



Cross-border Impact Assessment 2016

Dossier 2: Recognition of Professional Qualifications



The Institute for Transnational and Euregional cross border cooperation and Mobility / ITEM is the pivot of research, counselling, knowledge exchange and training activities with regard to cross border mobility and cooperation.

Maastricht University

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Dossier 2: Recognition of Professional Qualifications

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ITEM is an initiative of Maastricht University (UM), the Dutch Centre of Expertise and Innovation on Demographic Changes (NEIMED), Zuyd Hogeschool, the city of Maastricht, the Meuse-Rhine Euregion (EMR) and the (Dutch) Province of Limburg.



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1. Introduction

The recognition of professional qualifications has been treated at the European level for over 50 years. The 1957 Treaty of Rome gave the European Community its first legislative powers regarding the recognition of professional qualifications.¹ These powers marked the beginning of extensive legislation aimed at benefiting the free movement of people for professionals in *regulated professions*.²

The final instrument in a long line of legislative instruments regarding the recognition of professional qualifications is Directive 2013/55/EU.³ This last directive did not introduce a new instrument for the recognition of professional qualifications, but amended and modernized the existing rules laid down in Directive 2005/36/EC.⁴ The European legal framework for the recognition of professional qualifications required modernization in order to better exploit the potential of an integrated services market and to mitigate the growing shortage of qualified labour.⁵

The modernization of Directive 2005/36/EC was the result of, among others, extensive stakeholder consultation by the European Commission. This revealed a universal desire for improved access to information, simplified recognition procedures while retaining the quality of service provision and a modernized system of automatic recognition among all interested parties.⁶

Directive 2013/55/EU introduced a number of amendments to Directive 2005/36/EC: accelerated procedures are now available to some professionals through the European Professional Card, an alert mechanism has been introduced, the requirements for language tests have been specified, automatic recognition can be expanded through common training principles and the principle of partial access has now been anchored in EU legislation.

These elements of Directive 2013/55/EU constitute the most prominent modernizations. Nevertheless, experience shows that professionals who wish to work across borders too often encounter obstacles that result from practical matters, such as finding the proper (source of) information, the duration of the recognition procedures and the cost of these procedures.⁷ This

¹ Article 57 Treaty of Rome.

² A regulated profession is a profession for which the law stipulates specific requirements regarding its practice. Access to non-regulated professions is free in the EU as a consequence of the free movement of people.

³ Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation'), [2013] OJ L 354/132.

⁴ Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, [2005] OJ L 255/22.

⁵ Proposal for a Directive of the European Parliament and of the Council amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation on administrative cooperation through the Internal Market Information System, COM(2011) 883 final, p. 2.

⁶ *Ibid.*, p. 4.

⁷ See for example: Institute for Transnational and Euregional Cross border cooperation and Mobility / ITEM, 'Berichterstattung ITEM Workshop 19. October 2016 – Die Anerkennung von Berufsqualifikationen auf dem

analysis aims to discover how a number of essential practical matters, of great importance to cross-border workers, have been implemented and are being executed in a select number of countries and states since the modernization of Directive 2005/36/EC by Directive 2013/55/EU.

2. Research Objectives, Definitions, Themes and Indicators

2.1 Current or Future Effects, Objective: Ex-post

The aim of the Recognition of Professional Qualifications Dossier is to perform an ex-post analysis of a number of transpositions of Directive 2013/55/EU. The implementation deadline of this Directive was set on 18 January 2016.⁸ The recent transposition date, as well as the fact that the implementation activities regarding the Directive have not been concluded yet in some of the areas observed, make this an *ex-post analysis in a very early stage*.

Due to its structure, among others, Directive 2005/36/EC as amended by Directive 2013/55/EU is commonly implemented in both general and sectoral legislation. The Directive provides different regimes for the recognition of professional qualifications. A first categorization is made on the basis of the duration of the stay. On the one hand, the Directive provides rules for the free provision of services. These provisions are only applicable to service providers who temporarily and occasionally visit another Member State to practise their profession.⁹ The free provision of services is excluded from the present study.

The analysis in this dossier is focused on the freedom of establishment. In this case, the professional provides long-term services in a neighbouring country. The freedom of establishment offers professionals the opportunity to obtain recognition under three regimes:

- Recognition based on the coordination of the minimum training conditions¹⁰

Professionals in certain professions can obtain automatic recognition if they meet the training requirements and hold the titles specified in the Directive. This system is only available for doctors having completed basic medical training/medical specialists, dentists, nurses, midwives, veterinarians, pharmacists and architects.

niederländisch-deutschen Arbeitsmarkt: Chancen fuer die Bereiche Erziehung und Pflege', https://www.maastrichtuniversity.nl/sites/default/files/downloadables/berichterstattung_workshop_anerkennung_ite_m-nrw_final_de.pdf last visited on 28 September 2016; Institute for Transnational and Euregional Cross border cooperation and Mobility / ITEM, 'ITEM Report Seminar 29 June 2016 – The Recognition of Qualifications: Improving Recognition to Enhance Cross-border Labour Mobility', https://www.maastrichtuniversity.nl/sites/default/files/downloadables/final_report_item_seminar_29_june_2016.pdf last visited on 28 September 2016.

⁸ Article 3, paragraph 1, Directive 2013/55/EU

⁹ Article 5, paragraph 2, consolidated version of Directive 2005/36/EC.

¹⁰ Title III, Chapter III, consolidated version of Directive 2005/36/EC.

- Recognition of professional experience¹¹

Professionals in crafts and trade occupations can also obtain automatic recognition. In their case automatic recognition is based on professional experience instead of on minimum training requirements.

- General system¹²

The greater part of professionals fall under the general system. Those professionals who do not meet the requirements for automatic recognition can still obtain recognition through this system. It also includes all other regulated professions that do not qualify for automatic recognition. Although the system has recognition as its starting point, Member States are allowed to impose compensatory measures under certain conditions.¹³

This subdivision into different categories of recognition and different professions usually results in implementation “in several places”. In the Netherlands, for instance, the greater part of the Directive has been implemented in the General Act on the Recognition of EU Professional Qualifications (Dutch: Algemene Wet Erkenning EU-Beroepskwalificaties), but several provisions, including those for doctors with basic medical training/medical specialists, dentists, nurses, midwives, veterinarians, pharmacists and architects, have been implemented in sectoral legislation.¹⁴

Although the great complexity partially explains the fact that the transposition of the Directive has not been completed in some countries, this is not the only reason for delays in the implementation process. For example, the implementation of Directive 2013/55/EU is still in progress in Belgium as it coincides with the sixth state reform, which focuses on the transfer of certain powers, including the recognition of professional qualifications, to the Communities and the Regions.¹⁵

2.2 Effects: on which geographical area? Definition of the border region

The Dossier on the Recognition of Professional Qualifications covers the geographical border region immediately adjacent to the Dutch Province of Limburg. It does have a special character, however, compared to the other dossiers in this Cross-Border Impact Assessment due to the definition of the border region. Recognition procedures are no different for cross-border workers

¹¹ Title III, Chapter II, consolidated version of Directive 2005/36/EC.

¹² Title III, Chapter I, consolidated version of Directive 2005/36/EC.

¹³ Article 14 consolidated version of Directive 2005/36/EC.

¹⁴ See for example: Overheid.nl, ‘Algemene wet erkenning EU-beroepskwalificaties – wetstechnische informatie’, <http://wetten.overheid.nl/BWBR0023066/2016-01-18/0/informatie> last visited on 28 September 2016.

¹⁵ Belgium.be, ‘De zesde staatsvorming’, http://www.belgium.be/nl/over_belgie/land/geschiedenis/belgie_vanaf_1830/vorming_federale_staatsvorming last visited on 28 September 2016.

who are seeking recognition of their professional qualifications from a neighbouring country than for professionals who have obtained their qualifications in a Member State that is not immediately adjacent to the relevant Member State. Thus, in this Dossier, the *legal* situation of cross-border workers is no different from that of EU citizens whose qualifications have been obtained in an EU Member State not immediately adjacent to the Dutch Province of Limburg.

As a consequence, the scope of this Dossier requires further specification. The analysis in this Dossier applies to the entire border region of Belgium and the Netherlands. Since EU legislation on the recognition of professional qualifications has largely been implemented on the level of the *Bundesländer* in Germany, the analysis of the German-Dutch border situation in this Dossier focuses on the border region between the Netherlands and North Rhine-Westphalia.

2.3 Border effects on? What are the themes of the research, its principles, benchmarks and indicators?

2.3.1 The Dossier Recognition of Professional Qualifications and Its Effects

The Dossier on the Recognition of Professional Qualifications has two themes: effects on European integration and cross-border sustainable development. The former is the main theme of this Dossier.

The recognition of professional qualifications is a subject that flows from the free movement of people, which is a part of European citizenship under the EU treaties.¹⁶ Workers not only have a right to free movement under the EU Treaties: this right is also paired with the prohibition of discrimination on the basis of nationality.¹⁷

The subject of recognition of professional qualifications does have consequences for the sustainable development and business climate of the border region. EU citizens are free to move across borders, a freedom that goes hand in hand with realizing an optimal allocation of resources. The recognition of professional qualifications not only realizes the fundamental freedoms of the internal market for EU citizens, it also offers the possibility of addressing growing shortages of qualified labour.¹⁸

The theme of Euregional cohesion is not addressed in the present study. The indicators tested in the context of Directive 2005/36/EC and its underlying principles are aimed at mapping the contact between the professional and the competent authority in the host Member State. In the framework of the indicators studied, the competent authorities of two Member States can only enter into contact with each other to request additional documents that the applicants cannot

¹⁶ Article 20(2)(a) TFEU.

¹⁷ Article 45(2) TFEU.

¹⁸ Proposal for a Directive of the European Parliament and of the Council amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation on administrative cooperation through the Internal Market Information System, COM(2011) 8tion System, COM(2011) 883 final, p. 2.

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supply.¹⁹ The present study only considers the contact between the professional and the competent authority of the neighbouring country.

2.3.2 Dossier on Recognition of Professional Qualifications: what are the principles, objectives and benchmarks for achieving and measuring a positive situation in border regions

Principles	Benchmark	Indicator/Method
<p><u>European Integration</u></p> <p>Article 20 TFEU: citizenship of the Union is accompanied by ‘the right to move and reside freely within the territory of the Member States’</p> <p>Article 45(49) TFEU: the free movement of people is accompanied by the abolishment of discrimination according to nationality; EU citizens have the opportunity to work and settle in another Member State.</p> <p>The principle of mutual recognition as resultant from the case law of the European Court of Justice: the qualifications obtained according to the legislation and regulations of one Member State should be equally regarded in the other Member States²⁰</p>	<p>Recognition within a reasonable time frame and at costs no higher than necessary</p> <p>Easy application for recognition</p> <p>Clarity about the competent authority and the location of information or support</p> <p>Recognition is offered immediately as far as possible, i.e. without compensatory measures</p>	<p>What are the decision periods in the different countries/states?</p> <p>What are the costs involved in the respective recognition procedures?</p> <p>Are documents accepted in multiple languages?</p> <p>How many documents are required for an application? Are there any additional costs to obtaining these?</p> <p>How many counters do applicants need to visit for recognition?</p> <p>Is there a central information point?</p> <p>Are electronic procedures available?</p> <p>Is there a support centre?</p> <p>Is recognition offered immediately?</p>
<p><u>Sustainable/socio-economic development</u></p> <p>Optimal allocation of qualified employees as a way of</p>	<p>Mobility after the</p>	<p>How high is cross-border mobility</p>

¹⁹ Annex VII, consolidated version of Directive 2005/36/EC.

²⁰ Case 120/78 *Rewe-Zentral AG v. Bundesmonopolverwaltung für Branntwein*, EU:C:1979:42; Case C-340/89 *Vlassopoulou v. Ministerium für Justiz, Bundes- und Europaangelegenheiten Baden-Württemberg*, EU:C:1991:193.

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Principles	Benchmark	Indicator/Method
strengthening the economy in border region.	implementation of Directive 2013/55/EU.	<p>in Belgium, the Netherlands and North Rhine-Westphalia since the implementation of Directive 2013/55/EU?</p> <p>The data needed for this criterion will largely have to come from information provided by the relevant authorities.</p>

The border effects of the Dossier on the Recognition of Professional Qualifications will be analyzed by means of a mapping study. The analysis focuses on four professions, each of which represents a different scenario under Directive 2005/36/EC as amended by Directive 2013/55/EU. The professions selected represent different types of training, types of recognition and the combination of a non-regulated/regulated profession. The study focuses specifically on the following professions:

Professions	
Doctors of medicine	<ul style="list-style-type: none"> – Higher education training – Automatic recognition (minimum training requirements)
Nurses	<ul style="list-style-type: none"> – Higher education training – Automatic recognition (minimum training requirements)
Childcare workers	<ul style="list-style-type: none"> – Professional education – General system – Regulated/non-regulated
Electricians	<ul style="list-style-type: none"> – Professional education – Automatic recognition (professional experience) – Regulated/non-regulated

Besides representing different scenarios under the European Directive, these professions also have a high degree of mobility. The Commission's impact assessment showed that professions in healthcare (59%), teaching and social/cultural professions (17%), as well as crafts and technical

professions, were among the most mobile professions under the first version of Directive 2005/36/EC.²¹

Nine indicators were used to investigate the border effects of Directive 2013/55/EU and its underlying principles for these professions. Each indicator contains three options, which score between 0 and 100 points. The more national legislation and procedures are aligned with the Directive and its underlying principles, the higher the score. Thus, a higher score implies positive border effects, whereas a lower score suggests negative border effects. The maximum score is 900 points. The table below displays the indicators.

Indicator	
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months (100 points) – 4 to 8 months (50 points) – More than 8 months (0 points)
2. Procedural costs	<ul style="list-style-type: none"> – Less than 100 euro – 100-500 euro – More than 500 euro
3. Languages in which the required documents are accepted	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents required by the Directive – Additional documents without significant extra costs – Additional documents with (potentially) significant extra costs
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available

²¹ Commission staff working paper – Impact assessment – Accompanying document to the Proposal for a Directive of the European Parliament and of the Council amending Directive 2005/36/EC on the recognition of the professional qualifications and Regulation on administrative cooperation through the Internal Market Information System, SEC(2011) 1558 final, p. 6.

Indicator	
	– No information point
7. Electronic application procedures	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in hard copy
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition

3. Does the measure promote or impede European integration and what does that mean for the citizens of the border region

The table below presents the scores resulting from the study. A full representation of the analysis per profession can be found in the Annex. A number of differences between the professions can be identified based on the scores. The recognition procedures for doctors, for instance, generally score lowest, indicating potentially negative border effects. For this profession, the costs and the application method appear to form the main source of uncertainty in all areas studied. For North Rhine-Westphalia, it may be added that the documents can only be submitted in one language.

The recognition procedures for nurses score better, at 600 points or higher. For this profession, the indicator with potential frontier effects is the language of acceptance of the documents (North Rhine-Westphalia). Childcare workers show a high score of 750 points in the Netherlands and a lower score of 550 points in North Rhine-Westphalia. In this profession, there is some uncertainty regarding the availability of electronic procedures in the Netherlands and the level of the costs involved in North Rhine-Westphalia, which does not seem to be predetermined. Unclear information provision in Belgium and the prolongation of the three-month term with a 'reasonable' term in North Rhine-Westphalia can be considered sources of potential negative border effects for electricians.

Profession	Country/state	Score (maximum 900)
Doctors of medicine (doctors with basic medical training/medical specialists)	Netherlands	575
	Belgium	625
	North Rhine-Westphalia	525

Nurse	Netherlands	750
	Belgium	675
	North Rhine-Westphalia	600
Childcare employee	Netherlands	750
	North Rhine-Westphalia	550
Electrician	Belgium	700
	North Rhine-Westphalia	550

Given the scores attained, the negative border effects connected to this Dossier seem to be limited. Nevertheless, practical cases of complications in the recognition process and the high frequency of their occurrence seem to point towards a different reality. This indicates a potential difference between the legislation and practice of the recognition of professional qualifications under EU law. Thus, while legislation seems compliant with the principles and benchmarks related to the theme of European integration, practice probably paints another picture.

4. Does the measure promote or impede the sustainable economic development and business climate of the border region

The recent entry into force of the new Directive 2013/55/EU and the fact that a number of Member States have not yet completed the implementation activities make it difficult to estimate the border effects of the new measure on mobility. The relevant authorities have been approached with requests for relevant data as part of this study in the Dossier Recognition of Professional Qualifications. The limited number of responses received constitutes an additional complication in assessing the frontier effects on mobility under Directive 2013/55/EU and the principle of optimal allocation of qualified employees.

Profession	Country/state	Data received
Doctors of medicine (doctors with basic medical training/medical specialists)	Netherlands	According to information from the Dutch CIBG, the BIG register for medical practitioners included 133 doctors with a Belgian qualification and 14 doctors with a German qualification in 2015. After 18 January 2016, the implementation date of Directive 2013/55/EU, the BIG register included 133 doctors with a Belgian qualification and 5 doctors with a German qualification.
	Belgium	According to information from the Belgian FOD Public Health, Food Safety and Environment, 170 Dutch-trained doctors applied for recognition of their professional qualification in 2015, of whom 96 had basic medical training and 71 were medical specialists. They all

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Profession	Country/state	Data received
		<p>received automatic recognition. The applications of 2 doctors with basic medical training and 1 medical specialist were being processed at the time of measurement.</p> <p>Germany received 45 applications from doctors for recognition of their professional qualifications in 2015, of whom 20 had basic medical training and 18 were medical specialists. They all received automatic recognition. At the time of measurement, the applications of 2 doctors with basic medical training and 4 medical specialists were being processed, while 1 medical specialist was undergoing an adaptation period.</p> <p>The German-speaking Community has processed 7 applications from doctors since 1 January 2016 and granted them all automatic recognition.</p>
	North Rhine-Westphalia	The District Government (German: <i>Bezirksregierung</i>) of Cologne reports that it processed 85 applications for recognition of professional qualifications from EU Member States in 2015, according to the principle of automatic recognition. So far, the District Government has granted 58 licences (<i>Approbationen</i>) in 2016, 16 of which went to professionals with Dutch professional qualifications.
Nurse	Netherlands	<p>The Dutch CIBG reports that 2429 foreign qualified nurses are currently active in the Netherlands, 63 of whom hold a German diploma and 401 of whom a Belgian diploma.</p> <p>It is not possible to establish the ratio of positive and negative decisions on recognition applications from the data provided. The related follow-up question has not received a response yet.</p>
	Belgium	The Belgian FOD Public Health, Food Safety and Environment reports receiving 143 applications from the Netherlands in 2015. Of these, 120 received automatic recognition while 23 were still under review at the time of measurement. 2015 also saw 18 applications from Germany, 15 of which obtained automatic recognition

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Profession	Country/state	Data received
		and 3 were still under investigation. The German-speaking Community reports to have received 4 applications since it was first made responsible for applications in 2016; all of these were recognized.
	North Rhine-Westphalia	The District Government of Düsseldorf reports 1499 applications for recognition from nurses between 2015 and 23 September 2016, 831 of which were received in 2015 and 668 in 2016. Of these applications, 418 were granted automatic recognition: 267 in 2015 and 151 in 2016. 78 nurses received recognition under the general system: 61 in 2015 and 17 in 2016. Compensatory measures were imposed in 219 cases: 159 in 2015 and 60 in 2016. The District Government of Düsseldorf indicates that these are absolute numbers and concern applications from the EU, EEA and third countries.
Childcare employee	North Rhine-Westphalia	The District Government of Cologne reports to have received 90 applications from the Netherlands and 15 from Belgium between 2014 and 2016. Recognition without compensatory measures, based on proven professional experience rather than on qualifications, was granted in one case from Belgium and one case from the Netherlands. The other applicants were granted recognition after compensatory measures or, in some cases, recognition was rejected.
Electrician	Belgium	The statistics from the European Commission show that 40 applications of Dutch professionals are registered for the period 2014-2015. 40 of these received immediate, i.e. automatic, recognition based on their experience in the Netherlands. The same period saw 7 applications from German professionals, all of which were automatically recognized based on professional experience. It is worth reporting, in this context, that this

Profession	Country/state	Data received
		has led to a total of 1524 registered applications, only 32 of which were not granted. ²²
	North Rhine-Westphalia	The statistics from the European Commission show that 14 applications of Dutch professionals were registered in 2007, 2009 and 2011, 13 of which received recognition based on their experience in the Netherlands and 1 based on the qualification obtained, without a need for compensation. ²³ No applications from Belgian professionals have been registered.

5. Conclusions and recommendations from a Euregional perspective

5.1 Conclusions: Effects of Directive 2013/55/EU

The legislation regarding the recognition of professional qualifications is currently undergoing rapid changes. As a consequence, the conclusions of this chapter are provisional in nature. As already stated in paragraph 2.2, this Dossier is, in a sense, not a typical cross-border impact dossier as the recognition procedures for cross-border workers and professionals from a Member State that is not adjacent to the Dutch Province of Limburg are identical. This does not mean, however, that there are no border effects related to Directive 2013/55/EU.

Although the table in paragraph 3 shows that the different national transpositions and procedures regarding the recognition of professional qualifications under Directive 2013/55/EU do not seem to suggest the existence of any special border effects, there is an important way in which cross-border workers can be confronted with negative border effects of the European Directive. These negative border effects are mainly related to the terms of the recognition procedures. Cross-border workers who find a new position abroad will be expected to start at short notice. It is in this respect that the situation of cross-border workers differs from that of migrating professionals from non-adjacent EU Member States. Since the latter will probably have to move, a certain period of time will have to be taken into account before the activities can start. The procedures for the recognition of professional qualifications themselves can thus be considered a complication to cross-border labour. Employers in a neighbouring country who need employees on the short term will not be willing to wait a maximum of three to four months before the cross-

²² European Commission, 'Regulated professions database – activités électrotechniques/Elektrotechniek', http://ec.europa.eu/growth/tools-databases/regprof/index.cfm?action=regprof&id_regprof=4870&tab=stat1 last visited on 28 September 2016.

²³ European Commission, 'Regulated professions database – Elektrotechnikermeister', http://ec.europa.eu/growth/tools-databases/regprof/index.cfm?action=regprof&id_regprof=7777&tab=stat1 last visited on 28 September 2016.

border worker can start working when they can hire an employee from their own country who can start immediately. Therefore, cross-border workers benefit from swift and smooth recognition procedures.

Working across the border in regulated professions should not only be possible when there is an absolute need for certain professionals on the other side of the border. Measures to accelerate and ease the procedures could be highly beneficial to cross-border labour.

5.2 Conclusions regarding the cross-border impact assessment and the further development of the instrument

In conclusion, it can be said that the countries and states studied have properly implemented the provisions of Directive 2013/55/EU concerning the procedures for the recognition of professional qualifications. The study shows that, in general, a smooth recognition procedure should materially be possible. Nevertheless, procedural obstacles remain.

Language, for example, can be a complicating factor: North Rhine-Westphalia only accepts documents in German. Although Directive 2013/55/EU makes no requirements regarding the number of languages accepted, the lack of the option to submit documents in multiple languages may create substantial barriers for cross-border workers and may impede mutual recognition. Not only does this cause delays in the recognition process, the costs of the required (sworn) translations will also have to be borne by the applicant, potentially raising the total costs to substantial levels. A future language requirement regarding the documents to be submitted might contribute to smoother recognition in the border regions.

Another complication that applicants might encounter is the potential confusion regarding the competent authority. Medical specialists serve as an example in point. Medical specialists seeking recognition pass through a two-step procedure. In the Netherlands and North Rhine-Westphalia a different organization is responsible for each step. In Belgium the competent authority is not always clear either, as a consequence of the ongoing sixth state reform. In general, it should be noted that too much fragmented, sometimes even conflicting information is available.

Moreover, with some authorities, there is prior uncertainty about the final costs of the procedures. Directive 2013/55/EU makes no requirements regarding the amount of the costs for the recognition procedures under both systems, i.e. automatic recognition, based on minimum training conditions and professional experience, or the general system. The introduction of a requirement that limits the costs of these recognition procedures and provides clarity about these costs may contribute to improved information provision and mobility in the future since professionals will be able to obtain prior insight into the costs of the procedures and will not become discouraged by overly high costs.

Finally, the discrepancy between legislation and practice should be mentioned. Although there are noticeable improvements in the legislation regarding the recognition of professional qualifications, these are not monumental in scope. Authorities and service providers in the border

regions continue to receive complaints about problems with the recognition of professional qualifications. Therefore, consolidating the discrepancy between legislation and practice can be identified as one of the major aims regarding the recognition of professional qualifications.

Annex I – Doctors of medicine (doctors with basic medical training/medical specialists)

Netherlands - Basic Information

The profession of doctor is one of the professions under the BIG Act (Dutch: Wet op de Beroepen in de Individuele Gezondheidszorg) to which the system of registration and protection of professional titles applies.²⁴ The minimum training requirements have been established by administrative decree (following Article 18 of the BIG Act).²⁵ However, the situation is different for foreign graduates as they fall under Chapter VI, Articles 41 through 44 of the BIG Act. Contrary to most regulated professions, doctors do not fall under the General Act on the Recognition of EU Professional Qualifications directly. The section of Directive 2005/36/EC as amended by Directive 2013/55/EU which regulates the automatic recognition of doctors has been implemented in sectoral legislation instead.²⁶ Whereas the qualifications of doctors with basic medical training are recognized by the Dutch BIG register, the qualifications of medical specialists are recognized by the Royal Dutch Medical Association (Dutch: KNMG), but only after obtaining the BIG registration.²⁷

Indicator		Doctor with basic medical training	Medical specialist	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	<p>The decision period for the recognition of the professional qualifications of doctors with basic medical training is 3 to 4 months. A maximum procedure of 3 months applies to professional qualifications eligible for automatic recognition.²⁸</p> <p>An additional month applies for files that require recognition under the</p>	<p>The decision period for the recognition of the professional qualifications of medical specialists is identical to that of doctors with basic medical training. Procedures for automatic recognition take maximally 3 months and possibly a fourth month for recognitions under the general system.³⁰</p>	100

²⁴ Articles 18 and 19 Wet op de beroepen in de individuele gezondheidszorg (Dutch BIG Act).

²⁵ Besluit opleidingseisen arts (Decision on training requirements for physicians).

²⁶ *Kamerstukken II* 2006/07, 31059, 3, p. 36 (Dutch Parliamentary Papers).

²⁷ Toelichting op het Besluit buitenslands gediplomeerden (KNMG) (Comments to the Decision regarding foreign graduates (KNMG)).

²⁸ Article 19, paragraph 2, Algemene Wet Erkenning EU-Beroepskwalificaties (General Act on the Recognition of EU Professional Qualifications).

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Indicator		Doctor with basic medical training	Medical specialist	Score
		general system, setting the decision period at maximally 4 months. ²⁹		
2. Procedural costs	<ul style="list-style-type: none"> – Less than 100 euro – 100-500 euro – More than 500 euro 	The costs for BIG registration are EUR 85. ³¹	The rates for registration in the medical specialist register are set by the Dutch Royal Dutch Medical Association (Dutch: KNMG). The costs are EUR 521,81. ³²	0
3. Languages of acceptance of the required documents	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language 	The documents are accepted in Dutch, English, French or German. ³³	The certified copy of the qualification is accepted in Dutch, English or German. ³⁴ Other documents such as the Certificate of Current Professional Status and the declaration of the professional activities performed are accepted in Dutch and English. ³⁵ A score of 75 points is awarded since	75

³⁰ Article 19, paragraph 2, Algemene Wet Erkenning EU-Beroepskwalificaties (General Act on the Recognition of EU Professional Qualifications); RGS KNMG, Handleiding erkenning en registratie buitenslands gediplomeerden (Manual for the Recognition and Registration of Foreign Graduates), available through: <https://www.knmg.nl/opleiding-herregistratie-carriere/buitenlandse-artsen/erkenning-en-registratie.htm> last visited on 28 September 2016, p. 8 and 12.

²⁹ Article 19, paragraph 2, Algemene Wet Erkenning EU-Beroepskwalificaties (General Act on the Recognition of EU Professional Qualifications).

³¹ Article 1 Regeling tarieven registratie beroepsbeoefenaren Wet BIG (Regulation on the registration rates for professionals BIG Act).

³² KNMG, 'Opleidingstitel/diploma – Eerste registratie in specialistenregister (per verzoek)', <https://www.knmg.nl/opleiding-herregistratie-carriere/medische-vervolgopleidingen/klaarmet-de-opleiding.htm> last visited on 28 September 2016.

³³ Article 2, paragraph 3, Regeling Erkenning EU-Beroepskwalificaties Beroepen in de Individuele Gezondheidszorg (Regulation on the Recognition of EU Professional Qualifications in Individual Healthcare).

³⁴ RGS KNMG, Handleiding erkenning en registratie buitenslands gediplomeerden (Manual for the Recognition and Registration of Foreign Graduates), available through: <https://www.knmg.nl/opleiding-herregistratie-carriere/buitenlandse-artsen/erkenning-en-registratie.htm> last visited on 28 September 2016, p. 20.

³⁵ Ibid., p. 20-21.

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Indicator		Doctor with basic medical training	Medical specialist	Score
			doctors with basic medical training can submit their documents for recognition in four languages and medical specialists in 2 or 3 languages.	
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents as per the Directive – Additional documents without significant extra costs – Additional documents with (potentially) significant extra costs 	<p>The following documents are to be provided during the application:³⁶</p> <ul style="list-style-type: none"> – Application form – Proof of nationality – Authenticated copy of the certificate – Educational programme – Lists of grades and assessments – A document demonstrating that no judicial, disciplinary or administrative measures are in force – Documentary evidence of any professional experience or additional training. <p>From the explanatory note to the application form, it becomes clear</p>	<p>The following documents are requested from the Registration Commission for Medical Specialists (Dutch: Registratiecommissie Geneeskundig Specialisten, RGS) in case of an application for automatic recognition:³⁸</p> <ul style="list-style-type: none"> – Qualification – Declaration of conformity – Declaration of vested rights – Certificate of Current Professional Status – Proof of language proficiency (B2-level) – Proof of BIG registration – Declaration of professional activities performed 	50

³⁶ Article 2 Regeling Erkenning EU-Beroepskwalificaties Beroepen in de Individuele Gezondheidszorg (Regulation on the Recognition of EU Professional Qualifications in Individual Healthcare).

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Indicator		Doctor with basic medical training	Medical specialist	Score
		<p>that the following documents are requested:³⁷</p> <ul style="list-style-type: none"> – Application form – Copy of an identity document – Authenticated copy of the diploma – Statement from the competent authority in the state of origin that no limitations regarding professional practice are either in place or relevant. – possibly an additional statement 	<ul style="list-style-type: none"> – Overview of development of expertise <p>The latter five documents are not requested on behalf of the recognition procedure, however, but as part of the Royal Dutch Medical Association's (KNMG) registration process.³⁹</p> <p>The following documents are requested for applications under the general system:⁴⁰</p> <ul style="list-style-type: none"> – Qualification – Training curriculum – Proof of professional experience – Overview of development of expertise – CV – Certificate of Current Professional Status – Proof of language proficiency 	

³⁸ RGS KNMG, Handleiding erkenning en registratie buitenslands gediplomeerden (Manual for the Recognition and Registration of Foreign Graduates), available through: <https://www.knmg.nl/opleiding-herregistratie-carriere/buitenlandse-artsen/erkenning-en-registratie.htm> last visited on 28 September 2016, p. 8.

³⁷ CIBG, 'Toelichting aanvraagformulier BIG-registratie' (Explanatory note to the application form for BIG registration), https://www.bigregister.nl/en/doc/pdf/2014-07-09%20Toelichting%20aanvraagformulier%20BIG-registratie_34272.pdf last visited on 28 September 2016, p. 2.

³⁹ Ibid.

⁴⁰ Ibid., p. 10.

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Indicator		Doctor with basic medical training	Medical specialist	Score
			(B2-level) – Proof of BIG registration – Declaration of professional activities performed	
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	Doctors with basic medical training seeking recognition of their professional qualifications can use a single counter. ⁴¹	Medical specialists seeking employment in the Netherlands can submit a combined BIG and KNMG application, in which case they can use a single counter. ⁴² However, there are still two separate organizations that are granting recognition. A score of 75 points is awarded since there are two authorities involved in processing the applications.	75
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	Information for doctors with basic medical training can be found on the BIG register's website, run by the CIBG, and on the EP-Nuffic website. ⁴³	Information for medical specialists can be found on the KNMG website, the BIG register's website, run by the CIBG, and on the EP-Nuffic website. ⁴⁴	50

⁴¹ Article 3 io. Article 41 Wet BIG (BIG ACT).

⁴² CIBG, 'Aanvragen erkenning specialisme', <https://www.bigregister.nl/registratie/meteenbuitenlandsdiploma/aanvragenspecialisme.aspx> last visited on 28 September 2016.

⁴³ See <https://www.bigregister.nl/>; <https://www.epnuffic.nl/>.

⁴⁴ See <https://www.knmg.nl/home.htm>; <https://www.bigregister.nl/>; <https://www.epnuffic.nl/>.

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Indicator		Doctor with basic medical training	Medical specialist	Score
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in hard copy 	The procedures are available electronically. ⁴⁵ However, procedures for automatic recognition appear to take place both by handing over documents in hard copy and electronically while assessments under the general system appear to take place by handing over documents exclusively in hard copy. ⁴⁶	Doctors should report to the RGS in writing. ⁴⁷ A score of 25 points is awarded due to the mostly written procedure.	25
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No 	The Department of Educational Comparison (Dutch: Afdeling Onderwijsvergelijking) at EP-Nuffic is the assistance centre as of 18 January 2016. ⁴⁸	The Department of Educational Comparison (Dutch: Afdeling Onderwijsvergelijking) at EP-Nuffic is the assistance centre as of 18 January 2016. ⁴⁹	100
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition 	Automatic recognition is obtained if the qualification requirements as stipulated in Annex V point 5.1.1. of Directive 2005/36/EC are met. ⁵⁰	Automatic recognition may be obtained if the qualification requirements as set in Annex V.1 point 5.1.3 or 5.1.4 Directive	100

⁴⁵ Article 34c Algemene Wet Erkenning EU-Beroepskwalificaties (General Act on the Recognition of EU Professional Qualifications).

⁴⁶ CIBG, 'Rechtstreekse inschrijving BIG-register (automatische erkenning van het diploma)', <https://www.bigregister.nl/registratie/meteenbuitenlandsdiploma/procedure/rechtstreekseinschrijving/default.aspx> last visited on 28 September 2016; CIBG, 'Erkenning beroepskwalificatie', <https://www.bigregister.nl/registratie/meteenbuitenlandsdiploma/procedure/erkenningberoepskwalificatie/default.aspx> last visited on 28 September 2016.

⁴⁷ Articles B.2 and B.3 Besluit buitenslands gediplomeerden (Decision on Foreign Graduates).

⁴⁸ Article 1 Aanwijzingsbesluit Assistentiecentrum Erkenning EU-Beroepskwalificaties (Designation Decision on the Assistance Centre for the Recognition of EU Professional Qualifications).

⁴⁹ Article 1 Aanwijzingsbesluit Assistentiecentrum Erkenning EU-Beroepskwalificaties (Designation Decision on the Assistance Centre for the Recognition of EU Professional Qualifications).

⁵⁰ Article 2 Regeling aanwijzing buitenlandse diploma's volksgezondheid (Regulation on the Selection of Foreign Healthcare Diplomas).

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Indicator		Doctor with basic medical training	Medical specialist	Score
		<p>Doctors with basic medical training who do not meet the qualification requirements fall under the general system. This allows for the imposition of compensatory measures on the basis of Article 11, paragraph 1 of the General Act on the Recognition of EU Professional Qualifications (Dutch: Algemene Wet Erkenning EU-Beroepskwalificaties), after advice from the Committee on Foreign Healthcare Graduates (Dutch: Commissie Buitenlands Gediplomeerden Volksgezondheid).⁵¹ Compensatory measures consist of an adaptation period of maximally 3 years.⁵² Article 8 of the General Act on the Recognition of EU Professional Qualifications (Dutch: Algemene Wet Erkenning EU-Beroepskwalificaties)</p>	<p>2005/36/EC, as well as the registration requirements, are met.⁵³ If automatic recognition cannot be granted, an adaptation period of minimally 3 months and maximally 3 years can be imposed after assessment by the Registration Commission for Medical Specialists (Dutch: Registratiecommissie Geneeskundig Specialisten, RGS).⁵⁴</p>	

⁵¹ Article 3, paragraph 1, Regeling Erkenning EU-Beroepskwalificaties Beroepen in de Individuele Gezondheidszorg (Regulation on the Recognition of EU Professional Qualifications in Individual Healthcare).

⁵² Article 4 Regeling Erkenning EU-Beroepskwalificaties Beroepen in de Individuele Gezondheidszorg (Regulation on the Recognition of EU Professional Qualifications in Individual Healthcare).

⁵³ Articles B.2 Besluit buitenslands gediplomeerden (Decision on Foreign Graduates).

⁵⁴ Article B.3 io. B.5 Besluit buitenslands gediplomeerden (Decision on Foreign Graduates).

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Indicator		Doctor with basic medical training	Medical specialist	Score
		Shows that recognition may be refused if there is a difference of 4 levels between the required qualifications and those of the applicant.		
Final score: 575 points				

Belgium - Basic Information

On grounds of Article 3, paragraph 1 of the Coordinated Law on the Exercise of the Health Professions (Dutch: Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen), medicine can only be practised by those who possess the relevant legal diploma. On the basis of Article 25 of the Coordinated Law, only doctors who have had their diploma approved by the Directorate General of the Health Professions (Dutch: Directoraat-generaal Gezondheidsberoepen) and are registered with the Order of Doctors (Dutch: Orde van Artsen) can practise their profession. Directive 2005/36/EC as already amended by Directive 2013/55/EU has partially been implemented in Chapter 9 of the Coordinated Law.⁵⁵ According to Article 104 of the Coordinated Law, a migrant who holds an EU professional qualification and wishes to work in Belgium shall meet the provisions of that Law and comply with Article 25: doctors with a professional qualifications from another EU Member State need to have their diploma validated, thus obtaining recognition of their professional qualification. This recognition is then provided according to Articles 105, i.e. via the general system, and 106, i.e. through automatic recognition, of the Coordinated Law. Medical specialists do not seem forced to obtain two separate recognitions for their qualification as a doctor with basic medical training and as a medical specialist. Depending on whether recognition is being requested as a doctor with basic medical training or a medical specialist, the provisions of Articles 105 and 106 Coordinated Law are applicable, supplemented with those of the Ministerial Decision on the determination of the list of qualifications of doctors as issued by the EU Member States (Dutch: *Ministerieel besluit tot vaststelling van de lijst van opleidingstitels van arts afgeleverd door de lidstaten van de Europese Unie*) of 31 January 2008 for doctors with basic medical training or the Ministerial Decision on the determination of the list of qualifications of medical specialists as issued by the EU Member States (Dutch: *Ministerieel besluit tot vaststelling van de lijst van opleidingstitels van geneesheer-specialist afgeleverd door de lidstaten van de Europese Unie*) of 31 January 2008 for medical specialists.

Indicator		Doctor with basic medical training/medical specialist	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	The procedure for permission to practise a regulated profession is closed three months after submission of the complete file at the latest. ⁵⁶ A one month extension can be applied.	100
2. Procedural costs	– Less than 100 euro	No information available; the procedure seems free of charge	50

⁵⁵ Article 2 Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen (Coordinated Law on the Exercise of the Health Professions).

⁵⁶ Article 2 Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen (Coordinated Law on the Exercise of the Health Professions).

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Indicator		Doctor with basic medical training/medical specialist	Score
	<ul style="list-style-type: none"> – 100-500 euro – More than 500 euro 	A score of 50 points is awarded as no conclusive cost information is available.	
3. Languages of acceptance of the required documents	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language 	Applications for recognition are accepted in Dutch, French and German. Professionals should apply through the Flemish, French or German-speaking Community. ⁵⁷	75
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents as per the Directive – Additional documents without significant extra costs – Additional documents with (potentially) significant extra costs 	<p>The following documents can be requested for the recognition of the professional qualifications of doctors with basic medical training/medical specialists:⁵⁸</p> <ul style="list-style-type: none"> – Proof of nationality – Copies of the certificates of competence, the qualification and any evidence of professional experience. – Proof of good conduct, of the financial position of the applicant and documentary proof that no criminal offences have been committed. – At the request of the competent authority: proof of the applicant's physical/mental fitness. – If the competent authority demands this from its own subjects: proof of the applicant's financial capacity or proof of the applicant's insurance. <p>Sometimes, however, the Communities request additional documents, such as a letter of motivation.</p>	50

⁵⁷ FPS Public Health, Safety, Safety of the Food Chain and Environment (Dutch: FOD Volksgezondheid, veiligheid van de voedselketen en leefmilieu) 'Visum voor een buitenlands diploma', <http://www.health.belgium.be/nl/e-services/visum-voor-een-buitenlands-diploma> last visited on 28 September 2016.

⁵⁸ Article 22, paragraph 5, Wet tot instelling van een nieuw algemeen kader voor de erkenning van EG-beroepskwalificaties (Law on the Establishment of a New General Framework for the Recognition of EC Professional Qualifications).

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Indicator		Doctor with basic medical training/medical specialist	Score
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	1 counter, depending on the Community in which the doctor wishes to take up residence: The Flemish Community, ⁵⁹ the French Community, ⁶⁰ or the German Community. ⁶¹	100
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	Doctors with basic medical training can obtain information from the FPS Public Health, zorg-en-gezondheid.be, enseignement.be and bildungsserver.be.	50
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in hard copy 	Forms for the Flemish and French Community need to be sent by mail. ⁶² It is unclear how applicants submit their application to the German Community.	0
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No 	The Department of Intellectual Professions and Legislation of the General Directorate for SME Policy (Dutch: Algemene Directie K.M.O. beleid – Dienst Intellectuele beroepen en Wetgeving) of the FPS Economy, SMEs, Self-Employed and Energy is the support centre under Article 57b of Directive 2005/36/EC. ⁶³	100

⁵⁹ Zorg & Gezondheid, 'Formulier om met een buitenlands diploma een erkenning aan te vragen als verpleegkundige', <https://www.zorg-en-gezondheid.be/formulier-om-met-een-buitenlands-diploma-een-erkenning-aan-te-vragen-als-huisarts-of-geneesheer> last visited on 28 September 2016.

⁶⁰ Fédération Wallonie-Bruxelles, 'Médecins: Mobilité internationale', <http://www.enseignement.be/index.php?page=27897&navi=4371> last visited on 28 September 2016.

⁶¹ Deutschsprachige Gemeinschaft, <http://www.dglive.be/desktopdefault.aspx> last visited on 28 September 2016.

⁶² Ibid.; Fédération Wallonie-Bruxelles, 'Demande de reconnaissance professionnelle pour la profession de médecin spécialiste', <http://www.enseignement.be/index.php?page=27296&navi=3932> last visited on 28 September 2016.

⁶³ Business.belgium.be, 'Directive 2005/36 relative à la reconnaissance des qualifications professionnelles', http://www.business.belgium.be/fr/gerer_votre_entreprise/qualifications_professionnelles last visited on 28 September 2016.

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Indicator		Doctor with basic medical training/medical specialist	Score
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition 	<p>The Minister compiles a list of qualifications, minimum training requirements, competent bodies, additional declarations and rights acquired for the qualifications that obtain automatic recognition.⁶⁴</p> <p>The general system is applicable to all professions excluded from automatic recognition under Article 106.⁶⁵ Medical specialists can be obligated to take an aptitude test or to follow an adaptation period on the basis of Article 105 paragraph 3 sub 2.</p> <p>Qualifications are recognized if they (a) have been issued by a competent authority according to the national law and (b) show that the level of the qualification is at least equivalent to the level immediately preceding the required level in Belgium. Compensatory measures are imposed if (a) the duration of the training is one year shorter, (b) essential differences exist and (c) the profession includes more activities in Belgium.</p>	100
Final score: 625 points			

⁶⁴ Article 106, paragraph 1 and 2, Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen (Coordinated Law on the Exercise of the Health Professions).

⁶⁵ Article 105, paragraph 1, Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen (Coordinated Law on the Exercise of the Health Professions).

North Rhine-Westphalia – Basic Information

Doctor with basic medical training

Doctors with basic medical training seeking to work in North Rhine-Westphalia need a so-called *Approbation* as per §2 paragraph 1 of the German Federal Regulation for Doctors (*Bundesärzteordnung*). Both doctors trained in Germany and doctors trained elsewhere within the EU require the *Approbation*. The procedures are handled according to the German Federal Regulation for Doctors (*Bundesärzteordnung*) and the Approbation Regulation for Doctors (*Approbationsverordnung für Ärzte*). The title of doctor (*Ärzt/Ärztin*) is reserved to those who have received the *Approbation*.⁶⁶ The recognition of the professional qualification is realized during the application for the *Approbation*.⁶⁷ Doctors with basic medical training must meet four criteria in order to obtain an *Approbation*: not being guilty of behaviour that prevents practise of the profession, being medically fit, having sufficient command of the German language and meeting the training requirements.⁶⁸ Recognition takes place according to the latter point only.

Medical specialist

Medical specialists fall under the *Bundesärztekammer's Weiterbildungsordnung* (Specialty Training Regulations), which has been converted into a relevant regulation by the individual *Ärztekammern*. Medical specialists in North Rhine-Westphalia fall under the respective *Weiterbildungsordnungen* of the *Ärztekammer Nordrhein* and of the *Ärztekammer Westfalen*.

Indicator		Doctor with basic medical training	Medical specialist	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	<p>The authorities decide on <i>Approbation</i> applications within maximally 3 months after submission of the documents.⁶⁹</p> <p>The general system allows the authorities maximally four months to establish the presence</p>	<p>Procedures in both <i>Ärztekammern</i> have a decision period of 3 months, which can be extended once, by a maximum of 1 month, in relevant cases.⁷¹</p>	100

⁶⁶ §2a Bundesärzteordnung – BÄO.

⁶⁷ Bundesministerium für Bildung und Forschung (anerkennung-in-deutschland), 'Ärzt/Ärztin', https://www.anerkennung-in-deutschland.de/html/de/arzt_aerztin.php, last visited on 28 September 2016.

⁶⁸ §3 paragraph 1 Bundesärzteordnung – BÄO.

⁶⁹ §39 paragraph 5 Approbationsordnung für Ärzte – ÄApprO.

Indicator		Doctor with basic medical training	Medical specialist	Score
		of essential differences that lead to an aptitude test. ⁷⁰		
2. Procedural costs	<ul style="list-style-type: none"> – Less than 100 euro – 100-500 euro – More than 500 euro 	The District Government of Düsseldorf charges costs between EUR 130 and EUR 1000. ⁷² The other District Governments (Cologne, Arnsberg, Detmold and Münster) charge costs between EUR 150 and 1000. ⁷³	The <i>Ärztchamber Nordrhein</i> charges EUR 50 for a recognition procedure without an aptitude test. ⁷⁴ An equivalence test incurs charges of EUR 200. ⁷⁵ A subsequent aptitude test costs another EUR 130. ⁷⁶ The <i>Ärztchamber Westfalen-Lippe</i> charges EUR 300 for an equivalence test. ⁷⁷ An aptitude test costs EUR 130. ⁷⁸	0
3. Languages of acceptance of the	<ul style="list-style-type: none"> – 3+ languages – 2 languages 	Any documents not written in German require translation by a sworn translator and must be	All documents can only be submitted in German. Any documents not available in	0

⁷¹ §19b paragraph 2 Weiterbildungsordnung Ärztekammer Nordrhein/ § 19b paragraph 2 Weiterbildungsordnung Ärztekammer Westfalen-Lippe.

⁷⁰ §3 paragraph 2 Bundesärzteordnung – BÄO

⁷² Bezirksregierung Düsseldorf, ‚Approbation von Ärzten: FAQ – Häufig gestellte Fragen‘, <http://www.brd.nrw.de/gesundheitssoziales/Approbation/FAQ.html> last visited on 28 September 2016;

⁷³ Bezirksregierung Köln, ‚Approbationserteilung als Ärztin oder Arzt (ausländischer Abschluss)‘, http://www.bezreg-koeln.nrw.de/brk_internet/leistungen/abteilung02/24/approbationen_berufserlaubnisse/arzt_auslaendischer_abschluss/index.html last visited on 28 September 2016; Bezirksregierung Arnsberg, ‚Approbationen und Berufserlaubnisse‘, http://www.bezreg-arnsberg.nrw.de/themen/a/approbation_berufserlaubnis/index.php last visited on 28 September 2016; Bezirksregierung Detmold, ‚Gebühren und Auslagen‘, https://www.bezreg-detmold.nrw.de/200_Aufgaben/020_Gesundheit_und_Soziales/Berufszulassung_Heilberufe/interaktives_Informationsangebot/Gebuehren_und_Auslagen/index.php last visited on 28 September 2016; Bezirksregierung Münster, ‚Approbationen und Berufserlaubnisse‘, http://www.bezreg-muenster.nrw.de/de/gesundheitssoziales/approbationen_und_berufserlaubnisse/approbation/index.html last visited on 28 September 2016.

⁷⁴ §2 paragraph 2 (2.5) Gebührenordnung der Ärztekammer Nordrhein.

⁷⁵ § 2 paragraph 2 (2.3) Gebührenordnung der Ärztekammer Nordrhein.

⁷⁶ §1 paragraph 1 (1.6) Gebührenordnung der Ärztekammer Nordrhein.

⁷⁷ §1 A paragraph 4 Verwaltungsgebührenordnung der Ärztekammer Westfalen-Lippe.

⁷⁸ §1 A paragraph 5 Verwaltungsgebührenordnung der Ärztekammer Westfalen-Lippe.

Indicator		Doctor with basic medical training	Medical specialist	Score
required documents	– 1 language	submitted in German. ⁷⁹	German require translation by a sworn translator. ⁸⁰	
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents as per the Directive – Additional documents without significant extra costs – Additional documents with (potentially) significant extra costs 	<p>The following documents are required for the application for recognition of the qualifications of doctors with basic medical training:⁸¹</p> <ul style="list-style-type: none"> – Identity document – Training received/economic activities in tabular form. – Certified copy of the diploma/qualification – Document stating that the applicant has not behaved in an unworthy or unreliable manner which conflicts with the exercise of the profession. – Proof of sound health. – Proof, provided by the competent authorities of the Member State of origin, that the training received meets the requirements of the Directive. – Under the general system: documents to establish whether essential differences exist. 	<p>The following documents are required to apply for recognition of the qualifications of medical specialists:⁸²</p> <ul style="list-style-type: none"> – <i>German Approbation, Berufserlaubnis</i> or proof of equivalence of the training. – Identity document – An overview in German of the specialist training received and professional practice in tabular form. – A certified copy from the medical specialist training programme and certificates of professional practice insofar as they contribute to the establishment of equivalence. – For training completed before a certain reference date: a declaration of conformity or a report of 	50

⁷⁹ §39 paragraph 2 Approbationsordnung für Ärzte – ÄApprO.

⁸⁰ § 19a paragraph 1 Weiterbildungsordnung Ärztekammer Nordrhein/§ 19a paragraph 1 Weiterbildungsordnung Ärztekammer Westfalen-Lippe.

⁸¹ §3 paragraph 6 Bundesärzteordnung – BÄo.

⁸² § 19a paragraph 1 Weiterbildungsordnung Ärztekammer Nordrhein/ § 19a paragraph 1 Weiterbildungsordnung Ärztekammer Westfalen-Lippe.

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Indicator		Doctor with basic medical training	Medical specialist	Score
		<ul style="list-style-type: none"> – Additional documents may be requested from applicants who took parts of their training in a third country. – In case of doubt, the authorities can ask the Member State of origin whether applicants have been denied the exercise of their profession on grounds of grave professional misconduct or criminal convictions. 	<ul style="list-style-type: none"> – activities over the last 5 years. – For recognition under the general system: Additional proof for the equivalence test – For training provided by another EU Member State which partially took place in a third country: documents on which skills, performed in the third country, the authority of the EU Member State considers part of the training. – A written statement as to whether recognition of the specialist training has already been requested from another <i>Ärztammer</i>. 	
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	The competent authorities of the Land (<i>Bundesland</i>) in which the profession will be practised process the applications of professionals with an EU professional qualification. ⁸³ Applicants have to visit one counter, depending on the District in which the professionals seek to practise their profession:	Doctors are represented by the <i>Ärztammer Nordrhein</i> and the <i>Ärztammer Westfalen-Lippe</i> . ⁸⁵ They have to visit one counter, depending on the <i>Landschaftsverband</i> in which the professionals seek to practise their profession: <i>Ärztammer Nordrhein</i> ,	75

⁸³ §12 paragraph 3 Bundesärzteordnung – BÄO.

Indicator		Doctor with basic medical training	Medical specialist	Score
		District Governments of Düsseldorf, Cologne, Münster, Detmold, Arnsberg. ⁸⁴	<i>Ärztammer Westfalen-Lippe</i> . Given the large number of competent authorities, a score of 75 points is awarded.	
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	Information on the recognition of the professional qualifications of doctors can be obtained through different channels, including the website anerkennung-in-deutschland.de and the websites of the different District Governments: Düsseldorf, Cologne, Münster, Detmold and Arnsberg.	Information on the recognition of the professional qualifications of medical specialists can be obtained through different channels, including the website anerkennung-in-deutschland.de and the websites of the different <i>Ärztammern</i> : Nordrhein and Westfalen-Lippe.	50
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in 	<p>The applications for the different District Governments should be submitted in writing.⁸⁶</p> <p>There is the option, however, of having the entire procedure of recognition of one's professional qualifications as a doctor with basic medical</p>	<p>The application form of the <i>Ärztammer Nordrhein</i> shows that professionals submit their applications both by email and by fax.</p> <p>Medical specialists also have the option</p>	50

⁸⁵ §1 paragraph 1 Heilberufegesetz – HeilBerG.

⁸⁴ § 1 paragraph 1 and paragraph 2a Verordnung zur Regelung der Zuständigkeiten nach Rechtsvorschriften für Heilberufe.

⁸⁶ Bezirksregierung Düsseldorf, 'Approbation von Ärzten: FAQ – Häufig gestellte Fragen', <http://www.brd.nrw.de/gesundheitssoziales/Approbation/FAQ.html> last visited on 28 September 2016; Bezirksregierung Köln, 'Antragsunterlagen zur Erteilung der Approbation', http://www.bezreg-koeln.nrw.de/brk_internet/leistungen/abteilung02/24/approbationen_berufserlaubnisse/merkblatt_antragsunterlagen_approbation_auslaendisch.pdf last visited on 28 September 2016; Bezirksregierung Arnsberg, 'Approbationen und Berufserlaubnisse, Merkblätter und Formulare', http://www.bezreg-arnsberg.nrw.de/themen/a/approbation_berufserlaubnis/merkblaetter_antraege/index.php last visited on 28 September 2016; Bezirksregierung Münster, 'Approbationen und Berufserlaubnisse', http://www.bezreg-muenster.nrw.de/de/gesundheitssoziales/approbationen_und_berufserlaubnisse/approbation/index.html last visited on 28 September 2016; Bezirksregierung Detmold, 'Tätigkeit als Arzt in Deutschland', https://www.bezreg-detmold.nrw.de/200_Aufgaben/020_Gesundheit_und_Soziales/Berufszulassung_Heilberufe/Arzt_in_Deutschland/index.php#Tätigkeit_in_Deutschland last visited on 28 September 2016.

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Indicator		Doctor with basic medical training	Medical specialist	Score
	hard copy	training recognized by the <i>Einheitlicher Ansprechpartner Nordrhein-Westfalen</i> . ⁸⁷	of having the <i>Einheitlicher Ansprechpartner Nordrhein-Westfalen</i> handle their procedure of recognition as a medical specialist. ⁸⁸	
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No 	The <i>Bundesinstitut für Berufsbildung</i> , through its portal <i>Anerkennung in Deutschland</i> , is the support centre as per Article 57b of Directive 2005/36/EC. ⁸⁹	The <i>Bundesinstitut für Berufsbildung</i> , through its portal <i>Anerkennung in Deutschland</i> , is the support centre as per Article 57b of Directive 2005/36/EC. ⁹⁰	100
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition 	<p>Automatic recognition of EU professional qualifications is granted if the qualification is listed in the Annex to the German Federal Regulation for Doctors (Bundesärzteordnung).⁹¹</p> <p>The <i>Approbation</i> is subsequently granted if the applicant fulfils the criteria in § 3 of the <i>ordnung</i>:⁹²</p> <ul style="list-style-type: none"> – This person has not acted in an unworthy or unreliable manner. – Is sufficiently healthy to practise the profession. 	<p>Automatic recognition will be granted to holders of a diploma, certificate or other proof who have completed medical specialist training for which a legal claim to mutual recognition exists.⁹⁴</p> <p>If mutual recognition is not possible, medical specialists can still obtain recognition if the equivalence of the national and foreign training can be established.⁹⁵</p> <p>Both trainings shall be considered</p>	100

⁸⁷ See Einheitlicher Ansprechpartner, ‚Verfahrensabwicklung über den EA NRW‘, <https://www.nrw-ea.de/de/verfahrensabwicklung-ueber-den-ea-nrw> last visited on 28 September 2016.

⁸⁸ Ibid.

⁸⁹ Bundesministerium für Bildung und Forschung, ‚Bericht zum Anerkennungsgesetz 2016‘, https://www.bmbf.de/pub/Bericht_zum_Anerkennungsgesetz_2016.pdf last visited on 28 September 2016, p. 13.

⁹⁰ Ibid.

⁹¹ § 3 paragraph 1 Bundesärzteordnung – BÄO.

⁹² § 3 paragraph 1 Bundesärzteordnung – BÄO.

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Indicator		Doctor with basic medical training	Medical specialist	Score
		<ul style="list-style-type: none"> – Has sufficient command of the German language. <p>Professionals who have not met the conditions for automatic recognition can still obtain an <i>Approbation</i> if equivalence to the national qualification can be established.⁹³ If this is not the case, i.e. essential differences exist in courses taken or the profession includes more activities in Germany than in the Member State where the qualification was obtained, the professional will have to take an aptitude test (<i>Eignungsprüfung</i>) in the areas in which essential differences exist. This aptitude test takes place according to §36 van de Approbation Regulation for Doctors (<i>Approbationsordnung für Ärzte</i>).</p>	<p>equivalent if:⁹⁶</p> <ul style="list-style-type: none"> – The foreign qualification leads to comparable professional activities – There are no essential differences – The equivalence of the doctor with basic medical training training has already been established <p>Essential differences occur if:⁹⁷</p> <ul style="list-style-type: none"> – The professional activities of the foreign qualification diverge substantially from the requirements as to content and duration. – The activities are essential to practising the profession. – The applicant has not compensated for the differences with evidence. <p>In case of essential differences, the applicant can choose between an adaptation period or an aptitude test.⁹⁸</p>	

⁹⁴ § 18 paragraph 1, 2 Weiterbildungsordnung Ärztekammer Nordrhein/ § 18 paragraph 1, 2 Weiterbildungsordnung Ärztekammer Westfalen-Lippe.

⁹⁵ § 18 paragraph 3 Weiterbildungsordnung Ärztekammer Nordrhein/ § 18 paragraph 3 Weiterbildungsordnung Ärztekammer Westfalen-Lippe.

⁹³ § 3 paragraph 2 Bundesärzteordnung – BÄO.

⁹⁶ § 18 paragraph 6 Weiterbildungsordnung Ärztekammer Nordrhein/ § 18 paragraph 6 Weiterbildungsordnung Ärztekammer Westfalen-Lippe.

⁹⁷ § 18 paragraph 7 Weiterbildungsordnung Ärztekammer Nordrhein/ § 18 paragraph 7 Weiterbildungsordnung Ärztekammer Westfalen-Lippe.

⁹⁸ § 19 Weiterbildungsordnung Ärztekammer Nordrhein/ § 19 Weiterbildungsordnung Ärztekammer Westfalen-Lippe.

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Indicator		Doctor with basic medical training	Medical specialist	Score
				Final score: 525 points

Annex II - Nurses

Netherlands - Basic Information

The profession of nurse is a regulated profession⁹⁹ with a protected professional status.¹⁰⁰ Higher or intermediate vocational training (Dutch: HBO or MBO level),¹⁰¹ as well as registration in the BIG register are required to start working as a nurse.¹⁰² There are currently 190,485 registered nurses.¹⁰³ The BIG Act describes the tasks as:¹⁰⁴

- 'a. het verrichten van handelingen op het gebied van observatie, begeleiding, verpleging en verzorging;
- b. het ingevolge opdracht van een beroepsbeoefenaar op het gebied van de individuele gezondheidszorg verrichten van handelingen in aansluiting op diens diagnostische en therapeutische werkzaamheden.'

- (a. performing activities regarding observation, support, nursing and care;*
- b. performing activities as ordered by professionals in the field of individual healthcare, in conjunction with their diagnostic and therapeutic activities.)*

No distinction is currently made between the level of education of nurses, i.e. all nurses can generally perform all activities; this may change in the future.¹⁰⁵ At the moment, there are different specialties. The recognition of foreign diplomas has been laid down in Chapter VI of the BIG Act (Wet BIG), which refers to the General Act on the Recognition of EU Professional Qualifications for all diplomas issued inside the EU.¹⁰⁶

⁹⁹ Article 32 Wet op de beroepen in de individuele gezondheidszorg, *Stb.* 1994, 16 (BIG Act).

¹⁰⁰ Article 4, paragraph 1 in conjunction with paragraph 2 Wet BIG (BIG Act).

¹⁰¹ Article 32, Wet BIG (BIG Act).

¹⁰² Article 3 in conjunction with 4 Wet BIG (BIG Act).

¹⁰³ CIBG, 'Cijfers', <https://www.bigregister.nl/overbigregister/cijfers/> last visited on 28 September 2016.

¹⁰⁴ Article 33 Wet BIG (BIG Act).

¹⁰⁵ D. Terpstra et al., *Toekomstbestendige beroepen de verpleging en verzorging: Rapport stuurgroep over de beroepsprofielen en de overgangsregeling*, <http://www.venvn.nl/Portals/1/Nieuws/2016%20Documenten/20160113%20Rapport%20Toekomstbestendige%20beroepen.pdf> last visited on 28 September 2016.

¹⁰⁶ *Stb.* 2007,530.

Indicator		Nurse	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	The maximum legal decision period is 3 months for complete applications regarding professions that qualify for automatic recognition. ¹⁰⁷	100
2. Procedural costs	<ul style="list-style-type: none"> – Less than EUR 100 – EUR 100-500 – More than EUR 500 	A price of EUR 85 is charged for an application. ¹⁰⁸	100
3. Languages of acceptance of the required documents	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language 	Any diploma in the Dutch, German, English or French language is accepted. ¹⁰⁹	100
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents as per the Directive – Additional documents without significant extra costs – Additional documents with (potentially) significant extra costs 	<p>The explanatory note to the application form for BIG registration states that the following documents are required:¹¹⁰</p> <ul style="list-style-type: none"> - The application form. - A copy of a valid passport or other identity document that proves one's EU nationality. - A certified copy of the diploma. - A curriculum vitae/CV. - An original declaration or certified copy from the competent authority on professional practise of the country that issued the diploma. This should 	50

¹⁰⁷ Article 19, paragraph 2 Algemene Wet Erkenning EU-Beroepskwalificaties (General Act on the Recognition of EU Professional Qualifications).

¹⁰⁸ Article 1 Regeling tarieven registratie beroepsbeoefenaren Wet BIG, *Stcrt.* 2012, 12874.

¹⁰⁹ See CIBG, 'Toelichting aanvraagformulier BIG-registratie', https://www.bigregister.nl/doc/pdf/Toelichting%20aanvraagformulier%20registratie%20versie%203.0_43197.pdf, last visited on 28 September 2016.

¹¹⁰ *Ibid.*

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Indicator		Nurse	Score
		<p>state that you are fully qualified to practise the relevant profession and that no limitations of competence are in force against you. This is not required for applicants who graduated within three months of their application.</p> <p>Incomplete applications will not be processed.</p> <p>Since additional documents, such as a CV, are requested, a score of 50 points is awarded.</p>	
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	The CIBG is the executive body of the Ministry of Health, Welfare and Sport which manages the BIG register. ¹¹¹ There are no other organizations involved in the recognition procedures in the Netherlands.	100
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	The https://www.bigregister.nl/ website contains all relevant information.	100
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in hard copy 	Initial registration is digital, but the application form has to be printed and signed. The relevant documents must be sent by mail. ¹¹²	50
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction 	The <i>EP-Nuffic</i> has been appointed as support centre. ¹¹³	100

¹¹¹ See Article 3 paragraph 4 Wet BIG; CIBG, 'Producten en diensten', <https://www.cibg.nl/producten-en-diensten> last visited on 28 September 2016.

¹¹² CIBG, 'Rechtstreekse inschrijving BIG-register', <https://www.bigregister.nl/registratie/meteenbuitenlandsdiploma/procedure/rechtstreekseinschrijving/default.aspx> last visited on 28 September 2016.

¹¹³ See 'Aanwijzingsbesluit assistentiecentrum erkenning EU-beroepskwalificaties', *Strcrt*, 2016, 157., *Strcrt*, 2016, 157.

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Indicator		Nurse	Score
	– No		
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition 	<p>In the Netherlands the professional qualification of nurses is supported under the system of automatic recognition, as per the Directive. In principle, recognition is immediate.</p> <p>However, this does not apply in all situations. As per the Decision periodic registration of the BIG Act,¹¹⁴ a BIG registration expires after a period of five years¹¹⁵ from the date of graduation of the registered person.¹¹⁶ Re-registration can only take place if the person has performed sufficient relevant activities in the previous period of five years or has successfully attended (further) training.¹¹⁷ In principle, this procedure is repeated every five years from the date of re-registration based on sufficient activities or further training.</p> <p>This implies that recognition is not automatic for foreign graduates with a diploma older than five years but depends on (proof of) sufficient activities performed¹¹⁸ or proof of further training.¹¹⁹</p>	50
Final score: 750 points			

¹¹⁴ *Stb.* 2008, 515.

¹¹⁵ Article 8, paragraph 2 Wet BIG io. Article 2 paragraph 2 Besluit periodieke registratie Wet BIG. See general information (Decision periodic registration BIG act). See general information: CIBG, 'Herregistratie als verpleegkundige', <https://www.bigregister.nl/herregistratie/verpleegkundige/> last visited on 28 September 2016.

¹¹⁶ Article 8, paragraph 2 Wet BIG (BIG Act).

¹¹⁷ Articles 3-5 Besluit periodieke registratie Wet BIG (Decision periodic registration BIG Act).

¹¹⁸ For the supporting documents, see: CIBG, 'Bijlage Herregistratie bewijsstukken werkervaring', https://www.bigregister.nl/doc/pdf/Toelichting%20bewijsstukken%20werkervaring%201.8_43207.pdf last visited on 28 September 2016.

¹¹⁹ See also CIBG, 'Met een buitenlands diploma', <https://www.bigregister.nl/registratie/meteenbuitenlandsdiploma/> last visited on 28 September 2016.

Belgium - Basic Information

The profession of nurse is a regulated profession with a professional monopoly and protected professional interventions.¹²⁰ In order to carry out the profession, professionals will need to have a so-called *visum* granted by the Federal Public Service on Health.¹²¹ The Coordinated Law on the Exercise of the Health Professions (Dutch: Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen) describes the tasks of a nurse as:¹²²

- | | |
|--|--|
| <p>1^a) het observeren, het herkennen en het vastleggen van de gezondheidsstatus zowel op psychisch, fysiek als sociaal vlak;</p> <p>b) het omschrijven van verpleegproblemen;</p> <p>c) het bijdragen aan de medische diagnose door de arts en aan het uitvoeren van de voorgeschreven behandeling;</p> <p>d) het informeren en adviseren van de patiënt en zijn familie;</p> <p>e) het voortdurend bijstaan, uitvoeren en helpen uitvoeren van handelingen, waardoor de verpleegkundige het behoud, de verbetering en het herstel van de gezondheid van gezonde en zieke personen en groepen beoogt;</p> <p>f) het verlenen van stervensbegeleiding en begeleiding bij de verwerking van het rouwproces;</p> <p>g) het zelfstandig kunnen treffen van urgente levensreddende maatregelen en het kunnen handelen in crisis- en rampensituaties;</p> <p>h) het analyseren van de kwaliteit van de zorg met als doelstelling de eigen beroepsuitoefening als verpleegkundige te verbeteren.</p> | <p><i>(1° (a) observing, identifying and recording the health status both on the mental, physical and social level;</i></p> <p><i>(b) defining nursing problems;</i></p> <p><i>(c) contributing to the medical diagnosis of the doctor and carrying out the prescribed treatment;</i></p> <p><i>(d) informing and advising the patient and his family;</i></p> <p><i>(e) constantly assisting, performing and helping perform actions, through which the nurse aims to preserve, improve and the restore the health of healthy and sick persons and groups;</i></p> <p><i>(f) providing palliative care and guidance in coping with the mourning process;</i></p> <p><i>(g) independently taking urgent life saving measures and being able to act in crisis and disaster situations;</i></p> <p><i>(h) analyzing the quality of the care with the objective of strengthening one's own professionals practice as a nurse.</i></p> |
|--|--|

¹²⁰ Article 45-46 Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen, 18.06.2015, 35172.16 (Coordinated Law on the Exercise of Health Professions).

¹²¹ See Article 119, 122 Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen (Coordinated Law on the Exercise of Health Professions); Zorg & Gezondheid, 'De erkenning van verpleegkundigen: overzicht van alle stappen', <https://www.zorg-en-gezondheid.be/de-erkenning-van-verpleegkundigen-overzicht-van-alle-stappen> last visited on 28 September 2016.

¹²² See Article 46.

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2° de technisch-verpleegkundige verstrekkingen waarvoor geen medisch voorschrift nodig is, alsook deze waarvoor wel een medisch voorschrift nodig is.

Die verstrekkingen kunnen verband houden met de diagnosestelling door de arts, de uitvoering van een door de arts voorgeschreven behandeling of met het nemen van maatregelen inzake preventieve geneeskunde;

3° de handelingen die door een arts kunnen worden toevertrouwd overeenkomstig artikel 23, § 1, tweede en derde lid.

§ 2. De verpleegkundige verstrekkingen bedoeld in paragraaf 1, 1°, 2°, en 3°, worden opgetekend in een verpleegkundig dossier.

§ 3. De Koning kan overeenkomstig de bepalingen van artikel 141, de lijst vaststellen van de in paragraaf 1 bedoelde verstrekkingen, alsook de regelen voor de uitvoering ervan en de desbetreffende bekwaamheidsvereisten.

2° the technical and nursing services for which no medical prescription is required, as well as those for which a medical prescription is required.

Those services may be related to the diagnosis of a doctor, the execution of a treatment prescribed by a doctor or the taking of measures regarding preventive medicine;

3° the activities that can be entrusted to a nurse by a doctor according to Article 23, § 1, paragraphs 2 and 3.

§ 2. The nursing services referred to in paragraphs 1, 1°, 2°, and 3° are recorded in a nursing file.

§ 3. In accordance with the stipulations of Article 141, the King can set the list of the services referred to in paragraph 1, as well as the rules for their execution and the relevant competence requirements.)

Like in the Netherlands, different specialisms can be opted for. The recognition of foreign graduates has been laid down in Chapter 9 of the Law; the 12 February 2008 Law on the Establishment of a New General Framework for the Recognition of EC Professional Qualifications (Dutch: Wet tot instelling van een nieuw algemeen kader voor de erkenning van EG-beroepskwalificaties) shall apply by analogy to diplomas issued in an EU country. The recognition procedure is handled by three different agencies depending on the language of the file.¹²³ Visa are issued by the federal government, however.

¹²³ FOD Volksgezondheid, veiligheid van de voedselketen en leefmilieu, 'Visum voor een buitenlands diploma', <http://www.health.belgium.be/nl/e-services/visum-voor-een-buitenlands-diploma> last visited on 28 September 2016.

Indicator		Nurse	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	Three months, with a possible extension of one month. ¹²⁴	100
2. Procedural costs	<ul style="list-style-type: none"> – Less than 100 euro – 100-500 euro – More than 500 euro 	<p>No information available; the procedure seems free of charge</p> <p>A score of 50 points is awarded as no conclusive cost information is available.</p>	50
3. Languages of acceptance of the required documents	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language 	<p>All documents must be supplied in the language of the competent authority. This means that all documentation needs to be supplied completely in Dutch, French or German, including a translation from a sworn translator or a translation agency.¹²⁵</p> <p>Since a multilingual file is not possible, a score of 75 points is awarded.</p>	75
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents as per the Directive – Additional documents without significant extra costs – Additional documents with (potentially) significant extra costs 	<p>The Flemish application form requires the following documents:¹²⁶</p> <ul style="list-style-type: none"> - A letter of motivation - The educational programme - A copy of the diploma - A copy of a valid passport or other identity document - A certificate of good conduct - A conformity attest, confirming that the educational programme meets the requirements as set out by Directive 2005/36. - A curriculum vitae including work experience. - A 'certificate of professional good conduct issued by the relevant professional 	50

¹²⁴ Article 23, Wet tot instelling van een nieuw algemeen kader voor de erkenning van EG-beroepskwalificaties (Law of 12 February 2008 on the Establishment of a New General Framework for the Recognition of EC Professional Qualifications).

¹²⁵ See e.g. Application for a recognition of the professional nursing qualification IZO-02-150924. See also Zorg & Gezondheid, 'Een gezondheidsberoep uitoefenen met een buitenlands diploma van binnen de EER of gelijkgesteld in de EER', <https://www.zorg-en-gezondheid.be/een-gezondheidszorgberoep-uitoefenen-met-een-buitenlands-diploma-van-binnen-de-eer-of-gelijkgesteld> last visited on 28 September 2016.

¹²⁶ Ibid.

Indicator		Nurse	Score
		<p>association’.</p> <p>The application form for recognition in the Wallonia-Brussels Federation states slightly different requirements:¹²⁷</p> <ul style="list-style-type: none"> - A letter of motivation - A certified copy of the diploma - A copy of a valid passport or other identity document - A certificate of good conduct - A conformity attest, confirming that the educational programme meets the requirements as set out by Directive 2005/36. - A certificate of professional good conduct issued by the relevant professional association/confirmation that no present sanctions are effective and the profession can be practised, i.e. there are no professional restrictions. <p>The application form of the German Community requests:¹²⁸</p> <ul style="list-style-type: none"> - A copy of the diploma - The official educational programme - A copy of a valid passport or other identity document - A certificate of good conduct - A conformity attest, confirming that the educational programme meets the requirements as set out by Directive 2005/36. - A curriculum vitae including work experience. - A certificate of professional good conduct issued by the relevant professional association/confirmation that no present sanctions are effective and the 	

¹²⁷ To be found on: Fédération Wallonie-Bruxelles, ‘Infirmiers: Mobilité internationale’, <http://www.enseignement.be/index.php?page=27312&navi=3948> last visited on 28 September 2016.

¹²⁸ To be found on: KPVDB, ‘Diplom-Anerkennung Ausland’, http://www.kpvdb.be/?Berufsinformation_PflegehelferIN%3A_Diplom-Anerkennung_Ausland last visited on 28 September 2016.

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Indicator		Nurse	Score
		profession can be practised, i.e. there are no professional restrictions.	
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	<p>For files in Dutch: The Agency for Care and Health (Dutch: Agentschap Zorg en Gezondheid).¹²⁹</p> <p>For files in French Ministère de la Fédération Wallonie-Bruxelles Administration générale de l'Enseignement (AGE), Direction générale de l'Enseignement non obligatoire et de la Recherche scientifique (DGENORS), Direction de l'Agrément des Prestataires de Soins de Santé, Cellule "Professions des soins de santé non-universitaires"¹³⁰</p> <p>For files in German: the Ministry in Eupen.¹³¹</p> <p>There is a separate counter for each file language. A score of 100 points is awarded.</p>	100
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	Different counters and websites are available depending on the language of the file to be submitted.	50
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in hard copy 	The procedure is available in hard copy only. ¹³²	50

¹²⁹ See Zorg & Gezondheid, 'Een gezondheidsberoep uitoefenen met een buitenlands diploma van binnen de EER of gelijkgesteld in de EER', <https://www.zorg-en-gezondheid.be/een-gezondheidszorgberoep-uitoefenen-met-een-buitenlands-diploma-van-binnen-de-eer-of-gelijkgesteld>, last visited on 28 September 2016.

¹³⁰ Fédération Wallonie-Bruxelles, 'Agrément des prestataires de soins de santé', <http://www.enseignement.be/index.php?page=27056&navi=3912> last visited on 28 September 2016.

¹³¹ See <http://www.kpvdb.be/>.

¹³² See Zorg & Gezondheid, 'Formulier om met een buitenlands diploma een erkenning aan te vragen als verpleegkundige', <https://www.zorg-en-gezondheid.be/formulier-om-met-een-buitenlands-diploma-een-erkenning-aan-te-vragen-als-verpleegkundige> last visited on 28 September 2016.

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Indicator		Nurse	Score
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No 	The FPS Economy, SMEs, Self-Employed and Energy is the support center under Article 57b Rl. 2005/36.	100
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition 	In Flanders the professional qualification of nurses is supported under the system of automatic recognition. ¹³³ Therefore, recognition is, in principle, direct for Dutch or German diploma-holders. The person in question is required, however, to speak sufficient Dutch, German or French to be able to function in the relevant language area. ¹³⁴	100
Final score: 675 points			

¹³³ Article 105 Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen (Coordinated Law on the Exercise of Health Professions).

¹³⁴ Article 114 Gecoördineerde wet betreffende de uitoefening van de gezondheidszorgberoepen (Coordinated Law on the Exercise of Health Professions).

North Rhine-Westphalia – Basic Information

The profession of nurse is a regulated profession with a professional monopoly and protected professional interventions.¹³⁵ In order for one to carry out the profession (in the sense of establishment as opposed to service provision) an *Erlaubnis* is needed. Section 2, paragraph 4 of the German Healthcare Act (German: Krankenpflegegesetz – KrPflG) deals with the recognition of qualified people with a diploma issued in an EU country.

Indicator		Nurse	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	Three months. ¹³⁶	100
2. Procedural costs	<ul style="list-style-type: none"> – Less than 100 euro – 100-500 euro – More than 500 euro 	As per Section 20 of the North Rhine-Westphalia ‘Professional Qualification Establishment Act’ (German: Berufsqualifikationsfeststellungsgesetz), this depends on the District Government. The costs for the North Rhine-Westphalia Düsseldorf region are between EUR 200 – 350. ¹³⁷	50
3. Languages of acceptance of the required documents	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language 	All documents must be supplied in German. Documents supplied in another language should include a German translation from a recognized translator. ¹³⁸	0
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents as per the Directive – Additional documents without significant extra 	North Rhine-Westphalia requires inclusion of the following documents: ¹³⁹ <ul style="list-style-type: none"> - A CV in tabular format. - A copy of a passport or identity card. - Any document regarding a name change. 	50

¹³⁵ Section 1 Gesetz über die Berufe in der Krankenpflege, BGBl. I S. 1442 of 16 July 2003 (KrPflG), as amended.

¹³⁶ Section 20c paragraph 1 KrPflAPrV.

¹³⁷ See Bezirksregierung Düsseldorf, ‘Allgemeine Informationen zu den Gleichwertigkeitsprüfungen’, http://www.brd.nrw.de/gesundheits_soiales/LPA-Gesundheitsfachberufe/pdf-Gesundheitsfachberufe/Allgemeine-Informationen-zu-den-Gleichwertigkeitspruefungen.pdf last visited on 28 September 2016.

¹³⁸ Section 4, paragraph 2 Verordnung zur Durchführung des Berufsamerkennungsverfahrens und zur Regelung der Verwaltungszusammenarbeit nach der Richtlinie 2005/36/EG und für Drittstaatenangehörige (Berufsamerkennungsdurchführungsverordnung – BerufsandVO NRW)

¹³⁹ Section 4 BerufsandVO NRW.

Indicator		Nurse	Score
	costs – Additional documents with (potentially) significant extra costs	<ul style="list-style-type: none"> - Proof of general training. - A document or diploma that proves admission into the nursing profession. - The authority may ask for a conformity attest, confirming that the educational programme meets the requirements as set out by Directive 2005/36.¹⁴⁰ - A certificate of professional good conduct issued by the relevant professional association/confirmation that no present sanctions are effective and the profession can be practised, i.e. there are no professional restrictions. 	
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	One: Landesprüfungsamt für Medizin, Psychotherapie und Pharmazie. ¹⁴¹	100
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	Relevant information is both available from https://www.anererkennung-in-deutschland.de/html/de/gesundheits_krankenschufler.php and from http://www.brd.nrw.de/gesundheits_soziales/LPA-Gesundheitsfachberufe/index.jsp .	50
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy 	The procedure takes place in hard copy. ¹⁴² However, professionals also have the possibility to have the <i>Einheitlicher Ansprechpartner Nordrhein-Westfalen</i> handle their recognition procedure. ¹⁴³	50

¹⁴⁰ Section 4, paragraph 3 BerufsandVO NRW.

¹⁴¹ Section 1, paragraph 2 BerufsandVO NRW. See also: Bezirksregierung Düsseldorf, 'Gesundheitsfachberufe (nichtakademische Heilberufe)', http://www.brd.nrw.de/gesundheits_soziales/LPA-Gesundheitsfachberufe/index.jsp last visited on 28 September 2016.

¹⁴² See also: Bezirksregierung Düsseldorf, 'Gesundheitsfachberufe (nichtakademische Heilberufe)', http://www.brd.nrw.de/gesundheits_soziales/LPA-Gesundheitsfachberufe/index.jsp last visited on 28 September 2016.

¹⁴³ 'Einheitlicher Ansprechpartner, Verfahrensabwicklung über den EA NRW', <https://www.nrw-ea.de/de/verfahrensabwicklung-ueber-den-ea-nrw> last visited 28 September 2016.

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Indicator		Nurse	Score
	– Completely in hard copy		
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No 	The <i>Bundesinstitut für Berufsbildung</i> is designated in accordance with Article 57b RI. 2005/36.	100
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition 	In Germany the professional qualification of nurses is supported under the system of automatic recognition. ¹⁴⁴ Some conditions are nevertheless set: the professional cannot have been excluded from exercising the profession, he or she cannot have been found to be unfit (health wise) to exercise the profession and he or she must have sufficient knowledge of the German language. ¹⁴⁵ This is not tested systematically, however. ¹⁴⁶	100
Final score: 600 points			

¹⁴⁴ §2 paragraph 4 KrPflG.

¹⁴⁵ §2 paragraph 1 KrPflG

¹⁴⁶ §20 Ausbildungs- und Prüfungsverordnung für die Berufe in der Krankenpflege, BGBl. I S. 2263 (KrPflAPrV).

Annex III - Childcare workers

Netherlands - Basic Information

Childcare workers can obtain recognition of their professional qualifications under the general system of Directive 2013/55/EU. The profession is regulated in the Netherlands and Germany. They do not fall under the two other categories of occupations for which automatic recognition is available. In the Netherlands, the professional qualifications of childcare staff are thus recognized within the framework of the General Act on the Recognition of EU Professional Qualifications (Dutch: Algemene Wet Erkenning EU-Beroepskwalificaties). Article 33 paragraph 2 of this Act states that, for each regulated profession, detailed rules should be laid down concerning specific issues, such as the required documents and checks related to public health or public safety. The recognition of the professional qualifications of childcare staff has been provided in the Regulation on the Recognition of EC Professional Qualifications of Childcare Staff (Dutch: Regeling Erkenning EG-Beroepskwalificaties Kinderopvangpersoneel), on the basis of Article 33 of the General Act on the Recognition of EU Professional Qualifications.

Indicator		Childcare employee	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	The Minister of Education should decide on an application as soon as possible but has a maximum decision period of three month. Since childcare workers fall under the general system of the Directive and are thus not eligible for automatic recognition, the competent authorities have the option of extending the term once by one month to a total decision period of four months. ¹⁴⁷	100
2. Procedural costs	<ul style="list-style-type: none"> – Less than 100 euro – 100-500 euro – More than 500 euro 	The submission of a request for recognition of the qualification as a childcare employee is free of charge. ¹⁴⁸ The applicant should, however, bear the costs of the aptitude test. ¹⁴⁹ If an aptitude test is required, the relevant minister has to ensure that the applicant is informed about, among others, the costs of the procedure. On the basis of Article 33 paragraph 3 of the	100

¹⁴⁷ Article 19, paragraph 2 Algemene Wet Erkenning EU-Beroepskwalificaties (General Act on the Recognition of EU Professional Qualifications).

¹⁴⁸ DUO, 'Werken in de kinderopvang', <https://duo.nl/particulier/diplomas/u-heeft-een-buitenlands-diploma/werken-in-de-kinderopvang.jsp> visited last on 28 September 2016.

¹⁴⁹ Article 4, paragraph 2 of the Regeling Erkenning EG-Beroepskwalificaties Kinderopvangpersoneel (Regulation on the Recognition of EC Professional Qualifications of Childcare staff).

Indicator		Childcare employee	Score
		General Act on the Recognition of EU Professional Qualifications, the costs should be 'reasonable, commensurate and in proportion to the costs incurred', without exceeding the costs incurred and discouraging the submission of applications.	
3. Languages of acceptance of the required documents	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language 	Sworn translations by an interpreter or translator are required if the relevant documents are not available in Dutch, German or English. ¹⁵⁰ The Dutch authorities, therefore, accept documents in three languages.	100
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents as per the Directive – Additional documents without significant extra costs – Additional documents with (potentially) significant extra costs 	<p>The Dutch Education Service (DUO) may request the following documents:¹⁵¹</p> <ul style="list-style-type: none"> – Proof of nationality and, in some cases, an additional residence permit or proof of the right of permanent residence. – A certified copy of the attestations of competence/training titles on the basis of which the applicant gained access to the profession in the Member State of origin. – Summary of the relevant training data, such as total course length, courses taken and a description of the learning material for the subjects taken with corresponding study time spent. – Proof of professional experience. – For host parents: a Certificate of Good Conduct. 	50
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	Childcare staff must submit their applications to the Dutch Education Service (DUO). ¹⁵² The Director-General of DUO has a mandate to execute several activities regarding the recognition of professional qualifications of childcare	100

¹⁵⁰ Article 3, section f Regeling Erkenning EG-Beroepskwalificaties Kinderopvangpersoneel (Regulation on the Recognition of EC Professional Qualifications of Childcare staff).

¹⁵¹ Article 3, sections a through f Regeling Erkenning EG-Beroepskwalificaties Kinderopvangpersoneel (Regulation on the Recognition of EC Professional Qualifications of Childcare staff).

¹⁵² DUO, 'Werken in de kinderopvang', <https://duo.nl/particulier/diplomas/u-heeft-een-buitenlands-diploma/werken-in-de-kinderopvang.jsp> visited last on 28 September 2016.

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Indicator		Childcare employee	Score
		workers on the basis of Article 8 paragraph 1 of the Regulation on the Recognition of EC Professional Qualifications of Childcare Staff.	
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	<p>All information on the recognition of professional qualifications for child care staff is available from the DUO website.¹⁵³ Additionally, professionals are able to acquire information on the website of FCB.¹⁵⁴</p> <p>Since all the information is available on the DUO website, a score of 100 points is awarded.</p>	100
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in hard copy 	The application form for the recognition of the EC-professional qualifications of child care staff shows that the application is submitted in writing by sending it to DUO. ¹⁵⁵ However, the procedures for the recognition of professional qualifications should also be available electronically via the central information point or via the Minister of Education, Culture and Science. ¹⁵⁶	0
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No 	The Department of Educational Comparison (Dutch: Afdeling Onderwijsvergelijking) at EP-Nuffic is the assistance centre as of 18 January 2016. ¹⁵⁷	100
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures 	Childcare workers do not belong to the seven professions awarded automatic recognition under Directive 2005/36/EC. Thus they can only obtain recognition under the general system. This regime allows for the imposition of compensatory measures in case essential differences occur	100

¹⁵³ See <https://www.duo.nl/particulier/>.

¹⁵⁴ See <https://www.fcb.nl/>.

¹⁵⁵ DUO, 'Aanvraagformulier Erkenning EG-beroepskwalificaties kinderopvangpersoneel', <https://duo.nl/particulier/images/erkenning-eg-beroepskwalificaties-kinderopvangpersoneel-2631-ks-006.pdf> last visited on 28 September 2016.

¹⁵⁶ Article 34 c, paragraph 1 Algemene Wet Erkenning EU-Beroepskwalificaties (General Act on the Recognition of EU Professional Qualifications).

¹⁵⁷ Article 1 Aanwijzingsbesluit Assistentiecentrum Erkenning EU-Beroepskwalificaties (Designation Decision on the Assistance Centre for the Recognition of EU Professional Qualifications).

Indicator		Childcare employee	Score
	<p>– No recognition</p>	<p>between the courses of the Dutch training programme and those of the programme in the Member State of origin or in case the regulated profession includes more activities in the Netherlands, which are not part of that same profession in the country of origin.¹⁵⁸</p> <p>Essential differences are ‘courses the knowledge, skills and competencies of which are of essential importance to the exercise of the profession and regarding which the migrating professional's training received deviates substantially, in duration or content, from the training required in the Netherlands’.</p> <p>If an aptitude test is imposed under Article 11 of the General Act on the Recognition of EU Professional Qualifications, applicants will be informed of the courses tested, the test method and the costs.¹⁵⁹</p> <p>If an adaptation period is imposed under Article 11 of the General Act on the Recognition of EU Professional Qualifications, applicants will be informed of the courses to which the adaptation period pertains, its length and, if applicable, the training provided as part of this adaptation period.¹⁶⁰</p> <p>Adaptation periods for childcare workers maximally last one year. Applicants should contact the relevant workplace themselves with an internship request.</p> <p>Recognition may be refused if there is a difference of 4 levels between the required qualifications and those of the applicant.¹⁶¹</p> <p>There seem to be no specific or additional requirements for applicants from</p>	

¹⁵⁸ Article 11, paragraphs 1 and 2 Algemene Wet Erkenning EU-Beroepskwalificaties (General Act on the Recognition of EU Professional Qualifications).

¹⁵⁹ Article 4, Regeling Erkenning EG-Beroepskwalificaties Kinderopvangpersoneel (Regulation on the Recognition of EC Professional Qualifications of Childcare staff).

¹⁶⁰ Article 5, Regeling Erkenning EG-Beroepskwalificaties Kinderopvangpersoneel (Regulation on the Recognition of EC Professional Qualifications of Childcare staff).

¹⁶¹ Article 8 Algemene Wet Erkenning EU-Beroepskwalificaties (General Act on the Recognition of EU Professional Qualifications).

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Indicator		Childcare employee	Score
		a Member State, e.g. Belgium, where the profession is not regulated. Such applicants must also meet the provisions of the General Act on the Recognition of EU Professional Qualifications and of the Regulation on the Recognition of EC Professional Qualifications of Childcare staff.	
Final score: 750 points			

North Rhine-Westphalia – Basic Information

Childcare employee (German: *Erzieher*) is a profession regulated at the level of the Lands (German: *Bundesländer*).¹⁶² As such, these professionals fall under the North Rhine-Westphalia Professional Qualification Act (German: *Berufsqualifikationsfeststellungsgesetz*).¹⁶³ There is a difference between the German qualification of *Erzieher* and the Dutch childcare employee, in that Dutch Childcare workers are solely responsible for the care of very young children. The profession of *Erzieher*, on the other hand, is broader and covers both young children and youngsters.¹⁶⁴

Indicator		Childcare employee	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	The competent authority must decide on the equivalence of the professional qualification within three months. ¹⁶⁵ The period starts when the full list of documents is received. This period can be extended by maximally one month for applicants with an EU qualification.	100
2. Procedural costs	<ul style="list-style-type: none"> – Less than 100 euro – 100-500 euro – More than 500 euro 	The government of North Rhine-Westphalia is authorized to set the costs for the recognition procedures. ¹⁶⁶ The website of the District Government of Cologne does not appear to provide any information on the costs for recognition procedures of childcare workers. According to the information provided on anerkennung-in-deutschland.de , the level of costs may differ per individual case. ¹⁶⁷	0

¹⁶² Bundesministerium für Bildung und Forschung (Anerkennung in Deutschland), ‚Erzieher/in‘, <https://www.anerkennung-in-deutschland.de/tools/berater/de/berater/result> last visited on 28 September 2016.

¹⁶³ § 2 Berufsqualifikationsfeststellungsgesetz NRW – BQFG NRW.

¹⁶⁴ Bundesagentur für Arbeit, ‚Kurzbeschreibung (Erzieher)‘, <https://berufenet.arbeitsagentur.de/berufenet/faces/index;BERUFENETJSESSIONID=pREPnWdbUhdBbee5SI2uTObo7oenYk-blN7AoT2seLuzRlue1ic!-601395309?path=null/kurzbeschreibung&dkz=9162> last visited on 28 September 2016..

¹⁶⁵ §13 paragraph 3 Berufsqualifikationsfeststellungsgesetz NRW – BQFG NRW.

¹⁶⁶ § 20 Berufsqualifikationsfeststellungsgesetz NRW – BQFG NRW.

¹⁶⁷ See Bundesministerium für Bildung und Forschung (Anerkennung in Deutschland), <https://www.anerkennung-in-deutschland.de/tools/berater/de/berater/result> last visited on 28 September 2016.

Indicator		Childcare employee	Score
3. Languages of acceptance of the required documents	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language 	All documents must be presented in German. Any translations must be provided by a sworn translator or interpreter. ¹⁶⁸	0
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents as per the Directive – Additional documents without significant extra costs – Additional documents with (potentially) significant extra costs 	<p>The following documents are requested as part of the application for recognition:¹⁶⁹</p> <ul style="list-style-type: none"> – Document that lists the training received and the skills performed in tabular form. – Identity document – Diploma – Proof of work experience as far as conducive to the decision on recognition – Proof of permission to practise the profession in the Member State where the qualification was obtained in case the profession is regulated in both the state where the training was received and North Rhine-Westphalia – Declaration whether and with which authority an application for the determination of equivalence has been filed 	50
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	1 counter, dependent on the Member State in which professionals obtained their diploma. Dutch and Belgian diplomas are processed by the District Government of Cologne. ¹⁷⁰	100

¹⁶⁸ §12 paragraph 2 Berufsqualifikationsfeststellungsgesetz NRW – BQFG NRW.

¹⁶⁹ §12 paragraph 1 Berufsqualifikationsfeststellungsgesetz NRW – BQFG NRW.

¹⁷⁰ Bezirksregierung Köln, 'Ausländische Berufsabschlüsse', http://www.bezreg-koeln.nrw.de/brk_internet/leistungen/abteilung04/48/anerkennung/auslaendische_berufsabschluesse/index.html last visited on 28 September 2016.

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Indicator		Childcare employee	Score
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	Applicants can gather information through various channels. Information about professional practise, for instance, can be obtained through anerkennung-in-deutschland.de , as well as via the websites of the relevant District Governments, i.e. the District Government of Cologne for applicants from Belgium and the Netherlands.	50
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in hard copy 	Applicants can fill out the application form and submit it to the District Government of Cologne. ¹⁷¹ However, there is also a possibility to have the whole recognition procedure take place via the <i>Einheitlicher Ansprechpartner Nordrhein-Westfalen</i> . ¹⁷²	50
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No 	The <i>Bundesinstitut für Berufsbildung</i> , through its portal <i>Anerkennung in Deutschland</i> , is the support centre as per Article 57b of Directive 2005/36/EC. ¹⁷³	100
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition 	<p>Equivalence is found to exist when the foreign training programme leads to comparable professional skills, the profession is regulated in the country of training, the applicant has the right to practise the profession in that country and no essential differences exist.¹⁷⁴</p> <p>Essential differences are found to exist when the foreign diploma pertains to knowledge and skills which, either in content or duration, differ substantially from the knowledge and skills required in North Rhine-Westphalia, when the</p>	100

¹⁷¹ Bezirksregierung Köln, 'Bewertung ausländischer Dipome/Zertifikate/Urkunden', http://www.bezreg-koeln.nrw.de/brk_internet/leistungen/abteilung04/48/anerkennung/auslaendische_berufsabschluesse/form_antrag_anerkennung.pdf last visited on 28 September 2016.

¹⁷² Einheitlicher Ansprechpartner, 'Verfahrensabwicklung über den EA NRW', <https://www.nrw-ea.de/de/verfahrensabwicklung-ueber-den-ea-nrw> last visited on 28 September 2016.

¹⁷³ Bundesministerium für Bildung und Forschung, 'Bericht zum Anerkennungsgesetz 2016', https://www.bmbf.de/pub/Bericht_zum_Anerkennungsgesetz_2016.pdf last visited on 28 September 2016, p. 13.

¹⁷⁴ §9 paragraph 1 Berufsqualifikationsfeststellungsgesetz NRW – BQFG NRW.

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Indicator	Childcare employee	Score
	<p>relevant knowledge and skills form an essential part of the profession and the applicant is unable to compensate for these differences in any way.¹⁷⁵</p> <p>Essential differences can be compensated for by means of an adaptation period of maximally 3 years or an aptitude test.¹⁷⁶ Unless stated otherwise in the relevant provisions, the applicant has the choice between the two types of compensatory measures.</p> <p>The details of the compensatory measures for <i>Erzieher</i> are outlined in the <i>Anerkennungsverordnung beruflicher Befähigungsnachweise Erzieherin oder Erzieher, Heilerziehungspflegerin oder Heilerziehungspfleger, Heilpädagogin oder Heilpädagoge NRW – AVOBEHH NRW</i>.</p> <p>No supplementary provisions seem to have been created for professionals with a qualification from a Member State in which the profession is not regulated. It is clear, however, that §9 paragraph 1 No. 2 and other related provisions do not apply to these professionals. Concretely, this means that the procedure is identical to the one described under point 9, whereby the professionals, in this case, do not have to provide proof that they are allowed to practise the profession in the Member State in which the qualification was obtained.</p>	
Final score: 550 points		

¹⁷⁵ §9 paragraph 2 Berufsqualifikationsfeststellungsgesetz NRW – BQFG NRW.

¹⁷⁶ §11 paragraphs 1 & 3 Berufsqualifikationsfeststellungsgesetz NRW – BQFG NRW.

Annex IV – Electricians

Belgium - Basic Information

In Belgium the independent performance of the activities of an electrician is a regulated profession.¹⁷⁷ The following activities are seen as being part of the professional monopoly (with the exception of activities that are only supplementary and small,¹⁷⁸ along with other specified activities¹⁷⁹).¹⁸⁰

‘Onder elektrotechnische activiteiten moet worden verstaan het herstellen van elektrische toestellen en het plaatsen en herstellen van alle elektrische installaties voor stroomvoorziening, voor verlichting, voor lichtreclame, voor verwarming, voor andere klimaatregeling dan deze voorzien in artikel 25, voor domotica, voor communicatie, voor signalisatie, voor opname en weergave van beelden of geluiden en voor beveiliging tegen overspanning, brand of diefstal.’

(Electrical engineering activities are meant to include the repair of electrical appliances and the placement and repair of all electrical installations for power supply, lighting, illuminated advertising, heating, climate control other than set out in Article 25, home automation, signalling, recording and playing sounds or images and the protection against power surges, fire or theft.)

In order to practise the profession of electrician independently, applicants must prove their aptitude. This can be done at one of the entrepreneurial counters, which handle the formalities.¹⁸¹

¹⁷⁷ Article 3 in conjunction with 1 Koninklijk besluit betreffende de beroepsbekwaamheid voor de uitoefening van zelfstandige activiteiten van het bouwvak en van de elektrotechniek, alsook van de algemene aanneming, B.S. 2007, 9286 (Royal Decree on the proficiency for the exercising of independent activities in construction and electrical engineering, as well as general contracting).

¹⁷⁸ Article 4 Koninklijk besluit betreffende de beroepsbekwaamheid voor de uitoefening van zelfstandige activiteiten van het bouwvak en van de elektrotechniek, alsook van de algemene aanneming (Royal Decree on the proficiency for the exercising of independent activities in construction and electrical engineering, as well as general contracting).

¹⁷⁹ Article 28(2) Koninklijk besluit betreffende de beroepsbekwaamheid voor de uitoefening van zelfstandige activiteiten van het bouwvak en van de elektrotechniek, alsook van de algemene aanneming (Royal Decree on the proficiency for the exercising of independent activities in construction and electrical engineering, as well as general contracting).

¹⁸⁰ Article 28(1) Koninklijk besluit betreffende de beroepsbekwaamheid voor de uitoefening van zelfstandige activiteiten van het bouwvak en van de elektrotechniek, alsook van de algemene aanneming (Royal Decree on the proficiency for the exercising of independent activities in construction and electrical engineering, as well as general contracting).

¹⁸¹ See Vlaanderen is ondernemen, ‘Waar moet u de basiskennis bedrijfsbeheer en sectorale beroepsbekwaamheid bewijzen?’, <http://www.vlaanderenonderneemt.be/ondernemen/waar-moet-u-de-basiskennis-bedrijfsbeheer-en-sectorale-beroepsbekwaamheid-bewijzen-4> last visited on 28 September 2016; FOD Economie, ‘Ondernemingsloket’ http://economie.fgov.be/nl/ondernemingen/leven_onderneming/oprichting/ondernemingsloket/#.V-IBif6a271 last visited on 28 September 2016.

Indicator		Electrician	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	Three months with the option of a one-month extension. ¹⁸²	100
2. Procedural costs	<ul style="list-style-type: none"> – Less than 100 euro – 100-500 euro – More than 500 euro 	<p>Unclear; there are many different entrepreneurs' counters that can set their own fees for their services.¹⁸³</p> <p>This study has used the Xerius.be counter as an example; however, the cost structure makes it impossible to identify with certainty the specific costs involved in diploma recognition.¹⁸⁴</p> <p>In such cases, 50 points are awarded.</p>	50
3. Languages of acceptance of the required documents	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language 	Again, this depends on the entrepreneurial counter. Xerius accepts the documents in German, English, French and Dutch. ¹⁸⁵	100
4. Documents required for recognition	<ul style="list-style-type: none"> – Solely the documents as per the Directive – Additional documents without significant extra costs – Additional documents with 	It is unclear which documents exactly are required; in principle, the only requirement is the presentation of either a certificate of professional experience or a diploma. ¹⁸⁶	100

¹⁸² Article 23, paragraph 2 Wet tot instelling van een nieuw algemeen kader voor de erkenning van EG-beroepskwalificaties B. S. 2008, 17886 (Law on the Establishment of a New General Framework for the Recognition of EC Professional Qualifications).

¹⁸³ See FPS Economy, 'Ondernemingsloket' http://economie.fgov.be/nl/ondernemingen/leven_onderneming/oprichting/ondernemingsloket/#.V-lBif6a271 last visited on 28 September 2016.

¹⁸⁴ See Xerius, 'Tarieven ondernemingsloket', <http://www.xerius.be/zelfstandigen/start-eigen-zaak/tarieven-ondernemingsloket> last visited on 28 September 2016.

¹⁸⁵ See Xerius, 'Ondernemen in België als buitenlander', <http://www.xerius.be/zelfstandigen/ondernemen-in-belgie-als-buitenlander/ondernemersvaardigheden/> last visited on 28 September 2016.

¹⁸⁶ See Xerius, 'Beroepskennis', <http://www.xerius.be/zelfstandigen/start-eigen-zaak/beroepskennis/beroepskennis-aantonen/> last visited on 28 September 2016.

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Indicator		Electrician	Score
	(potentially) significant extra costs		
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	One counter in principle: one of the entrepreneurial counters.	100
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	The information is scattered across several entrepreneurial counters which do not use a uniform application system.	0
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in hard copy 	The procedure is electronic or in hard copy, depending on the counter.	50
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No 	The Department of Intellectual Professions and Legislation of the General Directorate for SME Policy (Dutch: Algemene Directie K.M.O. beleid – Dienst Intellectuele beroepen en Wetgeving) of the FPS Economy, SMEs, Self-Employed and Energy is the support centre under Article 57b of Directive 2005/36/EC.	100
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition 	The profession of electrician falls under the system of recognition of professional experience as laid down in Article 17ff Directive 2005/36. The relevant Royal Decree stipulates that three years of independent professional practice, or five years in case of part-time practice, suffice for automatic recognition. ¹⁸⁷	100

¹⁸⁷ Article 6(1) in conjunction with (2) Koninklijk besluit betreffende de beroepsbekwaamheid voor de uitoefening van zelfstandige activiteiten van het bouwvak en van de elektrotechniek, alsook van de algemene aanneming (Royal Decree on the proficiency for the exercising of independent activities in construction and electrical engineering, as well as general contracting).

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Indicator	Electrician	Score
	The general system of recognition can be invoked if such experience is lacking. ¹⁸⁸	
		Final score: 700 points

¹⁸⁸ Article 6(1)(3) Koninklijk besluit betreffende de beroepsbekwaamheid voor de uitoefening van zelfstandige activiteiten van het bouwvak en van de elektrotechniek, alsook van de algemene aanneming (Royal Decree on the proficiency for the exercising of independent activities in construction and electrical engineering, as well as general contracting).

Germany - Basic Information

Germany classifies electricians as *Gewerbebetriebe*,¹⁸⁹ i.e. professions with a professional monopoly. This implies that only electricians (German: *Elektrotechniker*) are allowed to perform the ‘characteristic and essential activities’ belonging to this profession.¹⁹⁰ These activities are negatively defined: *Non-essential* activities are those activities that can be learnt over a time period of three months or activities that require longer study but only occur occasionally in the profession.¹⁹¹ The skills required of an electrician are listed in the *Elektrotechnikermeisterverordnung*.¹⁹²

Indicator		Electrician	Score
1. Decision period	<ul style="list-style-type: none"> – Less than 4 months – 4 to 8 months – More than 8 months 	Three months with the option of an extension for a ‘reasonable’ time. ¹⁹³ Since no maximum term is given, the lowest score is awarded.	0
2. Procedural costs	<ul style="list-style-type: none"> – Less than 100 euro – 100-500 euro – More than 500 euro 	This depends on the <i>Handwerkskammer</i> where the application was submitted. A recognition procedure costs EUR 50 in Aachen. ¹⁹⁴	100
3. Languages of acceptance of the required documents	<ul style="list-style-type: none"> – 3+ languages – 2 languages – 1 language 	Diplomas and other documents, such as certificates of professional experience, should be submitted in German. Documents submitted in another language must include a German translation by a recognized translator. ¹⁹⁵	0
4. Documents required for	– Solely the documents as per	The following documents are required: ¹⁹⁶	50

¹⁸⁹ Point 25 Anlage A Gesetz zur Ordnung des Handwerks (Handwerksordnung), BGBl. I S. 3074; 2006 I S. 2095.

¹⁹⁰ §1, paragraph 2 Handwerksordnung.

¹⁹¹ §1, paragraph 2, sub 1-2 Handwerksordnung.

¹⁹² BGBl. I S. 2331.

¹⁹³ Section 6, paragraph 3 of the Anerkennungsgesetz Nordrhein-Westfalen, GV. NRW. 2013, 17/271.

¹⁹⁴ See Gebührenordnung und Gebührentarif, under III ‘Prüfungswesen’: http://www.hwk-aachen.de/fileadmin/user_upload/downloads/hwk_aachen/beitrag/hwk_ac_gebuehrenordnung_tarif.pdf last visited on 28 September 2016.

¹⁹⁵ Section 5, paragraph 2 of the Anerkennungsgesetz Nordrhein-Westfalen.

¹⁹⁶ Westdeutscher Handwerkskammertag, ‘Bewertung ausländischer Berufsabschlüsse durch die Handwerkskammer’, <https://www.whkt.de/beratung/anerkennung/bewertung-auslaendischer-berufsabschluesse-durch-die-handwerkskammer/?key=0&cHash=b3e89438f0e991c85d7f934b7ad7a18e> last visited on 28 September 2016.

Indicator		Electrician	Score
recognition	<p>the Directive</p> <ul style="list-style-type: none"> – Additional documents without significant extra costs – Additional documents with (potentially) significant extra costs 	<ul style="list-style-type: none"> - A CV in tabular format. - A certified copy of a passport or identity card or the original - Original or certified copy of the diploma or - Proof of professional practice. <p>Since additional documents, such as a CV, are requested, 50 points are awarded here.</p>	
5. Number of counters visited during the recognition process	<ul style="list-style-type: none"> – 1 counter – 2 counters – More than 2 counters 	1 in principle; applicants are served by one of the <i>Handwerkskammern</i> . ¹⁹⁷	100
6. Central information point	<ul style="list-style-type: none"> – With all information – Not central; all information available – No information point 	Basic information can be found on the general website of the Federal Government: www.erkennung-in-deutschland.de ¹⁹⁸ Additional information, however, has to be searched for on the website of the relevant Land. ¹⁹⁹	50
7. Use of electronic application procedure	<ul style="list-style-type: none"> – Fully electronic application – Electronic and in hard copy – Completely in hard copy 	The procedure is available in hard copy only. It is, however, possible to have the <i>Einheitlicher Ansprechpartner Nordrhein-Westfalen</i> handle the entire recognition procedure. ²⁰⁰	50

¹⁹⁷ See Westdeutscher Handwerkskammertag, 'Bewertung ausländischer Berufsabschlüsse durch die Handwerkskammer', <https://www.whkt.de/beratung/erkennung/bewertung-auslaendischer-berufsabschluesse-durch-die-handwerkskammer/?key=0&cHash=b3e89438f0e991c85d7f934b7ad7a18e> last visited on 28 September 2016.

¹⁹⁸ Bundesministerium für Bildung und Forschung (anererkennung-in-deutschland), 'Elektrotechnikermeister/in', <https://www.erkennung-in-deutschland.de/tools/berater/de/berater/profile/404> last visited on 28 September 2016.

¹⁹⁹ Westdeutscher Handwerkskammertag, 'Bewertung ausländischer Berufsabschlüsse durch die Handwerkskammer', <https://www.whkt.de/beratung/erkennung/bewertung-auslaendischer-berufsabschluesse-durch-die-handwerkskammer/?key=0&cHash=b3e89438f0e991c85d7f934b7ad7a18e> last visited on 28 September 2016.

²⁰⁰ 'Einheitlicher Ansprechpartner, 'Verfahrensabwicklung über den EA NRW', <https://www.nrw-ea.de/de/verfahrensabwicklung-ueber-den-ea-nrw> last visited on 28 September 2016.

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Indicator		Electrician	Score
8. Assistance Centre present	<ul style="list-style-type: none"> – Yes – Under construction – No 	The <i>Bundesinstitut für Berufsbildung</i> is designated in accordance with Article 57b RI. 2005/36.	100
9. Recognition of professional qualifications	<ul style="list-style-type: none"> – Immediately – After compensatory measures – No recognition 	The profession of electrician falls under the system of recognition of professional experience as laid down in Article 17ff Directive 2005/36: A German <i>Handwerkskammer</i> will primarily base itself on the professional experience as an electrician presented by the applicant when granting permission to perform the reserved actions. ²⁰¹ If the requirements of professional experience are not met, it is possible to opt for the general system of recognition, where the requirements from the <i>Elektrotechnikermeisterverordnung</i> will be compared to the knowledge and skills apparent from a foreign diploma. ²⁰²	100
Final score: 550 points			

²⁰¹ See Annex IV, under 37.

²⁰² Westdeutscher Handwerkskammertag, „Bewertung ausländischer Berufsabschlüsse durch die Handwerkskammer“ ,<https://www.whkt.de/beratung/anererkennung/bewertung-auslaendischer-berufsabschluesse-durch-die-handwerkskammer/?key=0&cHash=b3e89438f0e991c85d7f934b7ad7a18e> last visited on 28 September 2016.



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ITEM is an initiative of Maastricht University (UM), the Dutch Centre of Expertise and Innovation on Demographic Changes (NEIMED), Zuyd Hogeschool, the city of Maastricht, the Meuse-Rhine Euregio (EMR) and the (Dutch) Province of Limburg.

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