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STATUTORY INSTRUMENTS

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**2007 No. 2781**

**The European Communities (Recognition of Professional Qualifications) Regulations 2007**

**PART 4**

**SUPPLEMENTARY**

**Appeals**

**36.**—(1) Within four months of the notification to him of any decision of a competent authority made in relation to the applicant under Part 3 or regulation 9(2), or thereafter with the leave of the appropriate appeal body, the applicant may appeal against that decision on a matter of law or fact (or of both) to the appropriate appeal body.

(2) This regulation shall not apply in relation to any decision of a competent authority for a particular profession where the right of appeal to a body, other than a competent authority, in relation to that decision is provided for in another enactment relating to that profession.

(3) An appropriate appeal body may, for the purpose of determining any appeal under these Regulations against the decision of a competent authority—

- (a) give any authorisation to practise and impose any condition which the competent authority could give or impose in relation to that profession; or
- (b) remit the matter to the competent authority with such directions as the appeal body sees fit.

(4) In this regulation, “the appropriate appeal body” means—

- (a) where the profession concerned is one set out in the first column of an entry in Schedule 5, the court, tribunal or other person set out in the second column of that entry;
- (b) in any other case, the county court or, in Scotland, the sheriff.

**Use of academic titles**

**37.**—(1) Without prejudice to regulations 13 and 35, an applicant shall have the right to use the lawful academic title (and where appropriate the abbreviation thereof) acquired by him in his home State and in the language of that State.

(2) Where the applicant makes use of the possibility provided for in paragraph (1), the competent authority may require that the title shall be followed by the name and location of the establishment or examining board which awarded it.

(3) Where a competent authority decides that an academic title in paragraph (1) is liable to be confused with a title which, in the United Kingdom, requires supplementary training not acquired by the applicant, it may require the applicant to use the academic title of the home State in an appropriate form laid down by the competent authority.

### **Information from competent authorities**

**38.**—(1) Competent authorities shall provide the Secretary of State with such information (including statistical information) as the Secretary of State may require concerning applications made to those authorities by those seeking to rely on the provisions of the Directive and the actions and decisions taken in respect of those applications.

(2) Following a request by the European Commission, a competent authority shall inform the Secretary of State of the results of any enquiries referred to in regulation 5(7)(b) with which it is dealing within two months of the date on which the competent authority receives such a request.

### **Revocations and savings**

**39.** The Regulations set out in the first column of Schedule 6 are hereby revoked to the extent expressed in the third column of that Schedule.