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## STATUTORY INSTRUMENTS

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# 2004 No. 1947

## The European Qualifications (Health and Social Care Professions and Accession of New Member States) Regulations 2004

### DOCTORS

#### The Medical Act 1983

3.—(1) The Medical Act 1983<sup>M1</sup> is amended in accordance with this regulation.

(2) In section 3 (registration by virtue of primary United Kingdom or primary European qualifications), in subsection (3), in the definition of “the EEA Agreement”, for “and 84/2002 of 25th June 2002”, substitute “, 84/2002 of 25th June 2002 and by the Agreement on the participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic signed at Luxembourg on 14th October 2003<sup>M2</sup>”.

(3) In section 4 (qualifying examinations and primary United Kingdom qualifications), omit subsection (5).

(4) In section 5 (general functions of the Education Committee in relation to medical education in the United Kingdom), in subsection (4), in the definition of “Directive 93/16/EEC”—

(a) in sub-paragraph (b)(ii), omit “and” in the last place it appears; and

(b) after sub-paragraph (b)(iii), insert—

“(iv) the Act annexed to the Treaty relating to the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the Adjustments to the Treaties on which the European Union is founded signed at Athens on 16th April 2003;”.

(5) In section 17 (primary qualifications obtained in other EEA States)—

(a) in subsection (1), after paragraph (d), insert—

“(e) subject to compliance with subsection (4A) below, a qualification which—

(i) is evidence of training commenced before the date specified in column (a) of the table in that subsection and undertaken on the territory specified in the corresponding entry in column (b) of that table, or

(ii) was awarded by the state or former state specified in column (b) of the table in that subsection before the date specified in the corresponding entry in column (a).”;

(b) after subsection (4), insert—

“(4A) For compliance with this subsection in the case of any qualification—

(a) it must be such that the Registrar is satisfied with respect to it (by means of a certificate from the medical authorities of the EEA State specified in the

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appropriate row of column (c) of the table below) that that qualification has, on its territory, the same legal validity as regards access to and practice of the medical profession as the qualification listed in relation to that State in Schedule 2 to this Act; and

- (b) evidence of it must be accompanied by a certificate from those authorities stating that the holder has effectively and lawfully been engaged in the activity in question on the territory of that State for at least 3 consecutive years during the 5 years preceding the date of issue of that certificate.

<i>Column (a)</i>	<i>Column (b)</i>	<i>Column (c)</i>
1st January 1993	Former Czechoslovakia	Czech Republic
1st January 1993	Former Czechoslovakia	Slovakia
20th August 1991	Former Soviet Union	Estonia
21st August 1991	Former Soviet Union	Latvia
11th March 1990	Former Soviet Union	Lithuania
25th June 1991	Yugoslavia	Slovenia”

(c) in subsection (5), for “(4)”, substitute “ (4A) ”; and

(d) in subsection (6)—

(i) omit “and” at the end of paragraph (da), and

(ii) after paragraph (da), insert—

“(db) in the case of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, 1st May 2004;”.

(6) In the table in Schedule 2 (primary European Qualifications)—

(a) in the entry for “Greece”, in column 3, for “Ιατρικής”, substitute “ “Ιατρικής” ”; and

(b) in the appropriate alphabetical position insert—

“Cyprus	Πιστοποιητικό Εγγραφής Ιατρού	Ιατρικό Συμβούλιο	
Czech Republic	Diplom o ukončení studia ve studijním programu všeobecné lékařství (doktor medicíny, MUDr.)	Lékařská fakulta univerzity v České republice	Vysvědčení o státní rigorózní zkoušce
Estonia	Diplom arstite aduse õppekava läbimise kohta	Tartu Ülikool	
Hungary	Általános orvos oklevél (doctor medicinae universae, abbrev.: dr.med.univ. )	Egyetem	

Latvia	ārsta diploms	Universitātes tipa augstskola	
Lithuania	Aukštojo moklso diplomas, nurodantis suteiktą gydytojo kvalifikaciją	Universitetas	Internatūros pažymėjimas, nurodantis suteiktą medicinos gydytojo profesinę kvalifikaciją
Malta	Lawrja ta' Tabib tal- Medicina u l-Kirurgija	Universitā ta' Malta	Ċertifikat ta' reġistrazzjoni maħruġ mill-Kunsill Mediku
Poland	Dyplom ukończenia studiów wyższych na kierunku lekarskim z tytułem "lekarza"	1. Akademia Medyczna 2. Uniwersytet Medyczny 3. Collegium Medicum Uniwersytetu Jagiellońskiego	Lekarski Egzamin Państwowy
Slovakia	Vysokoškolský diplom o udeleni akademického titulu "doktor medicíny" ("MUDr.")	Vysoká škola	
Slovenia	Diploma, s katero se podeljuje strokovni naslov "doktor medicine/doktorica medicine"	Univerza	”

#### Marginal Citations

- M1** 1983 c. 54; as amended by S.I. 1996/1591, 2002/3135 and 2003/3148. There are other amendments to this Act that are not relevant to these Regulations.
- M2** Cm 6171. The Agreement was presented to Parliament as a Command Paper and it is published by the Stationery Office.

**Changes to legislation:**

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions and Accession of New Member States) Regulations 2004, Section 3.