
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Directive [2001/19/EC](#) which amends the Directives relating to nurses responsible for general care, midwives, dentists, pharmacists and doctors and which also amends the Directives [89/48/EEC](#) and [92/51/EEC](#) which apply, among others, to chiropractors, osteopaths and the health professions regulated under the Health Professions Order 2001. They amend legislation to provide transitional arrangements in respect of: dentistry and pharmacy for those awarded qualifications in Italy; specialist medical qualifications awarded in Spain; and add a transitional provision in respect of pharmacy which is already present in respect of the other professions. In so far as it is not already provided for in the legislation, they provide for decisions on recognition of qualifications in respect of EEA nationals to be given within 3 months. They provide for appeals from specified decisions relating to recognition of qualifications. They also provide for part-time training in general medical practice to be at least 50 per cent. of the time spent each week by those undergoing full-time training (the previous requirement was 60 per cent).

The regulations provide in accordance with the judgments in *Hocsman* (Case C-238/98) and *Commission v Spain* (Case C-232/99), which were given after Directive [2001/19/EC](#) was adopted, for qualifications awarded outside the EEA together with professional experience and training to be taken into account in determining whether to authorise an EEA national to practise in the UK.

They also provide for recognition of qualifications granted in Switzerland in accordance with the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, signed at Luxembourg on 21 June 1999.

A transposition table is available on the following website <http://www.legislation.hmso.gov.uk/stat.htm> which gives further information about the implementation of Directive [2001/19/EEC](#).