

**REGULATION**  
**on the recognition of professional qualifications of**  
**healthcare practitioners from other EEA Member States,**  
**No. 461/2011.**

CHAPTER I  
**General Provisions.**

Article 1

*Aim.*

The aim of this Regulation is to implement rules on the right to use the professional titles of regulated healthcare professions in Iceland in accordance with the EEA Agreement and Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications and its Annexes at any given time (*cf.* Appendix 1), hereinafter named ‘the Directive’, or in accordance with the Nordic Agreement on a Common Nordic Labour Market for Specific Healthcare and Nursing Professions and Veterinary Surgeons (*cf.* the Advertisement in Division C of the [Icelandic] Government Gazette [Stjórnartíðindi], No. 36/1993, *cf.* Amendment No. 6/2001).

Article 2

*Scope.*

This Regulation covers the right to use the professional titles of regulated healthcare professions in Iceland as regards applicants from an EEA Member State who have acquired satisfactory professional qualifications in another EEA Member State and who wish to work as such in Iceland under the Healthcare Practitioners Act, the Recognition of Professional Qualifications for Employment Act and regulations issued under those Acts.

Article 3

*Definitions.*

In this Regulation, the following terms are used as defined below.

1. *EEA Agreement*: The Agreement between the European Union and Iceland, Norway and Liechtenstein which was signed on 2 May 1992 and took effect on 1 January 1994.
2. *Nordic Agreement*: The Agreement between Iceland, Denmark, Finland, Norway and Sweden on a Common Nordic Labour Market for Specific Healthcare and Nursing Professions and Veterinary Surgeons, which was signed on 14 June 1993 and took effect on 1 January 1994, with subsequent amendments.
3. *Regulated profession*: Professional activity within the health services, authorisation for working within which, or for using the professional title of which, is covered by legislative or administrative provisions regarding special professional qualifications.
4. *Professional qualifications*: Qualifications attested by special evidence of formal qualifications, an attestation of formal qualifications, an attestation of competence and/or professional experience (*cf.* Appendix II).
5. *Evidence of formal qualifications*: Examination certificate (diploma), certificate or other official evidence certifying successful completion of professional training.
6. *Competent authority*: Any authority or body responsible for issuing or receiving examination certificates (diplomas) and other documents or information relating to applications for the recognition of professional qualifications.
7. *Regulated education and training*: Any training which is specifically geared to the pursuit of a given profession and which comprises a course or courses complemented, where appropriate, by professional training, or probationary or professional practice.
8. *Professional experience*: The actual and lawful pursuit of the profession concerned.
9. *Adaptation period*: The pursuit of a regulated profession in Iceland under the responsibility of a qualified member of that profession, possibly with the addition of further training.
10. *Aptitude test*: A test of the applicant’s professional knowledge, administered by the competent authorities in Iceland with a view to assessing the applicant’s ability to pursue a regulated profession.
11. *The Directive*: Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, with subsequent amendments and annexes.

## Article 4

### *Effects of recognition.*

A healthcare practitioner who is a national of a Member State of the European Economic Area, or of a state with which an agreement has been made on the mutual recognition of professional rights, is entitled to a licence under this Regulation and to practise within a regulated healthcare profession, or to provide temporary services in Iceland, according to the same requirements as apply to Icelandic nationals, providing he or she meets the conditions of:

- a. the Directive, including its Annexes at any given time, or
- b. the Nordic Agreement.

## CHAPTER II

### **Automatic recognition, issue of licences and specialist licences on the basis of coordination of the minimum training conditions.**

## Article 5

### *Licensing on the basis of evidence of formal qualifications.*

Applicants shall be entitled to licences as doctors, nurses, midwives or pharmacists if they submit evidence of formal qualifications:

- a. for doctors in accordance with Annex V to the Directive, V.1., Doctor of Medicine, point 5.1.1. and, as appropriate, attestation of further study (internship [*kandidatsár*]),
- b. for nurses in accordance with Annex V to the Directive, V.2. Nurse responsible for General Care, point 5.2.2,
- c. for dental practitioners in accordance with Annex V to the Directive, V.3. Dental Practitioners, point 5.3.2,
- d. for midwives in accordance with Annex V to the Directive, V.5. Midwife, point 5.5.2,
- e. for pharmacists in accordance with Annex V to the Directive, V.6. Pharmacists, point 5.6.2.

Applicants who submit evidence of formal qualifications which does not correspond to the titles set forth in the first paragraph shall be entitled to licences if they submit confirmation from the competent authority in the EEA Member State which issued the evidence of formal qualifications stating that the training is in accordance with the requirements of the Directive and that the evidence is equivalent to the evidence named in the Directive.

Licences as a midwife under the first and second paragraphs shall only be granted if the evidence of formal qualifications meets one of the following conditions:

- a. full-time training in midwifery for at least three years:
  1. the applicant shall either be in possession of an examination certificate, attestation or other evidence of qualifications granting access to a university or higher educational institution, or otherwise confirming an equivalent level of knowledge or
  2. the applicant shall complete a further two years of professional practice confirmed by a certificate in accordance with the fourth paragraph,
- b. full-time training in Midwifery lasting at least two years or 3,600 hours, providing that the applicant is in possession of evidence of formal qualifications as a nurse responsible for general care as described in point 5.2.2 of Annex V to the Directive,
- c. full-time training in Midwifery lasting 18 months or at least 3,000 hours, providing that the applicant is in possession of evidence of formal qualifications as a nurse responsible for general care as described in point 5.2.2 of Annex V to the Directive, followed by professional practice confirmed by a certificate in accordance with the fourth paragraph.

The certificate referred to in item 2 of indent a, or in indent c, of the third paragraph shall be issued by the competent authority of the state which issued evidence of formal qualifications. It shall confirm that, after receiving evidence of formal qualifications as a midwife, the holder has practised for two years in a satisfactory manner as a midwife in a hospital or healthcare institution approved for that purpose.

A certificate issued by a competent authority confirming that the applicant has, in a satisfactory and lawful manner, pursued the profession of midwife during at least two continuous years during the five-year period immediately preceding the issue of the certificate shall be equivalent to a certificate in accordance with item 2 of indent a, or with indent c, of the third paragraph.

## Article 6

### *Licensing on the basis of acquired rights.*

Applicants for licences who are in possession of evidence of formal qualifications which are not named in Annex V to the Directive shall be entitled to licences as doctors, nurses, dental practitioners, midwives or pharmacists if they submit:

- a. evidence of formal qualifications that was either issued prior to, or covers training which commenced prior to, the reference date stated in Annex V to the Directive:
  1. for doctors, in point 5.1.1,
  2. for nurses responsible for general care, in point 5.2.2,
  3. for dental practitioners, in point 5.3.2,
  4. for midwives, in point 5.5.2,
  5. for pharmacists, in point 5.6.2 and
- b. a certificate confirming that the applicant effectively and lawfully engaged in the activities in question for at least three continuous years during the five-year period immediately preceding the issue of the certificate. In the case of nurses responsible for general care, the activities shall have included full responsibility for the planning, organisation and administration of nursing care delivered to patients.

Applicants for licences who are in possession of evidence of formal qualifications from the former German Democratic Republic, the former Czechoslovakia, the former Soviet Union and the former Yugoslavia shall be entitled to licences after meeting the conditions set out in Appendix III.

## Article 7

### *Licensing on the basis of special acquired rights.*

Applicants in possession of evidence of formal qualifications as nurses from Poland and Romania which was either issued prior to the dates set forth in point 5.2.2 of Annex V to the Directive or which refer to training which commenced prior to those dates shall be entitled to licences as nurses only if the conditions stated in Appendix IV are met.

Applicants in possession of evidence of formal qualifications as dental practitioners from an EEA Member State which does not meet the conditions of Articles 5 and 6 shall be entitled to licences if the conditions stated in Appendix V are met.

Applicants in possession of evidence of formal qualifications as midwives from the territories of the former German Democratic Republic, Romania or Poland shall be entitled to licences as midwives only if the conditions stated in Appendix VI are met.

## Article 8

### *Special provision regarding doctors and nurses from Bulgaria.*

Holders of evidence from Bulgaria (*feldsher*) issued prior to 31 December 1999 shall not be entitled to recognition of their formal qualifications within the EEA Area as doctors or nurses responsible for general care.

## Article 9

### *Specialist licences on the basis of evidence of formal qualifications.*

Applicants shall be entitled to licences as specialists in medicine or dentistry if:

- a. the specialist discipline is recognised in Iceland,
- b. the applicant holds a licence as a doctor or dental practitioner under Article 5, 6 or 7,
- c. the applicant submits evidence of formal qualifications in accordance with point 5.1.2 and 5.1.3 of Annex V to the Directive as a specialised doctor and point 5.3.3 of Annex V to the Directive as a specialised dentist and
- d. the applicant submits, as appropriate under the circumstances, an attestation of professional practice (internship – *kandidatsár*).

An applicant who does not meet the requirement of indent c of the first paragraph as a specialist in the field of medicine shall nevertheless be entitled to a licence as a specialist if he or she meets the conditions of Icelandic rules for specialist recognition. When an assessment is made, the length of the applicant's studies, and their content, and also the applicant's professional practice and further studies in the field of medicine shall be taken into account. Specialised studies may only have been pursued in healthcare institutions approved for such special studies in the applicant's home country.

An applicant who submits evidence of formal qualifications as a specialist in medicine or dentistry and who does not meet the requirements of the first paragraph shall be entitled to recognition as a specialist if he or she submits confirmation from the competent authority of the EEA Member State that issued the evidence. The confirmation shall attest that the specialist studies and the evidence correspond and are comparable with the demands made in the Directive.

#### Article 10

##### *Specialist recognition on the basis of acquired rights.*

An applicant for a specialist licence which is not listed in Annex V to the Directive shall be entitled to approval as a specialist in medicine or dentistry if:

- a. the specialist discipline is recognised in Iceland,
- b. the applicant holds a licence as a doctor or dental practitioner under Article 5, 6 or 7 and submits a certificate stating that he or she has effectively and lawfully practised within the relevant specialist discipline for at least three continuous years during the five-year period immediately preceding the issue of the certificate and
- c. the evidence of formal qualifications was issued prior to, or covers training which commenced prior to:
  1. the reference dates stated in Annex V, points 5.1.2 and 5.1.3 for specialised doctors
  2. the reference dates stated in Annex V, point 5.3.3 for specialised dentists.

Applicants holding evidence of formal qualifications from the former German Democratic Republic, the former Czechoslovakia, the former Soviet Union and the former Yugoslavia shall be entitled to licences after meeting the conditions set out in Appendix III.

An applicant in possession of evidence of formal qualifications as a doctor from Spain, who completed specialist studies prior to 1 January 1995, shall be entitled to a specialist licence even though the minimum requirements laid down regarding training in Article 25 of the Directive are not met. The evidence of formal qualifications shall be accompanied by a certificate issued by the competent Spanish authorities stating that the person in question has passed a test establishing particular competence in the subject and held on the basis of the extraordinary measures concerning recognition which are prescribed in Royal Decree No. 1487/99.

#### Article 11

##### *Licensing as a general practitioner. (Evrópulæknaleyfi.)*

Applicants shall be entitled to licences as general practitioners if they:

- a. are in possession of licences as doctors according to Article 5 or Article 6 and
- b. submit evidence of formal qualifications in accordance with point 5.1.4 of Annex V to the Directive.

Validity equal to that of the evidence required under indent b of the first paragraph shall be accorded to a certificate issued in an EEA Member State confirming that, by the reference date specified in point 5.1.4 of Annex V to the Directive, the applicant:

- a. has practised as a doctor in an EEA Member State in accordance with the provisions of Article 21 of the Directive on automatic recognition, or of Article 23 on acquired rights, and
- b. was entitled to practice as a general practitioner within the framework of the social security system (*cf.* Regulation No. 374/1996, on the payment of health insurance for general medical assistance).

#### Article 12

##### *Licence to operate a pharmacy.*

Training undergone by an applicant in another EEA Member State which fulfils the requirements of Article 5 or Article 6 shall be regarded as equivalent to the training undergone by pharmacists in Iceland in connection with applications for pharmacists' licences in Iceland.

If additional requirements regarding professional experience in a pharmacy in Iceland are made in connection with applications for licences to operate a pharmacy, then corresponding professional experience in another EEA Member State shall be taken into account.

The Medicinal Products Act, No. 93/1994, with subsequent amendments, shall apply regarding licences to operate pharmacies.

### Article 13

#### *Licensing when the requirements of Chapter II are not met.*

Applicants holding evidence of formal qualifications as doctors, specialised doctors, nurses responsible for general care, dentists, specialised dentists, midwives or pharmacists which does not meet the criteria for licensing under Articles 5-12 shall be entitled to have their qualifications assessed in accordance with Articles 14 and 16.

## CHAPTER III

### **General system for the recognition of evidence of training and the issue of licences and specialist licences when minimum training standards are not coordinated.**

#### Article 14

##### *Licences and specialist licences on the basis of evidence of professional qualifications.*

Applicants shall be entitled to licences and, as appropriate, specialist licences, within the authorised health professions in Iceland as alcohol and drug addiction counsellors, social workers, chiropodists (podiatrists), radiographers, chiropractors, occupational therapists, biomedical scientists, pharmaceutical technicians, medical secretaries, diet cooks, food scientists, biologists in the healthcare services, nutritionists, dieticians, administrative dieticians, osteopaths, psychologists, opticians, emergency medical technicians, licensed practical nurses, massage therapists, physiotherapists, prosthetists/orthotists, speech therapists, dental hygienists, dental assistants and social educators if they submit attestations of competence or evidence of formal qualifications required in another EEA Member State to practice there within the regulated healthcare professions listed above.

An applicant whose training is more than one level lower, in terms of the grouping of professional qualifications into levels under Article 11 of the Directive (*cf.* Appendix II), than the corresponding training in Iceland shall not be entitled to a licence under the first paragraph. If training in Iceland consists of a course of least four years' duration at university level corresponding to indent d of Article 11 of the Directive, then the applicant's training must at least correspond to indent c of Article 11 of the Directive (*cf.* Appendix II).

#### Article 15

##### *Requirements that may be made if a profession is not regulated in the state from which the applicant comes.*

An applicant who has practised within a profession listed in the first paragraph of Article 13 in another EEA Member State where the profession is not regulated shall be entitled to a licence or specialist licence if he or she has practised in the other EEA Member State for at least two years in full employment, or for a corresponding period in part-time employment, during the preceding ten years, providing that he or she submits one or more attestations of competence or evidence of formal qualifications to pursue the profession. The same applies to training under the second paragraph of Article 14.

If the application is made for a licence in a profession that is regulated in the other EEA Member State and the applicant's training meets the requirements of indents b, c, d or e of Article 1 of Appendix II, professional practice in accordance with the first paragraph above shall not be required.

#### Article 16

##### *Compensation measures.*

The Medical Director of Health may demand that applicants complete either an adaptation period of up to three years under supervision or that they undergo an aptitude test if:

- a. the training period, completion of which is attested in the evidence they submit, is at least one year shorter than is required in Iceland,
- b. the training they have received is substantially different, in terms of its contents, from that which is required in Iceland, or
- c. the profession which is regulated in Iceland does not correspond to the applicant's profession, the difference lying in special training that is required in Iceland and is substantially different, in terms of its contents, from the training that lies behind the applicant's attestation of competence or evidence of formal qualifications.

Applicants shall be given the right to choose between an adaptation period and undergoing an aptitude test.