

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**
No. 4030 of 10 October, 2013

LEGAL NOTICE NO. 138 OF 2013.

INTERPRETATION AND GENERAL CLAUSES ACT

**QUALIFICATIONS (RIGHT TO PRACTISE) ACT 2009
(AMENDMENT) REGULATIONS 2013**

In exercise of the powers conferred upon it by section 23(g)(ii) of the Interpretation and General Clauses Act, and in order to transpose Part A of the Annex to Council Directive 2013/25/EU of 13 May 2013 adapting certain directives in the field of right of establishment and freedom to provide services, by reason of the accession of the Republic of Croatia, and to give effect to the amendments to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications made by paragraph 1 of Annex III to the Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community and by Commission Regulation (EU) No. 213/2011 of 3 March 2011 amending Annexes II and V to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications, the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Qualifications (Right to Practise) Act 2009 (Amendment) Regulations 2013 and shall be deemed to have come into operation on 1 July 2013.

Amendment of Act.

2.(1) The Qualifications (Right to Practise) Act 2009 is amended in accordance with this regulation.

(2) In section 25(6)—

- (a) substitute “Without prejudice to section 47A, the” for “The”;
- (b) in paragraph (a) for “commenced, for Slovenia, before 25 June 1991;” substitute—

“commenced–

- (i) for Slovenia, before 25 June 1991, and
- (ii) for Croatia, before 8 October 1991;”;
- (c) in paragraph (b), after “the aforementioned EEA”, substitute “States” for “State”;
- (d) in paragraph (c) insert “or Croatian” after “Slovenian”.

(3) After section 47, insert the following section–

“Acquired rights excluded for Croatian midwives.

47A. Section 47 shall not apply to the following qualifications which were obtained in Croatia before 1 July 2013–

- (a) viša medicinska sestra ginekološko-opstetričkog smjera (High Gynaecology-Obstetrical Nurse);
- (b) medicinska sestra ginekološko-opstetričkog smjera (Gynaecology-Obstetrical Nurse);
- (c) viša medicinska sestra primaljskog smjera (High Nurse with Midwifery Degree);
- (d) medicinska sestra primaljskog smjera (Nurse with Midwifery Degree);
- (e) ginekološko-opstetričkog primalja (Gynaecology-Obstetrical Midwife), and
- (f) primalja (Midwife).”.

(4) After section 54(2)(c), insert the following paragraph–

“(ca) 1 July 2013 for Croatia;”.

(5) In paragraph 1 of Schedule 2, before “in Slovakia:” insert–

“— special training in the care of children and young people (Sonderausbildung in der Kinder- und Jugendlichenpflege),

— special training in psychiatric healthcare and nursing (Sonderausbildung in der psychiatrischen Gesundheits- und Krankenpflege),

— special training in intensive care (Sonderausbildung in der Intensivpflege),

— special training in intensive care of children (Sonderausbildung in der Kinderintensivpflege),

— special training in anaesthesia-related nursing (Sonderausbildung in der Anästhesiepflege),

— special training in renal replacement therapy related nursing (Sonderausbildung in der Pflege bei Nierenersatztherapie),

— special training in operating department nursing (Sonderausbildung in der Pflege im Operationsbereich),

— special training in hospital hygiene (Sonderausbildung in der Krankenhaushygiene),

— special training for teaching tasks in healthcare and nursing (Sonderausbildung für Lehraufgaben in der Gesundheits- und Krankenpflege),

— special training for management tasks in healthcare and nursing. (Sonderausbildung für Führungsaufgaben in der Gesundheits- und Krankenpflege),

which represents education and training courses of a total duration of at least 13 years and 6 months to 14 years, including at least 10 years' general education, a further 3 years' basic training in the upper-grade public service for healthcare and nursing, and 6 to 12 months' special training in a specialised, teaching or management task.”.

(6) In Schedule 3, section V.I, point 5.1.1, insert the following after the entry for France—

“

Hrvatska	Diploma “doktor medicine / doktorica medicine”	Medicinski fakulteti sveučilišta u Republici Hrvatskoj		1 July 2013
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”

(7) In Schedule 3, section V.I, point 5.1.2, insert the following after the entry for France—

“

Hrvatska	Diploma o specijalističkom usavršavanju	Ministarstvo nadležno za zdravstvo		1 July 2013
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”

(8) In Schedule 3, section V.I, point 5.1.3—

- (a) in the table with the headings “Anaesthetics” and “General surgery” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Anesteziologija, reanimatologija i intenzivna medicina		Opća kirurgija
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”

- (b) in the table with the headings “Neurological surgery” and “Obstetrics and Gynaecology” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Neurokirurgija	Ginekologija i opstetricija
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”

- (c) in the table with the headings “General (internal) medicine” and “Ophthalmology” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Opća interna medicina	Oftalmologija i optometrija
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”

- (d) in the table with the headings “Otorhinolaryngology” and “Paediatrics” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Otorinolarinologija	Pedijatrija
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”;

- (e) in the table with the headings “Respiratory Medicine” and “Urology” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Pulmologija	Urologija
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”;

- (f) in the table with the headings “Orthopaedics” and “Pathological anatomy” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Ortopedija i traumatologija	Patologija
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”;

- (g) in the table with the headings “Neurology” and “Psychiatry” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Neurologija	Psihijatrija
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”;

- (h) in the table with the headings “Diagnostic radiology” and “Radiotherapy” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Klinička radiologija	Onkologija i radioterapija
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”;

- (i) in the table with the headings “Plastic surgery” and “Clinical biology” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Plastična, rekonstrukcijska i estetska kirurgija	
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”.

- (j) in the table with the headings “Microbiology-bacteriology” and “Biological chemistry” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Klinička mikrobiologija	
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”.

- (k) in the table with the headings “Immunology” and “Thoracic surgery” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Alergologija i klinička imunologija	
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”.

- (l) in the table with the headings “Paediatric surgery” and “Vascular surgery” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Dječja kirurgija	Vaskularna kirurgija
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”.

- (m) in the table with the headings “Cardiology” and “Gastroenterology” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Kardiologija	Gastroenterologija
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”.

- (n) in the table with the headings “Rheumatology” and “General Haematology” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Reumatologija	Hematologija
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”;

- (o) in the table with the headings “Endocrinology” and “Physiotherapy” in columns 2 and 3 respectively, insert the following after the entry for France–

“

Hrvatska	Endokrinologija i dijabetologija	Fizikalna medicina i rehabilitacija
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”;

- (p) in the table with the headings “Neuropsychiatry” and “Dermato-venereology” in columns 2 and 3 respectively, insert the following after the entry for France–

“

Hrvatska		Dermatologija i venerologija
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”;

- (q) in the table with the headings “Radiology” and “Child psychiatry” in columns 2 and 3 respectively, insert the following after the entry for France–

“

Hrvatska	Klinička radiologija	Dječja i adolescentna psihijatrija
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”;

- (r) in the table with the headings “Geriatrics” and “Renal diseases” in columns 2 and 3 respectively, insert the following after the entry for France–

“

Hrvatska		Nefrologija
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”;

- (s) in the table with the headings “Communicable diseases” and “Community medicine” in columns 2 and 3 respectively, insert the following after the entry for France–

“

Hrvatska	Infektologija	Javnozdravstvena medicina
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”;

- (t) in the table with the headings “Pharmacology” and “Occupational medicine” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Klinička farmakologija s toksikologijom	Medicina rada i športa
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”.

- (u) in the table with the headings “Allergology” and “Nuclear medicine” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska	Alergologija i klinička imunologija	Nuklearna medicina
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”.

- (v) in the table with the heading “Maxillo-facial surgery (basic medical training)” in column 2, insert the following after the entry for France—

“

Hrvatska	Maksilofacijalna kirurgija
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”.

- (w) in the table with the heading “Biological haematology” in column 2, insert the following after the entry for France—

“

Hrvatska	
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”.

- (x) in the table with the headings “Stomatology” and “Dermatology” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska		
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”.

- (y) in the table with the headings “Venerology” and “Tropical medicine” in columns 2 and 3 respectively, insert the following after the entry for France—

“

Hrvatska		
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”;

- (z) in the table with the headings “Gastro-enterological surgery” and “Accident and emergency medicine” in columns 2 and 3 respectively, insert the following after the entry for France–

“

Hrvatska	Abdominalna kirurgija	Hitna medicina
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”;

- (za) in the table with the headings “Clinical neurophysiology” and “Dental, oral and maxilla-facial surgery (basic medical and dental training)” in columns 2 and 3 respectively, insert the following after the entry for France–

“

Hrvatska		
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”;

- (zb) after the table with the headings “Clinical neurophysiology” and “Dental, oral and maxilla-facial surgery (basic medical and dental training)” insert to following table–

“

Country	Medical oncology Minimum period of training: 5 years	Medical genetics Minimum period of training: 4 years
	Title	Title
Belgique/België/Belgien	Oncologie médicale/ Medische oncologie	
България	Медицинска онкология	Медицинска генетика
Česká republika	Klinická onkologie	Lékařská genetika
Danmark		Klinisk genetik
Deutschland		Humangenetik
Eesti		Meditsiinigeneetika
Ελλάς	Παθολογική Ογκολογία	
España		
France	Oncologie	Génétique médicale

Hrvatska		
Ireland	Medical oncology	Clinical genetics
Italia	Oncologia medica	Genetica medica
Κύπρος	Ακτινοθεραπευτική Ογκολογία	
Latvija	Onkoloģija ķīmijterapija	Medicīnas ģenētika
Lietuva	Chemoterapinė onkologija	Genetika
Luxembourg	Oncologie médicale	Médecine génétique
Magyarország	Klinikai onkológia	Klinikai genetika
Malta		
Nederland		Klinische genetica
Österreich		Medizinische Genetik
Polska	Onkologia kliniczna	Genetyka kliniczna
Portugal	Oncologia médica	Genética médica
România	Oncologie medicala	Genetica medicala
Slovenija	Internistična onkologija	Klinična genetika
Slovensko	Klinická onkológia	Lekárska genetika
Suomi/Finland		Perinnöllisyyslääketiede/ Medicinsk genetik
Sverige		
United Kingdom	Medical oncology	Clinical genetics'

”

(9) In Schedule 3, section V.I, point 5.1.4, insert the following after the entry for France—

“

Hrvatska	Diploma o specijalističkom usavršavanju	specijalist obiteljske medicine	1 July 2013
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”

(10) In Schedule 3, section V.2, point 5.2.2 insert the following after the entry for France—

“

Hrvatska	1. Svjedodžba “medicinska	1. Srednje strukovne	1. medicinska sestra opće	1 July 2013
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	sestra opće njege / medicinski tehničar opće njege”	škole koje izvode program za stjecanje kvalifikacije “medicinska sestra opće njege / medicinski tehničar opće njege”	njege / medicinski tehničar opće njege	
	2. Svjedodžba “prvostupnik (<i>baccalaureus</i>) sestrinstva / prvostupnica (<i>baccalaurea</i>) Sestrinstva”	2. Medicinski fakulteti sveučilišta u Republici Hrvatskoj Sveučilišta u Republici Hrvatskoj	2. prvostupnik (<i>baccalaureus</i>) sestrinstva / prvostupnica (<i>baccalaurea</i>) sestrinstva	
		Veleučilišta u Republici Hrvatskoj		

”

(11) In Schedule 3, section V.3, point 5.3.2 insert the following after the entry for France—

Hrvatska	Diploma “doktor dentalne medicine / doktorica dentalne medicine”	Fakulteti sveučilišta u Republici Hrvatskoj		doktor dentalne medicine / doktorica dentalne medicine	1 July 2013
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(12) In Schedule 3, section V.4, point 5.4.2 insert the following after the entry for France—

“

Hrvatska	Diploma “doktor veterinarske medicine / doktorica veterinarske medicine”	Veterinarski fakultet Sveučilišta u Zagrebu		1 July 2013
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(13) In Schedule 3, section V.5, point 5.5.2 insert the following after the entry for France—

“

Hrvatska	Svjedodžba “prvostupnik (<i>baccalaureus</i>) primaljstva / sveučilišna prvostupnica (<i>baccalaurea</i>) Primaljstva”	- Medicinski fakulteti sveučilišta u Republici Hrvatskoj - Sveučilišta u Republici Hrvatskoj - Veleučilišta i visoke škole u Republici Hrvatskoj	prvostupnik (<i>baccalaureus</i>) primaljstva / prvostupnica (<i>baccalaurea</i>) primaljstva	1 July 2013
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(14) In Schedule 3, section V.6, point 5.6.2 insert the following after the entry for France—

“

Hrvatska	Diploma “magistar farmacije / magistra farmacije”	- Farmaceutskobiokemijski fakultet Sveučilišta u Zagrebu - Medicinski		1 July 2013
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		fakultet Sveučilišta u Splitu		
		- Kemijskotehnoški fakultet Sveučilišta u Splitu		

”

(15) In Schedule 3, section V.7, point 5.7.1 insert the following after the entry for France—

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Hrvatska				
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”

(16) In Schedule 6, insert the following after the entry for France—

“

Hrvatska	<ul style="list-style-type: none"> – Diploma “magistar inženjer arhitekture i urbanizma / magistra inženjerka arhitekture i urbanizma” awarded by the Arhitektonski fakultet Sveučilišta u Zagrebu – Diploma “magistar inženjer arhitekture / magistra inženjerka arhitekture” awarded by the Građevinsko-arhitektonski fakultet Sveučilišta u Splitu – Diploma “magistar inženjer arhitekture / magistra inženjerka arhitekture” awarded by the Fakultet građevinarstva, arhitekture i geodezije Sveučilišta u Splitu – Diploma “diplomirani inženjer Arhitekture” awarded by the Arhitektonski fakultet Sveučilišta u Zagrebu – Diploma "diplomirani inženjer 	3rd academic year after accession
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	<p>arhitekture / diplomirana inženjerka arhitekture” awarded by the Građevinsko-arhitektonski fakultet Sveučilišta u Splitu</p> <p>– Diploma “diplomirani inženjer arhitekture / diplomirana inženjerka arhitekture” awarded by the Fakultet građevinarstva, arhitekture i geodezije Sveučilišta u Splitu</p> <p>– Diploma “diplomirani arhitektonski Inženjer” awarded by the Arhitektonski fakultet Sveučilišta u Zagrebu</p> <p>– Diploma “inženjer” awarded by the Arhitektonski fakultet Sveučilišta u Zagrebu</p>	
	<p>– Diploma “inženjer” awarded by the Arhitektonsko-građevinskogeodetski fakultet Sveučilišta u Zagrebu for the completed studies at the Arhitektonski odjel Arhitektonsko-građevinskogeodetskog fakulteta</p> <p>– Diploma “inženjer” awarded by the Tehnički fakultet Sveučilišta u Zagrebu for the completed studies at the Arhitektonski odsjek Tehničkog fakulteta</p> <p>– Diploma “inženjer” awarded by the Tehnički fakultet Sveučilišta u Zagrebu for the completed studies at the Arhitektonsko-inženjerski odjel Tehničkog fakulteta</p> <p>– Diploma “inženjer arhitekture” awarded by the Arhitektonski</p>	

	fakultet Sveučilišta u Zagrebu All diplomas must be accompanied by a certificate of membership of the Croatian Chamber of Architects (Hrvatska komora arhitekata), issued by the Croatian Chamber of Architects, Zagreb.	
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Dated 10th October, 2013.

DR J CORTES,
For and on behalf of the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Qualifications (Right to Practise) Act 2009 in order to transpose Part A of the Annex to Council Directive 2013/25/EU of 13 May 2013 adapting certain directives in the field of right of establishment and freedom to provide services by reason of the accession of the Republic of Croatia as regards Directive 2005/36/EC which relates to the recognition of certain professional qualifications. Directive 2005/36/EC was also amended by two further instruments, namely paragraph 1 of Annex III to the Act concerning the conditions of accession of the Republic of Croatia and Commission Regulation (EU) No. 213/2011 of 3 March 2011 amending Annexes II and V to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications. These amendments are provided for in these Regulations.