



Ad-Hoc Query on the Recognition of Professional Qualifications obtained outside the European Union

Requested by COM on 3rd November 2010

Compilation produced on 27th January 2011

Responses from [Austria](#), [Belgium](#), [Czech Republic](#), [Estonia](#), [Finland](#), [Germany](#), [Italy](#), [Latvia](#), [Lithuania](#), [Luxembourg](#), [Netherlands](#), [Poland](#), [Portugal](#), [Spain](#), [Sweden](#), (15 in Total)

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1. Background Information

In the Stockholm programme the European Council invited the Commission and the Council to evaluate existing policies that should, *inter alia*, **improve skills recognition** and labour matching between **the European Union and third countries**. A Staff Working Paper on addressing labour shortages through migration in EU Member States will be adopted in 2011. Work is at a preliminary stage, but the Paper will deal with:

- how to identify the needs of the national labour markets;
- how to identify the people who can fill those shortages

The EMN study on "*Satisfying labour demand through migration*" will be one of the major inputs into this Staff Working Paper.

Part of the second point is looking at the skills that third-country nationals have which would allow them to take up jobs for which national or other EU workers (Union preference) are not available. Many third-country national migrants are over-qualified for the jobs they do – leading to "brain waste" and inefficient use of resources, as well as low wages and lack of professional satisfaction for the individuals concerned. This has a major impact also



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on the integration of third-country national migrants. Although this topic is covered in part in the EMN study on labour demand, and some of the National Reports deal with it, the Commission needs further specific information on this point. To the extent that the following specific points are not covered in your National Report, please provide information on:

1. How does your Member State generally recognize professional qualifications obtained outside the EU?
2. Which bodies are responsible for recognizing professional qualifications obtained outside the EU?
3. Does your Member State have bilateral agreements on recognition of qualifications with certain third countries?
4. Do third countries have a role in facilitating the recognition of their qualifications in your Member State?

Please provide your much appreciated responses by **3rd December 2010**.




2. Responses

		Wider Dissemination?	
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Belgium	Yes	<p>An important introductory remark is that the recognition of professional qualifications is in general a community-based competence in Belgium. The replies from the 2 different responsible bodies have been merged.</p> <p><i>1. How does your Member State generally recognize professional qualifications obtained outside the EU?</i></p> <p>The holders of a professional qualification obtained outside the EU can submit their qualification to the Flemish Agency for Quality Control in Education and Training (<i>Agentschap voor Kwaliteitszorg in Onderwijs en Vorming/AKOV</i>) where the equivalence of this qualification with a Flemish degree giving access to a specific profession will be examined. For a qualification giving access to the profession of physician this consists of a written and an oral test ; for a qualification giving access to the profession of dentist this consists of a theoretical and a practical test. For all the other qualifications the holder of the professional qualification may also be submitted to a test if the advisory bodies require so.</p> <p>When a positive decision concerning the equivalence has been delivered to a holder of a professional qualification obtained outside the EU, he can contact the authority at federal or community level in Belgium which regulates the access to a specific profession. In case of a negative decision compensatory measures are communicated to the person who asks for recognition.</p> <p>La Direction de l'enseignement non obligatoire et de la recherche scientifique (DGENORS) du Ministère de la Communauté française est compétente en matière de reconnaissance académique (équivalence) des qualifications d'enseignement supérieur obtenues à l'étranger,</p>


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			<p>généralement, à des fins professionnelles ; les établissements d'enseignement supérieur étant compétents en cas de poursuite d'études. La DGENORS est également compétente en matière de reconnaissance professionnelle des qualifications obtenues à l'étranger pouvant donner accès aux professions de l'enseignement.</p> <p>Dans le cas de reconnaissance professionnelle de qualifications obtenues hors-UE, il s'agit généralement de l'organisme de la profession qui sera compétent. Cependant, très souvent l'organisme professionnelle demandera d'abord au requérant d'obtenir une reconnaissance académique (équivalence) de sa qualification et il sera donc renvoyé vers DGENORS.</p> <p>2. Which bodies are responsible for recognizing professional qualifications obtained outside the EU? Two bodies are responsible in Belgium for recognizing professional qualifications obtained outside the EU:</p> <p>Agentschap voor Kwaliteitszorg in Onderwijs en Vorming Afdeling Dienstverlening EVC NARIC-Vlaanderen Koning Albert II-laan 15 1210 BRUSSEL Tel. : 02/553.89.58 E-mail : naric@vlaanderen.be internet : www.akov.be</p> <p>NARIC - Direction International Relations DG Non-Compulsory Education and Scientific Research Ministry of the French Community of Belgium Rue A. Lavallée 1 B-1080 Brussels Tel.: +32 2 690 8747 E-mail: kevin.guillaume@cfwb.be</p> <p>3. Does your Member State have bilateral agreements on recognition of qualifications with certain third countries? No. However, Belgium has signed and ratified the Lisbon Convention on recognition of qualifications in higher education in the European region: http://conventions.coe.int/Treaty/fr/Treaties/Html/165.htm.</p> <p>4. Do third countries have a role in facilitating the recognition of their qualifications in your Member State? Yes. It is important that third countries give transparent information on their qualifications (e.g. via diploma supplement, a qualification structure, websites, ..). The presence of a NARIC-centre or ENIC-centre can enormously facilitate the needs for information.</p>
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	Czech Republic	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Estonia	Yes	<p>1. How does your Member State generally recognize professional qualifications obtained outside the EU? If the profession is regulated in Estonia under the Directive 2005/36, the person with a professional qualification obtained outside the EU can turn to the competent authority for recognition. The list of regulated profession as well as competent authorities in Estonia is available at http://archimedes.ee/enic/index.php?leht=73.</p> <p>If the profession is not regulated under the Directive, this is up to the employer to make the recognition decision. The employer can ask for the evaluation statement of Estonian ENIC/NARIC to indicate a correspondence between the foreign qualification and a qualification within Estonia's current system of education.</p> <p>2. Which bodies are responsible for recognizing professional qualifications obtained outside the EU? See the answer above.</p> <p>3. Does your Member State have bilateral agreements on recognition of qualifications with certain third countries? No</p> <p>4. Do third countries have a role in facilitating the recognition of their qualifications in your Member State? No</p>
	Finland	Yes	<p>1.+2. The assessment of the qualifications of an employment-based immigrant is the responsibility of the employer. The employer may use public or private recruitment services to assist in recruitment, but the ultimate responsibility always lies with the employer. The vocational and educational qualifications of an immigrant, the recognition of which is the responsibility of the National Board of Education or, with certain occupations, other authorities, are assessed during the application phase.</p> <p>Mechanisms of recognising degrees and qualifications refer to decisions by competent authorities on the qualifications an overseas degree provides on the Finnish labour market. Decisions on such recognition have been made by the National Board of Education since 1997. In recognising degrees, the extent to which they correspond to Finnish degrees is assessed. Such decisions on the recognition of degrees do not take a stance on the candidate's suitability for the position in question, nor do they cover the language skills or personal characteristics of the person holding the degree. The recognition of degrees completed outside the EU/EEA is subject to the provisions of the Act on Eligibility Provided by Foreign Higher Education Degrees for Public Posts in Finland (531/1986) and Decree 519/1997 issued on the basis of that Act. Under the Act, the decision on the recognition of such degrees can only be issued if the degree is part of the official system of degrees in the country of departure and is granted by an accredited institution.</p> <p>This decision on the recognition only applies to municipal or state posts. In the private sector the employer determines the recognition of a degree in conjunction with employment or applying for a job or relevant permits. The employer's responsibility concerning the recognition of an employee's professional and educational qualifications and work experience is stipulated by the Aliens' Act. There are also</p>

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			<p>additional regulations concerning health and qualifications for certain professions. In such cases, a residence permit is only granted if the applicant meets the statutory requirements. The National Board of Education also issues statements on foreign vocational qualifications. The statements describe the contents of the education received and the type of work it qualifies its recipient for. The statement does not qualify an applicant for a state or municipal post.</p> <p>The National Board of Education does not issue decisions on recognition for professions where qualifications are determined by another authority. Such authorities in Finland include:</p> <ul style="list-style-type: none"> • The National Authority for Medico legal Affairs • Ministry of Agriculture and Forestry • Central Chamber of Commerce • The Finnish Board for Chartered Public Finance Auditors • The Finnish Bar Association • The Finnish Maritime Administration <p>3. No.</p> <p>4. N/A.</p>
	Germany	Yes	<p>1. In principle, a distinction is made in Germany between regulated academic professions, non-regulated academic professions and occupations defined in the Crafts Code (<i>Handwerksordnung</i>) and the Vocational Training Act (<i>Berufsbildungsgesetz</i>). The majority of occupations and professions in Germany are non-regulated (e.g. mathematicians, physicists, commercial occupations). Regulated occupations and professions can be found mainly in healthcare, teaching, technology, crafts and engineering, the administration of justice, the food industry, agriculture and forestry, accountancy and taxation.</p> <p>For non-regulated occupations and professions, there is no statutory provision governing professional or vocational training, which means there is no recognition procedure either; it is actually the employer who has to recognise the qualifications. As regards the around 60 regulated occupations and professions, the <i>Länder</i> are responsible for the recognition procedures. Entry to, and the entitlement to work in, these occupations and professions in accordance with certain statutory and administrative provisions are subject to proof being furnished that the job applicant holds certain qualifications. Anyone holding foreign qualifications who would like to work in a regulated occupation or profession must submit their qualifications to the competent German authorities or relevant professional association for recognition purposes. In some cases, self-governing bodies such as professional associations or chambers may also take responsibility for recognising qualifications.</p> <p>2. For non-regulated professions, it is the responsibility of the individual employers to recognise the qualification of an applicant. As regards regulated professions, the Federal <i>Länder</i> are responsible, yet the respective regulations issued by the individual <i>Länder</i> tend to vary. Several <i>Länder</i> have published information brochures providing information about the recognition of international school and vocational qualifications and indicating the organisations to which applications for the recognition of qualifications should be sent.</p>


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			<p>The Central Placement Office for Work Abroad and Specialised Workers (ZAV) of the Federal Employment Agency (BA) has been offering an advisory service on the recognition of international qualifications and degrees for the past two years.</p> <p>The Central Office for Foreign Education as the competent agency of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany manages the ANABIN database. ANABIN stands for "Anerkennung und Bewertung ausländischer Bildungsnachweise" (Recognition and Evaluation of Foreign Education Certificates). The aim of ANABIN is to inform the responsible ministries in the Länder, universities and other authorities responsible for the recognition of foreign university qualifications and the interested public about foreign university systems and their qualifications. It has been possible since January 2010 to apply to the Central Office for Foreign Education (ZAB) for a certificate evaluation on the basis of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region ("Lisbon Convention") of 11 April 1997, which has been in force in Germany since 1 January 2007. The Länder which make up the Federal Republic of Germany have commissioned the ZAB with this task. The ZAB issues certificate evaluations for non-regulated higher education qualifications from all the countries of the world. This is however not a recognition empowering candidates to exercise an occupation, but only a multi-purpose certificate intended amongst other things to serve as an aid in application procedures. As several recent studies have pointed towards deficits regarding the recognition of foreign qualifications, a comprehensive reform process aimed at improving recognition procedures is currently underway at the federal level.</p> <p>3. Germany has not concluded any bilateral agreements on the recognition of foreign qualifications with third countries.</p> <p>4. No efforts on the part of third countries are known to improve the recognition of their qualifications in Germany.</p>
	Italy	Yes	<p>1-2. Non-EU citizens who have a secondary school or university degree and have obtained a professional qualification in their country of origin, may apply for recognition of their qualifications in order to carry out the corresponding profession in Italy.</p> <p>For this purpose, they need to apply to the Ministry competent for their academic/professional title, attaching the required documentation. A similar right is granted to foreign citizens who want to obtain such recognition before their entry into Italy, with the aim of obtaining a self-employment entry visa.</p> <p>The competent Ministry office will verify that the paperwork is complete and the submitted documentation is correct. Subsequently, a "Service Conference", i.e. a meeting with the representatives of various Ministries, will decide whether to approve the recognition or not, or to make it subject to passing compensatory measures, such as integrative exams or internship. Recognition is issued by Ministerial Decree published in the Official Journal and notified to the applicant. In most cases, knowledge of the Italian language is required as a further condition for recognition.</p> <p>Recognition is issued on a personal basis, i.e., it is valid only for the applicant. Therefore, also in case of subjects who followed the same path of training and certification in their country of origin, recognition will always be issued on an individual basis. Once the applicant's professional qualification has been recognized, he needs to refer to the relevant professional order or registry - if any</p>



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			<p>- and apply for enrolment in order to carry out his profession.</p> <p>Once the procedure is completed, if the foreign citizen has a residence permit for work related purposes, he is enabled to carry out his profession with no other limits; otherwise, if he is still residing abroad, registration in the order, register or professional association, and sometimes recognition itself from the Ministry, is subject to compliance with the annual quotas for self-employment. The ministerial jurisdictions are divided as follows:</p> <ul style="list-style-type: none"> • <i>Ministry of Justice:</i> stockbrokers, agronomists and forestry specialists, junior agronomists and foresters, zoo technicians, agricultural biotechnologists, specialized social workers, social workers, actuaries, junior actuaries, lawyers, biologists, junior biologists, chemists, junior chemists, certified accountants, employment consultants, geologists, junior geologists, civil and environmental engineers, industrial engineers, information engineers, junior civil and environmental engineers, junior industrial engineers, junior information engineers, psychologists, junior psychologists, accountants and commercial experts, agro-technicians, surveyors, journalists, food technologists, graduated land surveyors, graduated industrial experts. • <i>Ministry of Health:</i> pharmacists, surgeons, odontologists, veterinarians, healthcare assistants, dieticians, professional educators, physiotherapists, dental hygienists, nurses, medical radiology technicians (qualification recognition of these two professions is delegated to the relevant regional offices), pediatric nurses, speech therapists, dental mechanics, orthoptist-assistant ophthalmologists, obstetricians, opticians, podologists, audiometric technicians, audioprosthesis technicians, cardiovascular physiopathology and vascular perfusion technicians, workplace prevention technicians, psychiatric rehabilitation technicians, neurophysiopathology technicians, orthopedic technicians, biomedical laboratory technicians, neuro and psychomotor therapists of the developing age, occupational therapists. • <i>Ministry of Economic Development:</i> administration of food and beverages and street trading; business agents in mediation; experts and consultants; agents and representatives of commerce; cleaning activities, disinfestation, disinfection, deratisation and purification; repair activities; installers. • <i>Ministry of Labour and Social Security:</i> beauticians and activities relating to domestic services; all professional qualifications for whose access or performance a qualification obtained in compliance with Law 845/78 or of Law 56/87 is required; every other professional qualification not examined by other Ministries, in agreement with the Ministry of Education, University and Research. • <i>Ministry of Education, University and Research:</i> architects, university researchers and other national research institutes, teachers. • <i>Ministry of National Heritage and Cultural Activities:</i> ski instructors. • <i>Ministry of Tourism:</i> tourist guides, interpreters, tour guides. • <i>Ministry of Infrastructure and Transport:</i> territory planning expert. • <i>Consob:</i> financial planners. <p>While the above mentioned procedure concerns the recognition of qualification in order to carry out the corresponding profession in Italy, the procedure by which foreign citizens may apply for recognition or validation of their university degree obtained abroad is completely different.</p>
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			<p>In this case, in fact, jurisdiction pertains to the University or Polytechnic Institute in which foreign citizens must necessarily enrol to take some exams and defend a thesis. The number of exams to be taken will be decided by a specific board, which will evaluate the foreigners' previous academic curriculum and compare it to the most similar Italian course.</p> <p>A similar procedure applies to foreign citizens who have passed several exams in their country of origin without obtaining a university degree: a specific board of the Italian university which receives the request for a short course (also called "transfer request") will evaluate the university course by deciding on the recognition of passed exams which are similar to the Italian ones, thus allowing the continuation of academic studies and the Italian graduation in less time.</p> <p>3-4.</p> <p>Italy has signed six bilateral agreements, including four regarding the medical profession and one the profession of master builder. Of these agreements, only three have been signed with non-EU countries: Egypt and Syria for the medical field, and Switzerland for the profession of master builder. Recognition in all the other areas is regulated by the so-called "technical arrangements" between the authorities concerned. However, such agreements, whose establishing procedure is more flexible than that provided for in international agreements, do not give rise to binding legal commitments at the international level. Among these agreements, the Italian / Egyptian one has been in place for several years and is quite noteworthy: it provides for an active role by the Egyptian government in professional and linguistic training initiatives at a high standard of quality for young Egyptians, including workers intending to migrate to Italy.</p> <p>PS At the end of December 2010, the EU Policy Department of Presidency of Council has issued a Guide on this topic: http://www.politichecomunitarie.it/attivita/17592/riconoscimento-delle-qualifiche-professionali-guida-allutente</p>
	Latvia	Yes	<p>1. How does your Member State generally recognize professional qualifications obtained outside the EU?</p> <p>There is a law adopted in 2001 "On regulated professions and recognition of professional qualifications" which states the procedure of recognition of professional qualifications also from third countries. The application and evaluation procedure is the same on EU and third country qualifications. Only decisions can differ, as there is third country qualifications that should be recognized automatically and every qualification is evaluated individually.</p> <p>2. Which bodies are responsible for recognizing professional qualifications obtained outside the EU?</p> <p>The same bodies who are responsible for recognition of EU qualifications is responsible for recognition of third country qualifications. The competent authorities are set by Cabinet of Ministers regulations.</p> <p>3. Does your Member State have bilateral agreements on recognition of qualifications with certain third countries?</p> <p>No</p> <p>4. Do third countries have a role in facilitating the recognition of their qualifications in your Member State?</p> <p>No</p>



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	Lithuania	Yes	<p>1. The recognition of professional qualifications with an intention to employ or to start adequate professional activity depends on the fact whether the profession is legally regulated or not.</p> <ul style="list-style-type: none"> • <u>Legally regulated professions.</u> The list of regulated professions in Lithuania is determined by the Order of the Minister of Economy No. 668, adopted in August 31, 2010. The list of regulated profession can be found at http://www.profesijos.lt/en/?pid=5. The recognition of such professional qualifications is implemented following the Directive 2005/36/EC on recognition of professional qualifications. Lithuanian legislation complies with the Directive. Competent institutions implement the recognition of legally regulated professional qualifications, assigned to their competence, according to their own legal acts, which are passed in accordance with a Government's decree No. 624, adopted in June 1, 2000. • <u>Not regulated professions.</u> If a profession is not legally regulated, then a person who has that qualification is not required to have a document from a competent institution proving his professional qualification. An employer himself then decides whether one's qualification fits his needs or the requirements set in the legal acts. <p>2. The Ministry of Economy was accredited as coordinating institution, which assigns a coordinator for recognition of professional qualifications (Government's decree No. 637, June 18, 2008).</p> <p>3. No.</p> <p>4. N/A.</p>
	Luxembourg	Yes	<p>1.</p> <p>a) The request for diploma recognition of professional qualifications which have been obtained via vocational training or those in the healthcare and social sector (see answer 2a) must be introduced in writing at the Ministry for Education and Vocational Training. Applications must include (1) a written demand mentioning the reasons for introducing a request; (2) a copy of original diploma / certificates; (3) a copy of the identity card; (4) a resume mentioning the school career; and (5) a police record (only for youth workers). The copies of the original diploma or certificates have to be certified true copies in case they have been issued (1) by a person who is neither a state-, regional-, nor a local administrative authority of an EU Member State; or (2) by a person or an authority outside the EU. All the before mentioned documents must be written either in French, German or Luxembourgish, the three official languages of Luxembourg, or translated into one of these three languages by a sworn translator in Luxembourg.</p> <p>b) Professional qualifications at the higher education level are recognized through two distinctive procedures:</p> <ul style="list-style-type: none"> - Foreign diplomas need to be inscribed at the register for higher education titles ('inscription au registre des titres d'enseignement supérieur') which attests the duration of the studies and the value of the diploma and thereby gives right to publicly use the given title. - Homologation of foreign diplomas is necessary in order to access regulated professions in the field of letters and science (teaching), medicine (general, dental and veterinary medicine), pharmacy, and law. All requests must be introduced at the Ministry for Higher

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			<p>Education and Research (see answer 2b) with the following documents: (1) a written demand; (2) a resume; (3) a copy of the birth certificate or passport/identity document; (4) a secondary school leaving certificate/diploma either from Luxembourg or a foreign country (the latter needs to be recognized as equivalent by the Ministry of Education and Vocational Training); and (5) a copy of the higher education diploma.</p> <p>There is no general automatic recognition mechanism in place. Requests will be assessed individually and recognition will be granted on the basis of complete applications. Recognition depends on the assessment of the qualification/diploma in question and whether the applicant fulfills the criteria that apply to the licensing of the profession in question.</p> <p>In this process, a differentiation between qualifications obtained in third countries and those obtained within EU Member States is made only with regard to the procedure for specific professions:</p> <p>If qualifications have been obtained within the EU or affiliated states in medicine (g, d and veterinary) and pharmacy, applications can be addressed straight away to the Ministry for Health, while those obtained in a third country need to apply via the Ministry for Higher Education and Research ('Commission d'homologation').</p> <p>The body responsible for recognizing professional qualifications shall take a decision regarding the request within three months after having established that the file of the request is complete.</p> <p>c) According to Article 9 of the Law of 19 June 2009 on the Recognition of Professional Qualifications, the competent authority in Luxembourg (see answer 2) can demand that the applicant successfully completes a professional training for the purposes of adaptation ('stage d'adaptation'), which may last up to three years, or successfully undergoes a (written or oral) aptitude test ('épreuve d'aptitude') if (1) the duration of the training obtained abroad is at least one year shorter than the one required in Luxembourg; (2) the received training deals with substantially different subjects than those covered by the title of training required in Luxembourg; and/or (3) if the regulated profession in Luxembourg comprises one or more regulated professional activities that do not exist in the corresponding profession in the country where the qualification has been obtained. The 'stage d'adaptation' may be accompanied by a complementary theoretical training. During this additional training, the applicant is bound to an enterprise by a fixed-term work contract. Applicants in regulated professions in education as specified in Article 3 section 2 of the Law of 19 June 2009, however, are considered as civil servant trainees ('fonctionnaires-stagiaires') for the duration of their training.</p> <p>2.</p> <p>a) The Department for diploma recognition ('Service de la reconnaissance des diplômes étrangers') within the Ministry for Education and Vocational Training ('Ministère de l'Education nationale et de la Formation professionnelle') is competent for the recognition of secondary school leaving diplomas and vocational training certificates. In the case of an uncompleted cycle of studies, it may also certify the level of education achieved. It is also responsible for the recognition of professional qualifications in the healthcare and social sector (nursing auxiliary, nurse, physiotherapist, social worker, youth worker ...).</p> <p>b) The Committee for Homologation ('Commission d'homologation') within the Ministry for Higher Education and Research ('Ministère de l'Enseignement supérieur et de la Recherche') is in charge of the recognition of university and higher education diplomas.</p> <p>3. Luxembourg does not have bilateral agreements on the recognition of qualifications with certain third countries.</p>
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			4. Third countries do not have a role in facilitating the recognition of their qualifications in Luxembourg.
	Netherlands	Yes	<p>1 + 2. Nuffic and Colo are dealing with the recognition of professional qualifications. They have established the Informatiecentrum Diplomawaardering (IcDW). Nuffic is dealing with the recognition of diplomas on the level of over two years of higher education and Colo, an association of national centres of expertise on vocational education, training and the labour market, supplies information about recognition of diplomas on the level of vocational education.</p> <p>To be able to work in the field of health care one has to be registered in the BIG-register. Subscription in this register only takes place after recognition of the foreign diploma by the BIG-register. For medical doctors, dentists and nurses from outside the EU an assessment is part of the registration procedure.</p> <p>Applicants have to take care of the recognition of their diploma themselves prior to the application of a staying permit.</p> <p>Applications from migrants from outside the EU who want to work in the Netherlands as an independent entrepreneur are submitted for advice by the IND to AgentschapNL, an agency of the Ministry for Economic Affairs.</p> <p>3. No</p> <p>4. No</p>
	Poland	Yes	<p>1. How does your Member State generally recognize professional qualifications obtained outside the EU?</p> <p>1. Recognition of higher education and professional qualifications obtained outside the EU – general rule</p> <p>Qualifications obtained in countries other than EU member states are recognized in Poland in accordance with the national legislation that was changed due to the Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications implementation to the Polish law by: Law of 18 March 2008 on the rules governing recognition of professional qualifications acquired in EU Member States. Regulations regarding recognition of professional qualifications apply to: Citizens of the EU Member States, Citizens of Iceland, Norway and Liechtenstein, Citizens of Switzerland, Members of their families, Citizens of third countries holding long-term resident's EC residence permit according to Law on Aliens of 13 June 2003 (Journal of Laws of 2003, No 128, it. 1175). There are no regulations considering third-countries citizens.</p> <p>There are two cases: a. recognition of regulated profession and b. the non-regulated one.</p> <p>a. This means that a person wishing to practice a regulated profession should first confirm the equivalence of their foreign education with the relevant Polish educational qualification, and only then apply for the professional rights in accordance with the regulations pertaining to the exercise of a given profession in Poland.</p> <p>b.</p> <p><u>Recognition of education:</u> The Ministry of Science and Higher Education provides opinion on foreign documents of higher education (first and second cycle university degrees) as well as on academic degrees and titles in the fields of study supervised by the minister responsible for higher education. The Ministry does not give opinion on documents of non-degree studies or courses. The recognition of secondary or</p>

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			<p>postsecondary (further) education obtained abroad is the responsibility of local educational authorities (kuratoria oświaty) having jurisdiction over the holder's place of residence or over the head office of the institution where the holder applies for admission. The list and addresses of the local educational authorities can be viewed here: http://www.bip.men.gov.pl/index.php?option=com_content&view=article&id=37:kuratoria-owiaty&catid=16:instytucje-nadzorowane-przez-men&Itemid=41</p> <p>Depending on the level of the degree, the country of issue, or the purpose of recognition, the Ministry of Science and Higher Education may issue one of the following:</p> <ul style="list-style-type: none"> • opinion on a higher education diploma (1st, 2nd, or long cycle university degree), • opinion on an academic degree or title, • opinion on the equivalence and the prescribed period of study completed abroad for the purposes of the Social Insurance Institution (ZUS), • ministerial certificate of equivalence of a higher education diploma (university degree), • ministerial certificate of equivalence of an academic degree or title. <p>The equivalence of a foreign school certificate or higher education diploma may be stated either on the basis of international agreements (listed in point 3) or (if there are no such agreements) by means of nostrification. Nostrification is a procedure whereby a foreign educational qualification is compared to its Polish equivalent and their equivalence determined. The competent authorities to conduct the nostrification procedure are:</p> <ul style="list-style-type: none"> - with regard to school and maturity certificates – local educational authorities having jurisdiction over the applicant's place of residence and, in case the applicant has no such place of residence, the local educational authorities having jurisdiction over the head office of the institution where the applicant applies for admission. Click here to view the list and addresses of the local educational authorities. - with regard to higher education diplomas (university degrees) – the council of an organisational unit of a higher education institution authorised to confer the academic degree of doktor in a given field of science or a given art, corresponding to the field of study completed abroad. Click here to view the list of authorised units. - with regard to academic degrees – the council of an organisational unit authorised to confer the academic degree of doktor habilitowany in a given field of science or a given art, corresponding to the field of study completed abroad. Click here to view the list of authorised units. <p>Legal frames for nostrification:</p> <ul style="list-style-type: none"> • Regulation of the Minister of Education and Science on the Nostrification of School Certificates and Maturity Certificates Obtained Abroad (6 April 2006) • Regulation of the Minister of Education and Science on the Nostrification of Higher Education Diplomas Obtained Abroad (24 February 2006) • Regulation of the Minister of National Education and Sport on the Nostrification of Academic Degrees and Degrees In the Area of Art Obtained Abroad (3 June 2005) <p><i>School certificates</i></p> <ul style="list-style-type: none"> • Regulation of the Minister of Education and Science of 6th April, 2006, on the Nostrification of School Certificates and Maturity Certificates Obtained Abroad (Journal of Laws No. 63, Item 443), in force since 28th April 2006.
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			<p>Higher education diplomas (1st, 2nd and long cycle university degrees)</p> <ul style="list-style-type: none"> Regulation of the Minister of Education and Science of 24th February 2006, on the Nostrification of Higher Education Diplomas Obtained Abroad (Journal of Laws of 3rd March, 2006) <p>Academic degrees</p> <ul style="list-style-type: none"> Regulation of the Minister of National Education and Sport of 3rd June, 2005 on the Nostrification of Academic Degrees and Degrees In the Area of Art Obtained Abroad, in force since 29th June 2005 <p><u>Recognition of qualifications:</u> Recognition of qualifications for sectoral professions - doctor, dentist, nurse responsible for general care, midwife, pharmacist, veterinary surgeon, architect - is regulated by separate acts:</p> <ul style="list-style-type: none"> Law of 5th July 1996 on the professions of nurse and midwife (Journal of Laws of 2001, No. 57, item 602, with further amendments) Law of 5th December 1996 on professions of a physician and a dentist (Journal of Laws of 2008, No 136, item 857) Law of 19th April 1991 on pharmaceutical chambers (Journal of Laws of 2008, No. 136, item 856) Law of 21st December 1990 on the Profession of Veterinary Surgeon and Chambers of Veterinary Surgeons (Journal of Laws of 2009, No. 93, item 767) Law of 15th December 2000 on professional associations of architects, construction engineers and urban planners (Journal of Laws. of 2001 No. 5, item 42, with further amendments) <p>Professional activity of lawyers from other Member States is regulated by Law of 5 July 2002 on the provision by foreign lawyers of legal assistance in the Republic of Poland (Journal of Laws of 2002 No. 126, item 1069 and Journal of Laws of 2004 No. 96, item 959)</p> <p>b. If the profession you wish to practice is not regulated in Poland, the decision on the recognition of your foreign qualifications belongs to the employer. The latter may require the confirmation of the equivalence of your educational qualification with the relevant Polish award or the opinion on the level of education obtained abroad.</p> <p>2. Recognition of higher education and professional qualifications obtained outside the EU – procedure</p> <p>In the course of the recognition procedure a competent authority verifies:</p> <ul style="list-style-type: none"> adequate level of education the qualifications that grant the right to pursue the profession in the third country where they were acquired <p>If the competent authority has found:</p> <ul style="list-style-type: none"> Substantial differences in education or training; That the duration of the education or training pursued in third country is at least one year shorter than that required by Poland; That the scope of professional activities covered by the profession is substantially different between third country and Poland, <p>it has to analyse all the evidence of formal qualifications to check whether the knowledge and competence acquired by the applicant in the course of his professional career, is of a nature to cover, in full or in part, the substantial difference in question. If the competent authority finds that the difference is still not covered it has the right to apply compensation measures:</p> <ul style="list-style-type: none"> - to complete an adaptation period of up to three years or - to take an aptitude test. <p>Poland is obliged to offer the applicant the choice between an adaptation period and an aptitude test unless it is a profession whose pursuit</p>
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			<p>requires precise knowledge of national law and in respect of which the provision of advice and/or assistance concerning national law is an essential and constant aspect of the professional activity. The professions for which there is no choice of compensation measure in Poland and the measure to be applied in their case, are indicated in the Regulation of Minister of Science and Higher Education of 18th September 2009 on regulated professions to which the right of choice between an adaptation period and an aptitude test does not apply (Journal of Laws No 164, item 1311) – text in Polish</p> <p>3. Employment at a Polish higher education institution Pursuant to Art. 109.3a of the Act of 27 July 2005 Law on Higher Education (Journal of Laws of 30 August 2005), a holder of an academic degree or of a postgraduate university degree obtained abroad may be employed at a Polish higher education institution without the requirement of its nostrification. For more information contact the Department of Supervision and Organization of Higher Education (address in point 2). The equivalence of a foreign academic degree with the relevant Polish academic degree may be stated either on the basis of international agreements or (if there are no such agreements) by means of nostrification. The equivalence of a foreign academic title with the Polish academic title of professor may be stated only on the basis of international agreements. Academic titles do not come within the regulations on nostrification.</p> <p>2. Which bodies are responsible for recognizing professional qualifications obtained outside the EU? The main role in the recognition of higher education obtained outside the EU places in Poland Ministry of Science and Higher Education (http://www.nauka.gov.pl/home/). More information are available in the Ministry of Science and Higher Education, Division of Professional Recognition System Coordination (tel. +48 22 52 92 266, +48 22 628 67 76 fax. +48 22 628 35 34 email: kwalfikacje@mnisw.gov.pl).</p> <p>The recognition of professional qualifications in case of:</p> <ol style="list-style-type: none"> regulated professions depends on competent authority (listed here http://www.nauka.gov.pl/fileadmin/user_upload/55/46/55464/Poland_s_notification_Directive_2005_36_WE_GENERAL_SYS_TEM_Part_I_ostateczny_poprawki_do_strony_.pdf, http://www.nauka.gov.pl/fileadmin/user_upload/55/46/55467/Poland_s_notification_Directive_2005_36_WE_DOCTORS_DEN_TISTS_PHARMACISTA_Part_II.1_ostateczny_.pdf, http://www.nauka.gov.pl/fileadmin/user_upload/55/46/55466/Poland_s_notification_Directive_2005_36_WE_VETERINARY_SURGEONS_Part_II.2_ostateczny_.pdf, http://www.nauka.gov.pl/fileadmin/user_upload/55/46/55463/Poland_s_notification_Directive_2005_36_WE_ARCHITECTS_Part_II.3_ostateczny_.pdf, http://www.nauka.gov.pl/fileadmin/user_upload/55/46/55465/Poland_s_notification_Directive_2005_36_WE_LEGAL_COUNSELLOR_ADV_Part_II.4_ostateczny_.pdf), external professional exams - is the responsibility of local educational authorities (kuratoria oświaty) medical exams – Ministry of Health (Science and High Education Department, Division of the Recognition in medical professions) in case of craft profession - appropriate craft institutions – organisations entitled to issue apprenticeship certificates and master
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			<p>diplomas and entitled to legalisation of these certificates and diplomas (http://www.nauka.gov.pl/fileadmin/user_upload/55/45/55459/craft_samo_rzemioslo_z_mat_notyfikacyjnego.pdf).</p> <p>Institution entitled to legalize professional experience of a migrant is in all cases Marshals of Voivodeships or Voivodeship (Provincial) Labour Offices (addresses listed here: http://www.nauka.gov.pl/fileadmin/user_upload/55/46/55461/marszalkowie_i_WUP.pdf). Those institutions issue a certificate that states the character, period and type of activity.</p> <p>3. Does your Member State have bilateral agreements on recognition of qualifications with certain third countries?</p> <p>1. In education</p> <p><i>Bilateral agreements</i></p> <p>Poland is a party to the following bilateral agreements on the equivalence of education:</p> <ul style="list-style-type: none"> • Poland – Slovakia (signed in July 2005), in force since 1st February 2006 • Poland – Czech Republic (signed in January 2006), in force since 1st November 2006 <p>and the following bilateral agreements on the recognition of education for academic purposes:</p> <ul style="list-style-type: none"> • Poland – Austria, signed in Vienna on 23rd January 1995 • Poland – Germany, signed in Warsaw on 23rd July 1997 • Poland – Lithuania, signed in Vilnius on 9th March 2005 • Poland – Ukraine (signed in April 2005), in force since 20th June 2006 • Poland – Belarus (signed in April 2005), in force since 12th December 2005 • Poland – France (signed in May 2008), in force since 26th January 2009 • Poland – Libya, signed in Tripoli on 8th September 1987 (agreement to be denounced) <p>Apart from that, Poland was bound by some bilateral and international agreements on equivalence in education which have already been denounced. Credentials issued during the effective period of these agreements can be recognised on their basis. This refers to credentials from the following countries:</p> <ul style="list-style-type: none"> • Armenia (credentials issued before 6 August 2004) • Bosnia and Herzegovina (credentials issued before 1 February 2006) • Bulgaria (credentials issued before 24 July 2005) • Croatia (credentials issued before 24 January 2006) • Cuba (credentials issued before 6 August 2004) • Estonia (credentials issued before 13 April 2006) • Hungary (credentials issued before 24 July 2005) • Kazakhstan (credentials issued before 29 September 2005) • Kyrgyzstan (credentials issued before 6 August 2004) • Latvia (credentials issued before 8 March 2006) • Macedonia (credentials issued before 8 February 2006)
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			<ul style="list-style-type: none"> • Moldova (credentials issued before 6 October 2005) • Mongolia (credentials issued before 6 August 2004) • Montenegro (credentials issued before 24 January 2006) • North Korea (credentials issued before 6 August 2004) • Romania (credentials issued before 6 August 2004) • Russian Federation (credentials issued before 25 September 2005) • Serbia (credentials issued before 24 January 2006) • Slovenia (credentials issued before 24 January 2006) • Syria (credentials issued before 1 December 2006) • Uzbekistan (credentials issued before 6 August 2004) • Tajikistan (credentials issued before 8 December 2005) • Vietnam (credentials issued before 6 August 2004) <p>Also credentials from nonexistent countries such as Czechoslovakia, German Democratic Republic, USSR and Yugoslavia are recognized on the basis of the respective bilateral agreements signed with these countries.</p> <p><i>International conventions</i></p> <p>In December 2003 Poland ratified the Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region signed in Lisbon, on 11th April 1997. The Lisbon Recognition Convention entered into force in Poland on 1st May 2004.</p> <p>Until 6th August 2004, Poland was also bound by the Prague Convention signed in Prague on 7th June 1972. The Parties to the Convention were: Bulgaria, Hungary, the Democratic Republic of Vietnam, German Democratic Republic, Cuba, Mongolia, Poland, Romania, Soviet Union, Czechoslovakia, and (since 1987) North Korea.</p> <p>2. In employment</p> <p>There is no agreement that cover the problem of the recognition of third country migrants qualifications. During last few years Poland was negotiating such kind of agreement only with Mexico, but till now this document was not accepted.</p> <p>4. Do third countries have a role in facilitating the recognition of their qualifications in your Member State?</p> <p>No. Third countries did not play any significant role in the process of the recognition of migrants qualifications. Only the Department in the Ministry of Science and Higher Education responsible for the recognition of education has direct contacts with other ENIC/NARIC centres in other states.</p>
	Portugal	Yes	<p>1 - In Portugal the recognition of professional qualifications can be realised through two different procedures:</p> <p><u>Regulated professions</u> are covered by the Directive 2005/36/CE, 7th September, which was transposed into our internal law by Law n.º9/2009, 4th March. Education and training of higher and non higher level are covered by the abovementioned Directive, and especially for EU Member-states, but also, under certain circumstances, for third countries.</p>

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			<p><u>Non regulated professions</u> of higher education level firstly have to undergo an academic recognition and then it is possible to enter the labour market.</p> <p>2 - As far as the regulated professions are concerned the competent authorities officially designated are the entities directly responsible for the analysis of each professional qualification (for example, professional bodies). As for non regulated professions, of higher education level, the competent bodies are the higher education institutions and the Directorate General for Higher Education, in regard to specific countries and degrees.</p> <p>3 - Portugal ratified in 2001 a Treaty with Brazil that foresees the recognition of academic and professional qualifications.</p> <p>4 - the third countries that belong to the ENIC/NARIC network the role of these countries is crucial for the exchange of information which facilitates the necessary procedures for recognition of qualifications.</p>
	Spain	Yes	<p>1.</p> <p><i>Non-university studies</i></p> <p>The certification of non-university qualifications, diplomas or studies completed abroad is regulated by Royal Decree 104/1988 of 29 January on the certification and recognition of non-university studies and degrees from third countries and the applicable Ministerial Order of 14 March 1988.</p> <p>The resolution is based on provisions of international Treaties or Agreements to which Spain is part, and equivalency tables of degrees and study plans approved by the Ministry of Education, when they exist.</p> <p>Equivalency tables are defined taking into account, on the one hand, the structure of the educational systems of the respective countries and a comparison of their contents and, on the other, the treatment conferred by the other State as regards Spanish degrees and studies in its country.</p> <p>In those cases in which neither Agreements have been formalised nor equivalency tables for certification exist, certification is decided upon by applying criteria relative to the contents and duration of the studies, existing applicable administrative precedents, and status of reciprocity treatment.</p> <p>Certification results in the recognition of the official validity of the studies in Spain, implying the recognition of the corresponding academic degree. It entitles the holder to pursue further studies at other levels of the Spanish educational system and implies the recognition of the degree for purposes of professional practice equal to those inherent to the Spanish degree of reference, as regards degrees which authorize the holder to work.</p> <p><i>University studies</i></p> <p>The certification of degrees obtained in non-EU countries is regulated by Royal Decree 285/2004 of 20 February, regulating the</p>

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		<p>conditions for certification and recognition of foreign higher level studies, modified by Royal Decree 309/2005 of 18 March, as well as Order ECI 3686/2004 of the Ministry of Education and Science, of 3 November, which sets forth the regulations for applying this Royal Decree.</p> <p>Application for certification is requested with regard to a specific, official Spanish university degree included in the <i>Catalogue of Official University Degrees</i>.</p> <p>The criteria which applies to the granting of the certification are as follows:</p> <ul style="list-style-type: none"> ▪ Correspondence between academic levels required for accessing studies which lead to obtaining the foreign degree and for accessing the Spanish degree. ▪ Duration and course load of the study period required for obtaining the foreign degree object of certification. ▪ Correspondence between academic levels of the foreign degree and the Spanish degree object of the requested certification. ▪ Educational contents passed in obtaining the foreign degree. <p>When there exists a direct equivalence between the foreign degree and the studies recognized by an official Spanish degree, the degrees are certified without any further formalities beyond those merely administrative in nature. When the studies are not exactly equivalent (as regards subject matters, number of hours, contents, etc.), the passing of examinations or additional educational courses may be required.</p> <p>If the studies completed are substantially different, <u>a partial certification may be requested</u> of the studies completed, for the purpose of continuing the same.</p> <p>A certified foreign degree has identical effects (academic or professional) in all of Spain as the Spanish academic degree or qualifications of which certification is granted. These effects are valid as of the date of conferment or issue of the resolution.</p> <p>2. The certification process is a competency of the State corresponding to the Ministry of Education (General Sub-Directorate for Degrees and Recognition of Qualifications) for both the certification of non-university and university degrees corresponding to the “diplomatura” (3-year university studies) or “licenciatura” (5-year university studies). The certification of postgraduate study degrees (Master and Doctorate) is the competency of Vice-Chancellors of Spanish universities. As regards certification of university studies, Universities hold the competencies for granting these.</p> <p>3. Yes. However, even when certification is object of numerous bilateral agreements, equivalencies are subject to control for the purpose of their correct application. Furthermore, bilateral agreements are not the sole source for granting certification.</p> <p>4.</p>
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EMN Ad-Hoc Query: Recognition of Professional Qualification

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	Sweden	Yes	<p>1. Official recognition can only be obtained concerning regulated professions. The person concerned shall send an application to the competent authority responsible for the specific profession. Information concerning the competent authorities is given by the Swedish National Agency for Higher Education. The competent authority may decide to admit the applicant directly, ask for further information, ask the applicant to undertake a compensation measure or deny admission to the profession.</p> <p>2. The competent authorities are the Swedish Transport Agency (driving instructor), Swedish National Electrical Safety Board (electrical contractor), Swedish Board of Supervision of Estate Agents (estate agent), Swedish Civil Contingencies Agency (fire safety officer), National Board of Health and Welfare (health professions), Legal Financial and Administrative Services Agency (interpreter and translator), Swedish Bar Association (lawyer), The County Administrative Board of Stockholm (security guard), Swedish National Agency for Higher Education (teacher in the Swedish public school system) and the Swedish Board of Agriculture (veterinary surgeon).</p> <p>3. The Migration Board do not dispose that kind of information. The question probably can be answered by the competent authorities mentioned above.</p> <p>4. See the answer of question number 3.</p>
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