

2007 No. 564

HEALTH CARE AND ASSOCIATED PROFESSIONS

PHARMACISTS

**The Approved European Pharmacy Qualifications Order of Council
2007**

<i>Made</i>	- - - -	<i>26th February 2007</i>
<i>Laid before Parliament</i>		<i>2nd March 2007</i>
<i>Coming into force</i>	- -	<i>30th March 2007</i>

At the Council Chamber, Whitehall, the 26th day of February 2007

By the Lords of Her Majesty's Most Honourable Privy Council

Their Lordships make the following Order in exercise of the powers conferred by articles 12(1)(b) and (2) and 66(1) of the Pharmacists and Pharmacy Technicians Order 2007(a).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Approved European Pharmacy Qualifications Order of Council 2007 and shall come into force on 30th March 2007.

(2) In this Order—

“competent authorities”, in relation to a relevant European State(b), means any authority or body designated by that relevant European State in accordance with the Pharmacy Qualifications Directive(c);

(a) S.I. 2007/289.

(b) “Relevant European State” is defined in the Pharmacists and Pharmacy Technicians Order 2007 as meaning an EEA State or Switzerland.

(c) “Pharmacy Qualifications Directive” is defined in the Pharmacists and Pharmacy Technicians Order 2007 as meaning Council Directive 85/433/EEC concerning the mutual recognition of diplomas, certificates and other formal evidence of qualifications in pharmacy (OJ No. L 253, 24.9.1985, p.37), and has been amended by: Council Directive 85/584/EEC (OJ No. L 372, 31.12.1985, p.42); Council Directive 90/658/EEC (OJ No. L 353, 17.12.1990, p.73); the Act of Accession of Austria, Sweden and Finland (OJ No. L 1, 1.1.1995, p.1); Directive 2001/19/EC (OJ No. L 206, 31.7.2001, p.1); 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 21st June 1999 (OJ No. L 114, 30.4.2002, p.6); the Act concerning 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 (OJ No. L 236, 23.9.2003, p.33); and Council Directive 2006/100/EC adapting certain Directives in the field of freedom of movement of persons, by reason of the accession of Bulgaria and Romania (OJ No. L 363, 20.12.2006, p.41).

“the Pharmacy Training Directive” means Council Directive 85/432/EEC concerning the co-ordination of provisions laid down by law, regulation or administrative action in respect of certain activities in the field of pharmacy^(a); and

“reference date”, in relation to a relevant European State, means the date by which it was required to implement the Pharmacy Training Directive, and which is included in the second column of the table in Schedule 1 opposite the corresponding entry for that State in the first column.

Appropriate European diplomas

2.—(1) Appropriate European diplomas are designated as being approved qualifications for the purposes of registration in the Register of Pharmacists.

(2) Subject to article 8, the following diplomas are “appropriate European diplomas” for the purposes of paragraph (1)—

- (a) subject to article 3, any (where appropriate, duly authenticated) diploma specified in the second column of the table in Schedule 2 which has been granted in a relevant European State after its reference date and which is evidence of training commenced on or after that date; or
- (b) any (where appropriate, duly authenticated) diploma which—
 - (i) subject to article 4, has been granted in a relevant European State before its reference date or which is evidence of training commenced before that date but completed on or after that date,
 - (ii) subject to article 5, was awarded by the competent authorities of, or which is evidence of training started in, the territory specified in column (b) of the table in Schedule 3 before the date specified in the corresponding entry in column (a) of that table,
 - (iii) subject to article 6, is evidence of training commenced before 3rd October 1990 and undertaken in the territory of the former German Democratic Republic, or
 - (iv) subject to article 7, does not fall within paragraphs (i) to (iii) and is not specified in Schedule 2 but which is a diploma in pharmacy granted in a relevant European State on or after its reference date.

Conditions relating to a specified diploma awarded in Italy

3.—(1) A diploma to which article 2(2)(a) applies that was awarded in Italy (the “diploma o certificato di abilitazione all’ esercizio della professione di farmacista ottenuto in seguito ad un esame di Stato”) is only an appropriate European diploma if—

- (a) the diploma is evidence of training commenced on or after 1st November 1993; or
 - (b) the diploma is evidence of training commenced before 1st November 1993, and—
 - (i) the diploma is evidence of training concluded before 1st November 2003,
 - (ii) evidence of the diploma is made available to the Registrar in the form of a certificate from the competent authorities of Italy, and
 - (iii) the competent authorities of Italy have also certified that—
 - (aa) the holder of the diploma has been effectively and lawfully engaged in Italy in one of the activities (and it must have been a regulated activity) referred to in article 1(2) of the Pharmacy Training Directive,
 - (bb) he was so engaged for at least three consecutive years during the five years preceding the date of the certificate, and
 - (cc) the activity in question was at all relevant times regulated in Italy,
- and the certificate is made available to the Registrar.

(2) The registrar may waive the requirements of paragraph (1)(b)(iii) if he determines that the diploma is evidence of training which would satisfy the requirements of article 2 of the Pharmacy Training Directive.

(a) OJ No. L 253, 24.9.1985, p.34. The Directive has been amended by Directive 2001/19/EC of the European Parliament and of the Council (OJ No. L 206, 31.7.2001, p.1).

Conditions relating to diplomas, whether specified or not, awarded in respect of training before a relevant European State's reference date

4. A diploma to which article 2(2)(b)(i) applies is only an appropriate European diploma if—
- (a) in the case of a diploma which is specified in the list in Schedule 2, the Registrar is satisfied (by means of a certificate from the relevant competent authorities or otherwise) with respect to it that it accords with the standards laid down by the Pharmacy Training Directive;
 - (b) in the case of a diploma that is not specified in the list in Schedule 2, the diploma is accompanied by a certificate from the competent authorities of the relevant European State which awarded the diploma which attests that the diploma—
 - (i) is evidence of training which would satisfy the requirements of article 2 of the Pharmacy Training Directive, and
 - (ii) is treated by the competent authorities of the relevant European State in which it was awarded as equivalent to a diploma specified in Schedule 2 in respect of their State,and the certificate is made available to the Registrar; or
 - (c) whether or not the diploma is specified in the list in Schedule 2, the competent authorities of a relevant European State have certified that the holder of the diploma has been effectively and lawfully engaged in one of the activities (and it must have been a regulated activity) referred to in article 1(2) of the Pharmacy Training Directive for at least three consecutive years during the five years preceding the date of the certificate, and the certificate is made available to the Registrar.

Conditions relating to old diplomas granted in respect of training commenced in the former Czechoslovakia, the former Soviet Union or the former Yugoslavia

5. A diploma to which article 2(2)(b)(ii) applies is only an appropriate European diploma if—
- (a) the competent authorities of the relevant European State specified in the appropriate row of column (c) of the table in Schedule 3 have certified that the diploma has, on its territory, the same legal validity as regards access to the practice of pharmacy as the diploma specified in Schedule 2 in respect of their State;
 - (b) those competent authorities have also certified that the holder of the diploma has been effectively and lawfully engaged in one of the activities (and it must have been a regulated activity) referred to in article 1(2) of the Pharmacy Training Directive in its territory for at least three consecutive years during the five years preceding the date of that certificate; and
 - (c) the certificates are made available to the Registrar.

Conditions relating to old diplomas granted in respect of training commenced in the former German Democratic Republic

6. A diploma to which article 2(2)(b)(iii) applies is only an appropriate European diploma if—
- (a) the diploma entitles its holder to practise pharmacy throughout the territory of Germany on the same conditions as those that apply to the holder of the diploma specified in Schedule 2 in respect of Germany; and
 - (b) the competent authorities in Germany have certified that the holder of the diploma has been effectively and lawfully engaged in one of the activities (and it must have been a regulated activity) referred to in article 1(2) of the Pharmacy Training Directive in Germany for at least three consecutive years during the five years preceding the date of the certificate, and the certificate is made available to the Registrar.

Conditions relating to new diplomas

7. A diploma to which article 2(2)(b)(iv) applies is only an appropriate European diploma if—
- (a) the competent authorities of the relevant European State that awarded it have certified that the diploma—

- (i) is evidence of training which satisfies the requirements of article 2 of the Pharmacy Training Directive, and
 - (ii) is treated by them as equivalent to a diploma specified in Schedule 2 in respect of their State; and
- (b) the certificates are made available to the Registrar.

Justified doubts about authenticity

8. A diploma is only an appropriate European diploma if, in a case where the Society (including its Registrar)—

- (a) has justified doubts about the authenticity of the evidence of the diploma made available to the Society; and
- (b) has required of the relevant competent authorities confirmation of the authenticity of the evidence,

the relevant competent authorities have confirmed the authenticity of the evidence.

Christine Cook
Deputy Clerk of the Privy Council

SCHEDULE 1

Article 1(2)

Reference dates

<i>Country</i>	<i>Reference date</i>
Austria	1st October 1994
Belgium	1st October 1987
Bulgaria	1st January 2007
Cyprus	1st May 2004
Czech Republic	1st May 2004
Denmark	1st October 1987
Estonia	1st May 2004
Finland	1st October 1994
France	1st October 1987
Germany	1st October 1987
Greece	1st October 1987
Hungary	1st May 2004
Iceland	1st October 1994
Italy	1st November 1993
Latvia	1st May 2004
Liechtenstein	1st October 1994
Lithuania	1st May 2004
Luxembourg	1st October 1987
Malta	1st May 2004
Netherlands	1st October 1987
Norway	1st October 1994
Poland	1st May 2004
Portugal	1st October 1987
Romania	1st January 2007
Slovakia	1st May 2004
Slovenia	1st May 2004
Spain	1st October 1987
Sweden	1st October 1994

SCHEDULE 2 Articles 2(2), 4, 5(a), 6(a) and 7(a)

Specified pharmacy qualifications

<i>Country</i>	<i>Title of qualification</i>	<i>Awarding body</i>	<i>Certificate accompanying qualification</i>
Austria	Staatliches Apothekerdiplom	Bundesministerium für Arbeit, Gesundheit und Soziales	
Belgium	— Diploma van apotheker — Diplôme de pharmaciens	1. De universiteiten/les universités 2. De bevoegde Examencommissie van de Vlaamse Gemeenschap/le Jury competent d'enseignement de la Communauté française	
Bulgaria	Диплома за висше образование на образователно-квалификационна степен "Магистър" по "Фармация" с професионална квалификация "Магистър-фармацевт"	Фармацевтичен факултет към Медицински университет	
Cyprus	Πιστοποιητικό Εγγράφης Φαρμακοποιού	Συμβούλιο Φαρμακευτικής	
Czech Republic	Diplom o ukončení studia ve studijním programu farmacie (magistr, Mgr.)	Farmaceutická fakulta univerzity v České republice	Vysvědčení o státní závěrečné zkoušce
Denmark	Bevis for bestået farmaceutisk kandidatexamen	Danmarks Farmaceutiske Højskole	
Estonia	Diplom proviisori õppekava läbimisest	Tartu Ülikool	
Finland	Proviisorin tutkinto/provisorexamen	1. Helsingin yliopisto/ Helsingfors universitet 2. Kuopion yliopisto	
France	Diplôme d'Etat de pharmaciens/Diplôme d'Etat de docteur en pharmacie	Universités	
Germany	Zeugnis über die Staatliche Pharmazeutische Prüfung	Zuständige Behörden	
Greece	Άδεια άσκησης φαρμακευτικού επαγγέλματος	Νομαρχιακή Αυτοδιοίκηση	
Hungary	Okleveles gyógyszerész	Egyetem	

	oklevél (magister pharmaciae, abbrev: mag.pharm)		
Iceland	Próf í lyfjafræði	Háskóli Íslands	
Ireland	Certificate of Registered Pharmaceutical Chemist		
Italy	Diploma o certificato di abilitazione all'esercizio della professione di farmacista ottenuto in seguito ad un esame di Stato	Università	
Latvia	Farmaceita diploms	Universitātes tipa augstskola	
Liechtenstein	The diplomas, certificates and other titles awarded in another relevant European State and listed in this Schedule accompanied by a certificate on the completed practical training issued by the competent authorities		
Lithuania	Aukštojo mokslo diplomas, nurodantis suteiktą vaistininko profesinę kvalifikaciją	Universitetas	
Luxembourg	Diplôme d'Etat de pharmaciens	Jury d'examen d'Etat + visa du ministre de l'éducation nationale	
Malta	Lawrja fil-farmacija	Universita'ta' Malta	
Netherlands	Getuigschrift van met goed gevolg afgelegd apothekerexamen	Faculteit Farmacie	
Norway	Vitnemål for fullført grad candidata/candidatus pharmaciae, short form: cand. pharm.	Universitetsfakultet	
Poland	Dyplom ukończenia studiów wyższych na kierunku farmacja z tytułem magistra	1. Akademia Medyczna 2. Uniwersytet Medyczny 3. Collegium Medicum Uniwersytetu Jagiellońskiego	
Portugal	Carta de curso de licenciatura em Ciências Farmacêuticas	Universidades	
Romania	Diplomă de licență de farmacist	Universități	
Slovakia	Vysokoškolský diplom o udelení akademického titulu "magister farmácie" ("Mgr.")	Vysoká škola	
Slovenia	Diploma, s katero se podeljuje strokovni naziv "magister	Univerza	Potrdilo o opravljenem strokovnem izpitu za poklic magister

	farmacije/ magistra farmacije”		farmacije/magistra farmacije
Spain	Título de licenciado en farmacia	Ministerio de Educación y Cultura/El rector de una Universidad	
Sweden	Apotekarexamen	Uppsala universitet	
Switzerland	Titulaire du diplôme fédéral de pharmacien, eidgenössisch diplomierter Apotheker, titolare di diploma federale di farmacista	Département fédéral de l'intérieur	

SCHEDULE 3

Article 2(2)(b)(ii)

Table in respect of recognition of training in the former Czechoslovakia, the former Soviet Union or the former Yugoslavia

<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	Former Yugoslavia	Slovenia