STATUTORY INSTRUMENTS

1985 No. 1774

DENTISTS
MEDICAL PROFESSION

The Medical and Dental Qualifications (EEC Recognition—Spain and Portugal) Order 1985

Made - - - - -	18*th November* 1985
Laid before Parliament	26*th November* 1985
Coming into Operation	1*st January* 1986

At the Court at Buckingham Palace, the 18th day of November 1985

Present,

The Queen's Most Excellent Majesty in Council

Whereas, by the Act(a) concerning the conditions of accession of Spain and Portugal and the adjustments to the Treaties establishing the European Coal and Steel Community, the European Economic Community and the European Atomic Energy Community, adaptations were made to the European Communities Council Directives concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine(b) and of practitioners of dentistry(c) to add to those Directives particulars of qualifications awarded in Spain and in Portugal and to make special provision relating to the practice of dentistry in Spain:

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 2(2) of the European Communities Act 1972(d), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and commencement

1. This Order may be cited as the Medical and Dental Qualifications (EEC Recognition—Spain and Portugal) Order 1985 and shall come into operation on 1st January 1986.

(a) O.J. No.

(b) Council Directive 75/362/EEC, O.J. No. L167, 30.6.75, p. 1, as supplemented by Council Directive 81/1057/EEC, O.J. No. L385, 31.12.81, p. 25 and amended by Council Directive 82/76/EEC, O.J. No. L43, 15.2.82, p. 21.

(c) Council Directive 78/686/EEC, O.J. No. L233, 24.8.78, p. 1, as supplemented by Council Directive 81/1057/EEC, O.J. No. L385, p. 25.

(d) 1972 c. 68.

[H85/1491]

Amendments relating to the medical profession

2.—(1) In article 6(6) of the Medical Qualifications (EEC Recognition) Order 1977**(a)**—

(*a*) after "member State" there shall be inserted "other than Spain or Portugal"; and

(*b*) at the end there shall be added "and, in relation to Spain and to Portugal, means 1st January 1986".

(2) In the Medical Act 1983**(b)**—

(*a*) in section 17(4)—

(i) after "member State" there shall be inserted "other than Spain or Portugal"; and

(ii) at the end there shall be added "and, Spain and Portugal are to be regarded as having implemented it on 1st January 1986".

(*b*) in Schedule 2 (primary European qualifications) there shall be added at the end the following—

Portugal

" "Carta de curso de licenciatura em medicina" (diploma confirming the completion of medical studies) awarded by a University and the "Diploma comprovativo da conclusão do internato geral" (diploma confirming the completion of general internship) awarded by the competent authorities of the Ministry of Health.

Spain

"Título de Licenciado en Medicina y Cirugía" (University degree in medicine and surgery) awarded by the Ministry of Education and Science."

Amendments relating to dentists

3.—(1) In Part I of Schedule 2 to the Dentists Act 1984**(c)** (European dental qualifications)—

(*a*) in paragraph 1(2)—

(i) after "member State" there shall be inserted "other than Portugal"; and

(ii) at the end there shall be added "and Portugal is to be regarded as having implemented it on 1st January 1986".

(a) S.I. 1977/827, amended by S.I. 1982/1076.
(b) 1983 c. 54.
(c) 1984 c. 24.

(*b*) after paragraph 4 there shall be added the following paragraphs—

"**5.** Subject to paragraph 6 below, on or after the date notified to the Commission by Spain as that on which Spain implemented Community Council Directive No. 78/686/EEC**(a)**, a diploma, certificate or other evidence of formal qualifications in medicine awarded in Spain to a person who began medical training at a university before 1st January 1986 shall be an appropriate European diploma for the purposes of section 15(1)(*b*) of this Act where that person produces to the registrar a certificate issued by the competent authority of Spain certifying that—

(*a*) he has lawfully and principally practised dentistry in Spain for at least three consecutive years during the five years preceding the date of the certificate; and

(*b*) he is authorised to practise dentistry under the same conditions as a holder of the Spanish scheduled European diploma.

6. A person who satisfies the registrar that he has successfully completed three years of study which are certified by the competent authority of Spain as being equivalent to the training referred to in Article 1 of the Dental Training Directive shall be excepted from satisfying the requirement referred to in paragraph 5(*a*) above.".

(2) In Part II of Schedule 2 to the Dentists Act 1984 (Scheduled European Diplomas) there shall be added at the end the following—

Portugal

" "Carta de curso de licenciatura em medicina dentária" (diploma conferring official recognition of completion of studies in dentistry) awarded by an establishment of higher education.

Spain

The diploma the title of which will be notified by Spain to the member States and to the Commission in accordance with Community Council Directive No. 78/686/EEC concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners of dentistry."

G. I. de Deney,
Clerk of the Privy Council.

(a) O.J. No. L233, 24.8.1978, p. 1.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which is made under the European Communities Act 1972, amends the Medical Act 1983 and the Dentists Act 1984 by adding to the relevant Schedules to those Acts the appropriate Spanish and Portuguese qualifications required for the purposes of registration as a fully registered medical practitioner and of registration in the dentists register (articles 2(2) and 3). It also makes a consequential amendment to the Medical Qualifications (EEC Recognition) Order 1977 (article 2(1)).

The Order is made to implement community obligations arising from the Act concerning the conditions of accession of Spain and Portugal to the European Economic Community.

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