of professional titles

43.—(1) If the use of a professional title relating to one of the activities of the profession in question is regulated in the United Kingdom, applicants who are authorised to practise a regulated profession in accordance with this Part of these Regulations must use the professional title used in the United Kingdom which corresponds to that profession, and make use of any associated initials.

(2) Where a profession is regulated in the United Kingdom by a professional association, applicants must not be authorised to use the professional title issued by that professional association, or its abbreviated form, unless they furnish proof that they are members of that professional association.

(3) A professional association that makes membership contingent upon certain qualifications may do so only under the conditions laid down in these Regulations in respect of applicants who possess professional qualifications.

^{F24}(4)

F24	Reg. 43(4) omitted (31.12.2020) by virtue of The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/312), reg. 1(3), Sch. 1 para. 26 (with Sch. 1 Pt. 3) (as amended by S.I. 2020/1038, regs. 1(3), Sch. 1 para. 3); 2020 c. 1, Sch. 5 para. 1(1)
------------	---

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

There are currently no known outstanding effects for the The European Union (Recognition of Professional Qualifications) Regulations 2015, PART 3.