

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3506 of 8 December, 2005



I ASSENT,
FRANCIS RICHARDS,
GOVERNOR.

4th December, 2005.



GIBRALTAR

No. 63 of 2005

AN ORDINANCE to amend the Employment (Architects) (EEA Qualifications) Ordinance 1996 in order to partly transpose into the law of Gibraltar Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1. This Ordinance may be cited as the Employment (Architects) (EEA Qualifications) (Amendment) Ordinance 2005 and comes into operation on the day of publication.

Amendment of the Employment (Architects) (EEA Qualifications) Ordinance 1996.

2.(1) The Employment (Architects) (EEA Qualifications) Ordinance 1996 is amended in accordance with the provisions of this section.

(2) Section 2(1) is amended by substituting for “90/658/EEC”, “90/658/EEC and 2001/19/EC”.

(3) Section 3(1) is amended by inserting at the commencement of the subsection the words “Subject to section 4”.

(4) The following sections are inserted after section 3–

“Qualifications obtained in a non-EEA State

4 A person who is national of an EEA State who does not hold a qualification specified in the Schedule shall be competent to practise under this Ordinance if–

- (a) an EEA State has recognised his qualifications, training and professional experience in architecture acquired by him outside the EEA as qualifying him to practise as an architect in that State; and
- (b) he holds a certificate stating that the competent authority of that EEA State treats the qualification as equivalent to a qualification in respect of that State specified in the directive.

Offences.

5.(1) A person responsible for any act or omission contrary to the provisions of this Ordinance is guilty of an offence and shall be

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liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(2) Where an offence by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable, to any neglect on the part of any director, manager, secretary or similar officer of the body corporate, or a person purporting to act in such capacity, he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.”.

Passed by the Gibraltar House of Assembly on the 28th day of November, 2005.

D. J. REYES,

Clerk to the Assembly.

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