
STATUTORY INSTRUMENTS

2002 No. 2934

The European Communities (Recognition of Professional Qualifications) (Second General System) Regulations 2002

PART 1

INTRODUCTION

Interpretation

3.—(1) In these Regulations the following words and phrases have the following meanings (and cognate expressions shall be construed accordingly)—

“adaptation period” has the meaning given to it by Regulation 15(2);

“another relevant State” means a relevant State other than the United Kingdom;

“appeal body” means—

- (a) in relation to a profession listed in the first column of the table in paragraph 1 of Schedule 4 to the First General System Regulations, the body, court or person there specified;
- (b) in relation to a profession for the time being listed in Column 1 of the table in Schedule 3 to these Regulations, the body, court or person specified in Column 2 of that table;
- (c) in any other case, a county court or a sheriff court;

“aptitude test” has the meaning given to it by Regulation 15(3);

“Attestation of Competence” has the meaning given to it by Regulation 7;

“competent authority” has the meaning given to it by Regulation 8;

“Certificate” has the meaning given to it by Regulation 6;

“designated authority” has the meaning given to it by Regulation 9;

“Diploma” means a First or Second General System Diploma;

“evidence of professional experience” has the meaning given to it by Regulation 15(1);

“First General System Diploma” means a Diploma within the meaning of Regulation 2 of First General System Regulations;

“First General System Regulations” means the European Communities (Recognition of Professional Qualifications) Regulations 1991 ^{M1};

“holder” means a person to whom a competent authority has awarded evidence of education and training;

“home relevant State” means, as the case requires, the relevant State from which a migrant originates or comes or in which the migrant obtained his evidence of education and training or formerly practised;

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“migrant” means a person seeking authorisation to practise pursuant to these Regulations who is a national of a relevant State and whose home relevant State in one or more of the senses of that expression, is not the United Kingdom;

“practice”, in relation to any regulated professional activity or regulated profession within the meaning of Regulation 4 includes—

- (a) the taking up or pursuit of that activity or that profession in a relevant State, whether in a self-employed capacity or as an employed person; and
- (b) in the course of such pursuit—
 - (i) the use of a professional title or designatory letters; and
 - (ii) the enjoyment of the benefit of the status associated with membership of the profession;

“profession” includes occupation and trade;

“professional association” means an association or organisation, recognised in special form by a relevant State, the purpose of which is, in particular, to promote and maintain a high standard in the professional field with which it is concerned and which, to that end—

- (a) prescribes, and enforces respect within its membership for, rules of professional conduct; and
- (b) awards evidence of education and training to its members; and
- (c) confers on its members the right to use one or more professional titles, or designatory letters or to benefit from a status corresponding to that education and training;

“regulated education and training” has the meaning given to it by Regulation 4(3);

“regulated profession” has the meaning given to it by Regulation 4(1);

“regulated professional activity” has the meaning given to it in Regulation 4(2);

“relevant State” means a member State, Iceland, Norway, Liechtenstein or Switzerland;

“Second General System Diploma” has the meaning given to it by Regulation 5;

“third country” means a country other than a relevant State.

(2) A reference in these Regulations to “the United Kingdom” shall, as the context requires, include a reference to any of the following: England and Wales, Scotland, and Northern Ireland.

(3) In these Regulations, the expressions “UK Diploma”, “UK Certificate”, “UK Attestation of Competence”, “UK attestation of general education” and “UK qualification” mean, respectively, the Diploma, Certificate, Attestation of Competence, attestation of general education or qualification to possession of which the practice of the regulated profession in question is subject in the United Kingdom.

(4) For the purposes of these Regulations, an association or organisation established in the United Kingdom shall be taken to have been recognised in special form if the mode of its establishment was incorporation by Royal Charter.

Marginal Citations

M1 [S.I. 1991/824](#) amended by [S.I. 2000/1960](#).

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2007/2781 Sch. 6](#)