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# Recognition of Foreign Professional Qualifications Act<sup>1</sup>

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RT I 2008, 30, 191  
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Amended by the following acts

Passed	Published	Entry into force
05.12.2013	RT I, 21.12.2013, 1	22.12.2013
21.05.2014	RT I, 04.06.2014, 3	14.06.2014
09.12.2015	RT I, 30.12.2015, 1	18.01.2016
03.06.2020	RT I, 16.06.2020, 1	01.08.2020
17.06.2020	RT I, 10.07.2020, 3	15.07.2020

## Chapter 1 GENERAL PROVISIONS

### § 1. Scope of application of Act

(1) This Act establishes the grounds for the recognition of foreign professional qualifications and the conditions of and procedure for pursuing regulated positions or professions or on a self-employed basis.

(2) This Act applies to the recognition of the professional qualifications of a doctor, dental practitioner, nurse, pharmacist, midwife, veterinary surgeon and architect insofar as it is not otherwise regulated by acts governing the specified fields.

(3) This Act does not apply to regulated positions and professions for which separate conditions and procedure have been established in international or European Union legislation for recognition of professional qualifications.

(4) This Act does not apply to the assessment and academic recognition of evidence of foreign formal qualifications, which takes place on the conditions and in accordance with the procedure established in § 28<sup>1</sup> of the Education Act of the Republic of Estonia.

(5) The provisions of the Administrative Procedure Act apply to the administrative proceedings specified in this Act, taking into account the specifications provided for in this Act.

### § 2. Purpose of Act

The purpose of this Act is, via the recognition of foreign professional qualifications, to enable access to pursuing a regulated position or profession or on a self-employed basis (hereinafter jointly referred to as *working*) on conditions equal to the professional qualifications required in Estonia.

### § 3. Regulated education and training, position and profession

(1) 'Regulated education' means any training which is specifically geared to the pursuit of a given profession, specialisation or occupation and which is complemented, where appropriate, by professional training or professional practice based on a curriculum whose requirements have been established by or on the basis of law.

(2) 'Regulated position' means a position that calls for professional qualifications provided by or on the basis of law.

(3) 'Regulated profession' means a profession, specialisation or occupation that calls for or the use of whose professional title calls for professional qualifications provided by or on the basis of law.

(4) For the purposes of subsection (3) of this section 'regulated profession' also means professional activities practiced by members of the associations and organisations recognised by the foreign competent authority on the basis of foreign legislation and listed in Annex I to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications (OJ L 255, 30.09.2005, pp. 22–142).

#### **§ 4. Professional qualifications and foreign professional qualifications**

(1) For the purposes of this Act, 'professional qualifications' means education and/or professional experience attested by documentary evidence, which is required for pursuing a regulated position or profession.

(2) For the purposes of this Act, 'foreign professional qualifications' means qualifications specified in subsection (1) of this section, which have been acquired abroad and comply with the following conditions:

1) professional experience must have been gained in the course of the actual and lawful full-time or part-time work in a relevant profession or specialisation;

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

2) education must have been acquired primarily in a member state of the European Union, a member state of the European Economic Area or Swiss Confederation. If education has been acquired primarily in a foreign state other than a member state of the European Union, a member state of the European Economic Area or Swiss Confederation, the person must have three years of professional experience in a relevant profession, which has been acquired and attested in a member state of the European Union, a member state of the European Economic Area or Swiss Confederation that recognised the foreign professional qualifications.

#### **§ 5. Recognition of foreign professional qualifications**

(1) Recognition of foreign professional qualifications means a procedure in the course of which:

1) the compliance of the foreign professional qualifications acquired by a person with the professional qualifications required in Estonia for pursuing a regulated position or profession is assessed by comparing the foreign professional qualifications with the professional qualifications required in Estonia, and

2) the right of the person who has acquired foreign professional qualifications to pursue a regulated position or profession in Estonia is decided.

(2) The recognition of foreign professional qualifications gives the person who acquired foreign professional qualifications the right to pursue in Estonia in the same position or profession as the one that the person qualified for in the foreign state, on conditions equal to the professional qualifications required in Estonia. The position or profession that the person qualified for abroad is deemed the same as the position or profession regulated in Estonia, provided that the respective professional activities are comparable.

(3) The recognition of foreign professional qualifications does not affect the following of a person who acquired the foreign professional qualifications:

1) the right to use the original or transliterated name of the academic degree or title granted in the foreign education system and the official abbreviations thereof;

2) the obligation to master the languages required in the regulated position or profession.

#### **§ 6. Applicant**

An applicant is a person who has acquired foreign professional qualifications and wishes to work (including temporarily) in a regulated position or profession in Estonia and who is:

1) an Estonian citizen;

2) a citizen of a member state of the European Union, a member state of the European Economic Area or the Swiss Confederation or their family member who resides in Estonia on the basis of a temporary or permanent right of residence;

[RT I, 10.07.2020, 3 – entry into force 15.07.2020]

3) an alien who resides in Estonia on the basis of a long-term residence permit;

4) a person enjoying international protection who resides in Estonia on the basis of a temporary residence permit.

[RT I, 21.12.2013, 1 – entry into force 22.12.2013]

#### **§ 7. Coordinating authority, competent authority and assistance centre**

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(1) The Ministry of Education and Research coordinates the recognition of foreign professional qualifications and the uniform implementation of this Act in Estonia, gathers information on the implementation of this Act, exchanges information with the Member States, including on the best practices, coordinates the implementation of common training frameworks, training tests and alert mechanism, and helps applicants exercise the rights conferred upon them by this Act.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2) ‘Competent authority’ means a person, authority or body that, on the conditions and in accordance with the procedure provided for in this Act, compares foreign professional qualifications with the professional qualifications required in Estonia for pursuing a regulated position or profession and decides the recognition of the foreign professional qualifications of an applicant.

(3) In addition to the provisions of subsection (2) of this section, the competent authority performs the following functions:

1) cooperates with assistance centres and foreign competent authorities, thereby exchanging information with foreign competent authorities on disciplinary and criminal penalties imposed and on other events that may have considerable influence on the recognition of the foreign professional qualifications of a person and pursuing a regulated position or profession;

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

2) keeps account of the instances of recognition of foreign professional qualifications and applicants and submits relevant reports to the Ministry of Education and Research, the coordinating authority, at the request of the latter;

3) issues to persons European Professional Cards and other evidence and documents, which are necessary for the recognition of professional qualifications and working, including temporarily, in a regulated position or profession in Estonia or in a foreign state;

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

4) provides applicants with information on the recognition of foreign professional qualifications for working, including temporarily, in a relevant regulated position or profession and, where necessary, helps applicants exercise their statutory rights.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(3<sup>1</sup>) Upon performance of the functions specified in subsections (1) to (3) of this section, the coordinating authority and competent authorities use, above all, the Internal Market Information System, which is regulated by Regulation (EU) No 1024/2012 of the European Parliament and of the Council on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC (‘the IMI Regulation’) (OJ L 316, 14.11.2012, pp. 1–11) (hereinafter *Internal Market Information System*).

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(3<sup>2</sup>) The competent authority is required to submit the documents specified in clause 3 of subsection 3 of this section to the applicant within two months after the competent authority of a foreign country demands it.

[RT I, 10.07.2020, 3 – entry into force 15.07.2020]

(4) Assistance centre means a person, authority or body that, in cooperation with competent authorities and other assistance centres, provides applicants, foreign assistance centres and, where appropriate, other persons with information on the recognition of foreign professional qualifications in Estonia, including on legislation governing regulated positions or professions and, where appropriate, assists applicants in exercising the rights conferred on them by this Act. For the purposes of this Act, the assistance centre is the Education and Youth Authority which performs the functions of an academic recognition information centre (ENIC/NARIC) in Estonia.

[RT I, 16.06.2020, 1 – entry into force 01.08.2020]

(5) [Repealed – RT I, 30.12.2015, 1 – entry into force 18.01.2016]

## **Chapter 2**

# **RECOGNITION OF FOREIGN PROFESSIONAL QUALIFICATIONS FOR WORKING IN ESTONIA**

### **§ 8. Evidence of foreign professional qualifications**

(1) ‘Evidence of foreign professional qualifications’ means a diploma, certificate, attestation of competence or other evidence or set of evidence of formal qualifications or professional experience, which has been issued by a competent authority or person.

(2) Evidence of foreign professional qualifications are divided into five levels, whereby level I is the lowest and level V is the highest:

1) level 1: an attestation of competence certifies that the applicant has undergone training or passed a specific examination without prior training, which gives the knowledge, skills and attitudes or competences for pursuing a regulated position or profession, or the full-time pursuit of the profession in a member state of the European Union, a member state of the European Economic Area or the Swiss Confederation for three consecutive years or for an equivalent duration on a part-time basis during the previous ten years, or general primary or secondary education, attesting that the applicant has acquired general knowledge and skills;

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

2) level 2: a certificate certifies that the applicant has, after completing courses of training at the level of secondary education, completed work-related training in an educational institution or workplace or in an educational institution and workplace, and the applicant has the required professional qualifications for pursuing a regulated position;

3) level III: a certificate certifies that the applicant has successfully completed a curriculum at a post-secondary level with a nominal duration of at least one year or completed vocational training with a special structure, with competences going beyond what is provided for in the level specified in subsection (2), such training provides a comparable professional standard and prepares persons for a comparable level of responsibilities and functions, and the completion of the curriculum or training is certified by a certificate issued by the home Member State; [RT I, 30.12.2015, 1 – entry into force 18.01.2016]

4) level 4: a diploma certifies that the applicant has, following secondary education, acquired higher education in a higher educational institution under a curriculum with a nominal duration of at least three and up to four years (180–240 ECTS credits) and has, where necessary, completed professional or specialised training following the completion of the curriculum; [RT I, 30.12.2015, 1 – entry into force 18.01.2016]

5) level 5: a diploma certifying that the applicant has successfully completed a curriculum at post-secondary level of at least four years' standard duration (240 ECTS credits) at an establishment of higher education as well as, where necessary, the professional training which may be required in addition to the completion of the curriculum.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 9. Evidence equal to evidence of foreign professional qualifications**

The competent authority considers the following evidence of foreign professional qualifications as evidence of the level specified in subsection 8 (2) of this Act:

1) evidence of foreign professional qualifications, which certifies the completion of full-time or part-time studies in or outside the framework of formal education and ensures that the applicant has an equal level of professional training abroad and equal access to pursuing a respective profession or specialisation and whose level the foreign competent authority has recognised as equal to the level specified in subsection 8 (2) of this Act;

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

2) evidence of foreign professional qualifications, which does not ensure that the applicant has an equal level of professional training abroad, but on the basis of which the applicant has, in accordance with the legislation of the foreign state, obtained the right to pursue the respective profession or specialisation and whose level the foreign competent authority has recognised as equal to the level specified in subsection 8 (2) of this Act.

### **§ 10. Recognition of foreign professional qualifications if position or profession is regulated in foreign state**

(1) In the case of a position or profession regulated in Estonia and in a foreign state where the applicant's professional qualifications have been acquired, the competent authority will recognise the applicant's foreign professional qualifications if the applicant has the professional qualifications required for pursuing the regulated position or profession in the foreign state and the competent authority of the foreign state has issued the evidence of the applicant's professional qualifications.

(2) The competent authority may refuse to recognise the foreign professional qualifications of an applicant if the evidence of the foreign professional qualifications of the applicant corresponds to the level specified in clause 8 (2) 1) of this Act, but in Estonia evidence of professional qualifications for pursuing the relevant regulated position or profession is required, which corresponds to the level specified in clause 8 (2) 5) of this Act.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 11. Recognition of foreign professional qualifications if position or profession is not regulated in foreign state**

(1) In the case of a position or profession regulated in Estonia, the competent authority will recognise the applicant's foreign professional qualifications if:

1) if in the foreign state where the professional qualifications have been acquired the position or profession is not regulated, but the applicant has pursued the profession full time for at least one year or part-time equal to the term of full-time work over a period of one year, and has acquired qualifications for pursuing the profession in the foreign state, and

2) the applicant's evidence of professional qualifications has been issued by the foreign competent authority and it proves that the applicant's training allows for pursuing the profession.

(2) The professional experience specified in clause 1) of subsection (1) of this section is not required if the applicant has acquired the relevant regulated education.

(3) The competent authority may refuse to recognise the foreign professional qualifications of an applicant if the evidence of the foreign professional qualifications of the applicant corresponds to the level specified in clause 8 (2) 1) of this Act, but in Estonia evidence of professional qualifications for pursuing the relevant regulated position or profession is required, which corresponds to the level specified in clause 8 (2) 5) of this Act.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

## **§ 12. Recognition of foreign professional qualifications if higher education of over four years is required for pursuing regulated position or profession**

[Repealed – RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 12<sup>1</sup>. Recognition of foreign professional qualifications based on common training framework**

(1) 'Common training framework' is a set of minimum competences required for working on a regulated position or profession. The common training framework does not replace Estonian curricula.

(2) If a position or profession is regulated in Estonia, the competent authority will recognise the foreign professional qualifications acquired based on the common training framework as Estonian professional qualifications.

(3) The common training framework will not be introduced in Estonia and foreign professional qualifications will not be recognised based on common training principles if at least one of the following conditions exists:

- 1) there is no educational institution in Estonia, which would allow for completing a curriculum corresponding to the relevant position or profession;
- 2) the introduction of the common training framework would adversely affect the Estonian education system and the organisation thereof;
- 3) there are substantial differences between the common training framework and the respective Estonian curriculum, which entail serious risks for public policy, public security, public health or for the safety of consumers or the protection of the environment.

(4) More detailed conditions and procedure for the common training framework of a specific regulated position and profession will be established by an implementing regulation of the European Commission on the basis of Article 49a(4) of Directive 2005/36/EC of the European Parliament and of the Council.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 12<sup>2</sup>. Recognition of foreign professional qualifications based on common training test**

(1) 'Common training test' means an aptitude test used for assessing competences in a regulated position or profession in all the participating Member States of the European Union.

(2) If a position or profession is regulated in Estonia, the competent authority will recognise the foreign professional qualifications of an applicant who passed the common training test as Estonian professional qualifications.

(3) The common training test will not be introduced in Estonia and foreign professional qualifications will not be recognised based on the common training test if at least one of the following conditions exists:

- 1) the given profession is not regulated in Estonia;
- 2) the contents of the common training test do not sufficiently mitigate serious risks for public health or the safety of consumers;
- 3) the contents of the common training test would render access to the position or profession significantly less attractive compared to Estonian requirements.

(4) The contents of the common training test and the conditions and procedure for taking and assessing it will be established by an implementing regulation of the European Commission on the basis of Article 49b(4) of Directive 2005/36/EC of the European Parliament and of the Council.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 12<sup>3</sup>. Recognition of professional traineeship**

(1) If access to a regulated position or profession is contingent upon completion of a professional traineeship, the competent authority will, when considering an application for recognition of foreign professional qualifications, recognise a professional traineeship carried out in another Member State of the European Union, member state of the European Economic Area or in the Swiss Confederation in accordance with subsection (2) of this section, and will take into account a professional traineeship carried out in a third country.

(2) 'Professional training' means a period of professional practice carried out under supervision outside Estonia, which constitutes a condition for access to a regulated position or profession, and which can take place either during or after completion of an education leading to a diploma. Recognition of the professional traineeship does not replace any legal requirements in place to pass an examination in order to gain access to the position or profession in question.

(3) More detailed conditions of and procedure for professional traineeships required for recognition of foreign professional qualifications may be established by the Government of the Republic.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 13. Recognition of foreign professional qualifications in case of substantial differences**

(1) If the applicant complies with the conditions specified in § 10 or § 11 of this Act, but the substantial differences specified in this section exist, the competent authority may require that the applicant take an aptitude test or undergo a one-year adaptation period at the applicant's own choice in the following events:

1) the applicant has completed a curriculum in a foreign state, which is substantially different from the Estonian curriculum that serves as the prerequisite for pursuing a regulated position or profession;

2) the profession regulated in Estonia involves at least one professional activity that is not part of the respective profession of the foreign state for the purposes of subsection 5 (2) of this Act and the professional activities covered by the regulated profession in Estonia differ substantially from the respective professional activities in the foreign state where the applicant acquired the professional qualifications.

(2) Substantial differences for the purposes of subsection (1) of this section are competences in subjects or matters whose knowledge is important for pursuing a regulated profession and with regard to which the curriculum completed by the applicant differs considerably from the Estonian curriculum in terms of the duration and contents. Before demanding that an aptitude test be passed or an adaptation period be undergone, the competent authority must ascertain whether the applicant's competences acquired in any state via professional experience or formal education or outside it and the acquisition of which has been certified by the relevant foreign authority, partially or fully cover the substantial differences.

(3) The list of regulated positions and professions whereby an aptitude test or adaptation period may be required regardless of the applicant's choice will be established by a regulation of the Government of the Republic.

(4) In the following events, the competent authority may demand that the applicant pass an aptitude test or undergo an adaptation period regardless of the applicant's choice:

1) pursuing the regulated position or profession calls for thorough knowledge of relevant Estonian legislation and the assistance or advice related to legislation is a substantial and inherent part of the regulated position or profession;

2) the document certifying the foreign professional qualifications of the applicant corresponds to the level specified in clause 8 (2) 1) of this Act, but in Estonia evidence of professional qualifications, which corresponds to the level specified in clause 8 (2) 3) of this Act is required for pursuing the regulated position or profession is required;

3) the document certifying the foreign professional qualifications of the applicant corresponds to the level specified in clause 8 (2) 2) of this Act, but in Estonia evidence of professional qualifications, which corresponds to the level specified in clause 8 (2) 4) or 5) of this Act is required for pursuing the regulated position or profession is required.

(5) The competent authority may demand that the applicant pass an aptitude test and undergo an adaptation period regardless of the applicant's choice if the evidence of the foreign professional qualifications of the applicant corresponds to the level specified in clause 8 (2) 1) of this Act, but in Estonia evidence of professional qualifications, which corresponds to the level specified in clause 8 (2) 4) of this Act, is required for pursuing the relevant regulated position or profession.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 14. Aptitude test and adaptation period**

(1) An aptitude test verifies the person's professional, special and occupational competences, taking into account the fact that the applicant is a qualified professional in the profession, specialisation or occupation in a foreign state. The purpose of an aptitude test is to assess the person's competences that are substantial for pursuing a regulated position or profession.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2) 'Adaptation period' means working under the supervision and responsibility of a qualified professional, civil servant or self-employed person of the respective profession or specialisation, such period of supervised practice being the subject of an assessment by the competent authority and possibly being accompanied by further training. The purpose of the adaptation period is to assess the compliance of the applicant's abilities with the requirements established for pursuing the regulated position or profession. The adaptation period is governed by requirements established to probationary practice in legislation governing labour and service relationships.

(2<sup>1</sup>) If the competent authority demands that the applicant take an aptitude test or undergo an adaptation period based on § 13 of this Act, the competent authority must give the applicant at least the following information in its decision:

1) the level of professional qualifications required for pursuing the relevant regulated position or profession in Estonia and the correspondence of the level of the applicant's foreign professional qualifications to the level specified in subsection 8 (2) of this Act;

2) the substantial differences specified in subsections 13 (1) and (2) of this Act and the reasons why these differences cannot be compensated with competences acquired via professional experience or formal education or outside it, which the relevant foreign authority has certified.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2<sup>2</sup>) The applicant has the right to take an aptitude test within six months from the making of the decision specified in subsection (2<sup>1</sup>) of this section.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(3) The Government of the Republic will establish the procedure for arrangement and assessment of aptitude tests and adaptation periods.

#### **§ 15. Waiving of aptitude test and adaptation period based on common platform**

[Repealed – RT I, 30.12.2015, 1 – entry into force 18.01.2016]

#### **§ 16. Use of professional title**

(1) If the use of a professional title arising from a regulated position or profession is regulated by legislation in Estonia, the applicant whose foreign professional qualifications have been recognised on the basis of this Act will use the Estonian professional title and the respective abbreviations when pursuing the regulated position or profession.

(2) In the event specified in § 17<sup>1</sup> of this Act, the applicant whose foreign professional qualifications have been partially recognised on the basis of this Act may, upon pursuing a regulated position or profession, use the respective professional title of the Member State of origin in its original or transliterated form and the corresponding abbreviations as soon as the applicant has been granted partial access to work.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

#### **§ 17. Proceedings of recognition of foreign professional qualifications**

(1) To pursue a regulated position or profession, the applicant submits to the competent authority an electronic application via the Estonian information gateway in accordance with the single contact point principle, or an application in writing or in a form reproducible in writing. The competent authority will send a confirmation of receipt of the application to the applicant within one week after the submission of the application and, where necessary, inform the applicant about missing evidence.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2) In addition to the application specified in subsection (1) of this section, the competent authority may demand that the applicant submit the following documents:

1) the applicant's identity document or extract of the page thereof, which bears the personal data;

2) originals or notarised, officially certified or certified (apostilled) copies of the evidence of professional qualifications if there is reasonable doubt about the lawfulness or the evidence and if it is strictly necessary;

3) where necessary, the evidence specified in subsections 18 (1) to (3) of this Act.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2<sup>1</sup>) The requirement to submit the copies specified in clause 2} of subsection (2) of this section is not deemed as a requirement to submit evidence the absence of which would result in the setting of a new time limit and a possible refusal to review the application.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2<sup>2</sup>) If the applicant has submitted to the foreign competent authority an application for the European Professional Card and the foreign competent authority has forwarded it to the Estonian competent authority, the forwarded application will replace the application and evidence specified in subsections (1) and (2) of this section.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2<sup>3</sup>) The competent authority is required to contact the competent authority of a foreign country where the applicant cannot submit the documents specified in clause 2 of subsection 2 of this section.

[RT I, 10.07.2020, 3 – entry into force 15.07.2020]

(3) In the event of reasonable doubt, the competent authority has the right to ask the foreign competent authority for a confirmation of the authenticity of the evidence of the professional qualifications issued in the foreign state.

(4) If the evidence of professional qualifications partially or fully reflects training completed in a foreign state, the competent authority will, in the event of reasonable doubt, have the right to address the foreign competent authority in order to check whether:

1) the evidence has been issued by a foreign competent authority on the basis of a curriculum that the foreign state considers part of its education system and whether the evidence is recognised by the competent authority in the home country;

2) the evidence ensures the same professional and specialisation rights in the foreign state that issued it.

(5) In the event of reasonable doubt, the competent authority has the right to receive information from the foreign competent authority on suspensions or prohibitions to pursue the position or profession as a result of serious professional misconduct or conviction of criminal offences relating to the pursuit of any of the applicant's professional activities.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(6) If necessary, the competent authority has the right to request that the applicant submit translations of the evidence specified in clauses 2) and 3) of subsection (2) of this section.

(7) Before the submission of an application, the applicant must pay the state fee at the rate specified in the State Fees Act for a review of the application.

(8) The competent authority will review the application and decide the recognition of the applicant's foreign professional qualifications within two months as of the submission of the application and all the documents provided for in the legislation. If additional investigation is required, the competent authority has the right to extend the time limit for making a decision to up to three months, immediately informing the applicant of the extension of the time limit and the reasons thereof.

(9) Upon recognition of the foreign professional qualifications of the applicant, the competent authority has the right, by its decision, to:

1) recognise the foreign professional qualifications;

2) recognise the foreign professional qualifications partially in accordance with § 17<sup>1</sup> of this Act;

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

3) refuse to recognise the foreign professional qualifications.

(10) The competent authority will make a decision regarding the recognition of foreign professional qualifications known to the applicant by mail or electronically within ten working days after making the decision.

### **§ 17<sup>1</sup>. Partial recognition of foreign professional qualifications**

(1) The competent authority recognises the foreign professional qualifications partially and grants the applicant partial access to pursuing a regulated position or profession on the following conditions:

1) the applicant is fully qualified to pursue the position or profession in the foreign state where the professional qualifications were acquired;

2) due to large differences between the foreign state and Estonia in pursuing the relevant position or profession the application of compensation measures would amount to requiring the applicant to complete the full curriculum in Estonia in order to have access to the full regulated position or profession in Estonia;

3) the professional activity in the regulated position or profession can be separated from other activities falling under the regulated position or profession in Estonia, taking into account that the professional activity in the relevant position or profession can be pursued autonomously in the foreign state.

(2) The competent authority may reject partial recognition of foreign professional qualifications if such rejection is justified by overriding reasons of general interest.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 18. Taking evidence into account**

(1) If proof of good repute or absence of bankruptcy or absence of prohibition to pursue the profession or absence of other restrictions, such as criminal or misdemeanour sanctions, is required for working in a regulated position or profession in Estonia, the competent authority will accept as sufficient evidence the production of equal documents issued by a foreign competent authority. Where the foreign state does not issue such documents, the competent authority will deem the following as sufficient: a declaration on oath made by the applicant in accordance with foreign legislation or a solemn declaration made by the applicant before a competent judicial or administrative authority, notary or qualified professional body of the foreign state and with regard to which such authority or notary has issued a certificate attesting the authenticity of the declaration on oath or solemn declaration.

(2) Where a document relating to the physical or mental health is required for working in a regulated position or profession in Estonia, the competent authority will accept as sufficient evidence thereof the presentation of the equal document required in the foreign state. Where the foreign state does not require such documents, the competent authority will accept an equivalent certificate issued by the competent authority of the foreign state.

(3) Where proof of the financial standing or liability insurance is required for working in a regulated position or profession in Estonia, the competent authority will accept equivalent documents issued by the foreign state as sufficient evidence.



(4) The applicant must submit the evidence and documents specified in subsections (1) to (3) of this section to the competent authority within three months as of the issue of the documents.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(5) Where it is required to swear a solemn oath or make a sworn statement in order to gain access to a regulated position or profession in Estonia, and where the wording of that oath or statement cannot be used by nationals of the other states, the citizens of other states are allowed to use an appropriate equivalent wording of the oath or statement.

### **Chapter 3**

## **RECOGNITION OF FOREIGN PROFESSIONAL QUALIFICATIONS FOR WORKING IN ESTONIA ON TEMPORARY BASIS**

#### **§ 19. Recognition of foreign professional qualifications in case of working on temporary basis**

(1) The applicant may pursue a regulated position or profession in Estonia on a temporary basis without undergoing the proceedings of recognition of foreign professional qualifications specified in Chapter 2 if the applicant meets the following conditions:

- 1) the applicant works in a member state of the European Union or in a member state of the European Economic Area or in the Swiss Confederation in accordance with the legislation of the home country in the same field of profession that the applicant wishes to pursue in Estonia on a temporary basis, and
- 2) if the position or profession is not regulated in the home state, the applicant has pursued the position or profession for at least one year over the previous ten years in one or several Member States of the European Union or European Economic Area or in the Swiss Confederation.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(1<sup>1</sup>) The professional experience specified in clause 1) of subsection (2) of this section is not required if the applicant has acquired the relevant regulated education.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2) The competent authority will assess separately on each occasion whether the work is performed on a temporary basis, depending on the duration, frequency, regularity, occasionality and continuity of work and the specific characteristics of the work or activity.

(3) In the case of temporary work in Estonia, the applicant is subject to the same requirements of Estonian legislation and professional and specialisation rules that are directly related to professional qualifications and that are applicable to Estonian citizens working in the same regulated position or profession, such as the substance and scope of the field of profession, the use of titles and names, important professional violations relating to consumer protection and safety, and disciplinary liability.

(4) Working in Estonia on a temporary basis does not give the right to use the Estonian professional title or the abbreviation thereof arising from the regulated position or profession, except in the event provided for in subsection 21 (6) of this Act. When working in Estonia on a temporary basis, the applicant uses the original or transliterated professional title prescribed in the foreign state regarding the respective professional activities.

(5<sup>1</sup>) In the event specified in subsection 21 (2<sup>1</sup>) of this Act, the applicant may, upon temporarily pursuing a regulated position or profession, use the respective professional title of the Member State of origin in its original or transliterated form and the corresponding abbreviations as soon as the applicant has been granted partial access to work.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

#### **§ 20. Notification of competent authority of working on temporary basis**

(1) If the applicant wishes to work in Estonia on a temporary basis for the first time, the applicant must, before commencement of work on a temporary basis, submit to the competent authority an electronic declaration via the Estonian information gateway in accordance with the single contact point principle or a declaration in writing or in a form reproducible in writing, indicating the field of temporary work and the applicant's contact details. Notifying of temporary work grants the applicant access to temporary work in a regulated position or profession in Estonia.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2) Upon working on a temporary basis for the first time, the applicant must submit to the competent authority the following documents in addition to the notification specified in subsection (1) of this section:

- 1) the applicant's identity document or extract of the page thereof, which bears the personal data;
- 2) a document issued by the foreign competent authority regarding the compliance of the applicant with clause 19 (1) 1) of this Act, including an attestation that the applicant is not prohibited from practising, temporarily or permanently, at the moment of delivering the attestation;
- 3) evidence of the compliance of the applicant with clause 19 (1) 2) of this Act;
- 4) originals or notarised, officially certified or certified (apostilled) copies of the evidence of professional qualifications if there is reasonable doubt about the lawfulness or the evidence and if it is strictly necessary;  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]
- 5) evidence of the existence of liability insurance or other professional liability, provided that it is required for working in the regulated position or profession in Estonia;
- 6) for professions in the security sector, in the health sector and professions related to the education of minors, including in childcare and early childhood education, where Estonia so requires for its own nationals who wish to pursue a regulated position or profession, an attestation confirming the absence of temporary or final suspensions from exercising the position or profession or of criminal convictions;  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]
- 7) for professions that have patient safety implications, a declaration about the applicant's knowledge of the language necessary for practising the profession in the host Member State;  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]
- 8) if the prior checking of foreign professional qualifications can be demanded based on § 21 of this Act regarding a regulated position or profession, a certificate concerning the nature and duration of the activity issued by the competent authority of the foreign state.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2<sup>1</sup>) The requirement to submit the copies specified in clause 2} of subsection (4) of this section is not deemed as a requirement to submit evidence the absence of which would result in the setting of a new time limit and a possible refusal to review the application.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(3) The competent authority has the right to receive information from the foreign competent authority about the lawfulness of the applicant's work in the foreign state, the applicant's good conduct as well as absence of disciplinary and criminal sanctions of a professional nature. The competent authority also has the right to ask the foreign competent authority or, provided that the position or profession is not regulated in the foreign state, the assistance centre for information about the applicant's education to the extent necessary to assess substantial differences likely to be harmful to public health or safety.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(4) In urgent cases, if the applicant did not, with good reason, have a chance to inform the competent authority before commencing work on a temporary basis, the applicant must inform the competent authority about the work on a temporary basis afterwards and submit the declaration and documents specified in subsections (1) and (2) of this section immediately after the commencement of work on a temporary basis.  
[RT I, 04.06.2014, 3 – entry into force 14.06.2014]

(5) If the applicant has knowingly given false information, failed to submit all the documents specified in subsection (2) of this section, does not comply with the requirements provided for in § 19 of this Act or violates the requirements established to working on a temporary basis by legislation, the competent authority will have the right to suspend the working on a temporary basis and inform the respective foreign competent authority thereof.

(6) The applicant must renew the notification specified in subsection (1) of this section once a year if the applicant intends to work in Estonia on a temporary basis in the same year. If the data given in the documents specified in subsection (2) of this section has changed considerably and the applicant wishes to work in Estonia on a temporary basis, the applicant must submit new documents to the competent authority.

(7) The applicant does not have to inform the competent authority of temporary work within 18 months as of the issue of the European Professional Card. The European Professional Card replaces the declaration specified in subsection (1) of this section.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

## **§ 21. Prior checking of foreign professional qualifications**

(1) Upon commencement of work on a temporary basis for the first time, in the case of a regulated position or profession having public health or safety implications, the competent authority may check the professional qualifications of the applicant before the applicant commenced work in Estonia on a temporary basis. The competent authority has the right to carry out such a prior check only where the purpose of the check is to avoid serious damage to the health or safety of persons due to a lack of professional qualifications of the applicant.

(1<sup>1</sup>) The competent authority cannot demand a prior check of foreign professional qualifications in the case of a regulated position or profession for the purpose of pursuance of which the foreign professional qualifications are recognised on the basis of the common training framework or the training test.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(2) Regulated positions and professions whereby foreign qualifications may be subject to a prior check for the purpose of working on a temporary basis will be established by a regulation of the Government of the Republic.

(2<sup>1</sup>) In addition to the provisions of subsection (1) of this section, the competent authority may, in the framework of a prior check of the professional qualifications, grant the applicant partial access to pursuing the regulated position or profession if the conditions established in subsection 17<sup>1</sup>(1) of this Act are fulfilled.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(3) Within one month after the submission of the declaration specified in § 20 of this Act and accompanying evidence, the competent authority will inform the applicant of the results of the check of their professional qualifications, including of the decision to demand that the applicant take an aptitude test or allow the applicant to work on a temporary basis or of the decision not to check the applicant's professional qualifications. If further checking is required, the competent authority has the right to, within the same term, to extend the time limit of the check to up to two months, immediately informing the applicant of the extension of the time limit and the reasons thereof.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(4) Where there is a substantial difference between the foreign professional qualifications of the applicant and the curriculum serving as the prerequisite for pursuing the regulated position or profession, to the extent that that difference is such as to be harmful to public health or safety, and that it cannot be compensated by the applicant's professional experience or by formal education or by competences acquired otherwise, which have been formally validated to that end by the foreign competent authority, the competent authority will demand that the applicant take an aptitude test and decide whether to allow the applicant to work on a temporary basis. The competent authority will demand an aptitude test keeping in mind that, not later than within one month from the date of notifying of the outcome of the check specified in subsection (3) of this section, the applicant could work in Estonia on a temporary basis.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(5) In the absence of a reaction of the competent authority within the deadlines set in sections (3) or (4) of this section, the applicant may work in Estonia on a temporary basis.

(6) If the use of a professional title arising from a regulated position or profession is regulated by legislation in Estonia, the applicant whose foreign professional qualifications have been checked on the basis of this Act will use the Estonian professional title and the respective abbreviations when pursuing the regulated position or profession on a temporary basis. Professionals who have been granted partial access to work must explicitly draw service recipients' attention to the scope of their professional activity.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

## **Chapter 3<sup>1</sup>** **EUROPEAN PROFESSIONAL CARD**

[RT I, 30.12.2015, 1 - entry into force 18.01.2016]

### **§ 21<sup>1</sup>. European Professional Card**

(1) 'European Professional Card' (hereinafter *professional card*) means an electronic certificate proving either that the foreign professional qualifications of the applicant have been recognised for pursuing a regulated position or profession, including for working on a temporary basis.

(2) Regulated positions and professions where the professional card will be introduced will be established by an implementing regulation of the European Commission based on Article 4a(7) of Directive 2005/36/EC of the European Parliament and of the Council.

(3) If a professional card has been introduced for a profession, the person has the right to apply for a professional card on the basis of this Chapter or for the recognition of their foreign professional qualifications based on Chapters 2 and 3 of this Act. A professional card is applied for and the application is reviewed on the conditions and in accordance with the procedure established in the implementing regulation specified in subsection (2) of this section.

(4) The competent authority, employer, consumer, another public authority and the interested person has the right to check the genuineness and validity of a professional card via the Estonian information gateway.

(5) If the competent authority has information about disciplinary actions or criminal convictions of the applicant, which restrict the right of the holder of the professional card to pursue the regulated position or deprive the holder of such right, the competent authority will update the data of the holder of the professional

card in the Internal Market Information System with the information. The competent authority will immediately inform the holder of the professional card and the competent authorities who have access to the data of the holder of the professional card in the Internal Market Information System about updating the information. The updating of information is limited to the following data:

- 1) name of the person;
- 2) regulated position or profession;
- 3) information about the court that has imposed a prohibition or a temporary restriction on the person regarding pursuing the regulated position or profession;
- 4) extent of the restriction or ban;
- 5) term of validity of the restriction or ban.

(6) In spite of the provisions of subsection (5) of this section, the competent authority must implement the alert mechanism provided for in Chapter 3<sup>2</sup> of this Act.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

## **§ 21<sup>2</sup>. Professional card for temporary work in foreign state**

(1) If the applicant wishes a professional card for working in a foreign state on a temporary basis, the applicant must, before commencing work on a temporary basis, submit to the competent authority an electronic application via the Estonian information gateway in accordance with the single contact point principle or an application in writing or in a form reproducible in writing. The competent authority will send a confirmation of receipt of the application to the applicant within one week after the submission of the application and, where necessary, inform the applicant about missing evidence.

(2) In the event of urgency, if the applicant was with good reason unable to submit the application specified in subsection (1) of this section before commencement of work on a temporary basis, the applicant must submit the application immediately after commencing work on a temporary basis.

(3) The competent authority will review the application and decide the issue of the professional card within three weeks as of the submission of the application and the required evidence.

(4) Upon reviewing the application, the competent authority checks whether the applicant meets the criteria specified in subsection 19 (1) of this Act and whether the documents are valid and genuine.

(5) In case of reasonable doubt, the competent authority has the right to demand that the applicant submit notarised, officially certified or certified (apostilled) copies of the evidence.

(6) The competent authority will immediately communicate the decision concerning the issue of the professional card to the competent authority of a Member State of the European Union, member state of the European Economic Area or the Swiss Confederation and to the applicant. The competent authority will inform the applicant of their right to demand at any time and free of charge that any incorrect or insufficient data of the applicant contained in the professional card be corrected or deleted or that the professional card be revoked. The professional card is made available to the applicant via the Estonian information gateway.

(7) If the applicant wishes to work on a temporary basis in a foreign state not specified in the application specified in subsection (1) of this section, the applicant must apply for extension of the validity of the professional card by adding the state. If the applicant wishes to continue work on a temporary basis after the period of 18 months has passed from the issue of the professional card, the applicant will inform the competent authority thereof. If the data given in the evidence specified in subsection (1) of this section has changed substantially, the applicant must submit new evidence to the competent authority. The competent authority must not demand that the applicant resubmit previously submitted valid evidence.

(8) The competent authority will inform the competent authority of a Member State of the European Union, member state of the European Economic Area or the Swiss Confederation and the applicant of the renewal of the professional card within two weeks as of the submission of the application.

(9) If the competent authority does not decide the issue of the professional card within the time limit specified in subsection (3) of this section, the professional card will be deemed as issued or renewed.

(10) The professional card for temporary work is valid in the host Member State of the European Union, member state of the European Economic Area or Swiss Confederation until the person has the right to pursue the relevant profession.

(11) If the person has applied for the revocation of the professional card, the competent authority will revoke it and issue to the person a certificate certifying the recognition of their foreign professional qualifications.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 21<sup>3</sup>. Professional card for working in foreign state and for work on temporary basis in case of prior check of foreign professional qualifications**

(1) If the applicant wishes the professional card for working in a foreign state or for work on a temporary basis in the case of a prior check of the foreign professional qualifications, the applicant must submit to the competent authority an electronic application via the Estonian information gateway in accordance with the single contact point principle or an application in writing or in a form reproducible in writing. The competent authority will send a confirmation of receipt of the application to the applicant within one week after the submission of the application and, where necessary, inform the applicant about missing evidence. The competent authority must not demand that the applicant resubmit previously submitted valid evidence.

(2) Within one month as of the submission of the application and the required evidence, the competent authority will check whether the applicant has the right to pursue the profession for which the applicant has applied for the professional card and whether the evidence is valid and genuine. In case of reasonable doubt, the competent authority has the right to demand that the applicant submit notarised, officially certified or certified (apostilled) copies of the evidence.

(3) If the applicant wishes the professional card for work on a temporary basis in the case of a prior check of foreign professional qualifications, the competent authority will also check whether the applicant meets the criteria specified in subsection 19 (1) of this Act. Thereafter the competent authority will immediately forward the application to the competent authority of the host Member State of the European Union, member state of the European Economic Area or Swiss Confederation also inform the applicant of the forwarding of the application.

(4) The application will be reviewed and the professional card will be issued on the basis of the legislation of the host Member State of the European Union, member state of the European Economic Area or Swiss Confederation.

(5) If the competent authority of the host Member State of the European Union, member state of the European Economic Area or Swiss Confederation asks for further information from the Estonian competent authority or the notarised, officially certified or certified (apostilled) copies of the evidence, the competent authority will submit the requested information or copies within two weeks from the submission of the request.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 21<sup>4</sup>. Professional card for work on temporary basis in Estonia**

If the competent authority of a Member State of the European Union, member state of the European Economic Area or Swiss Confederation has issued to the person the professional card for work on a temporary basis in Estonia, subsections 19 (3) and (4) will apply to the person.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 21<sup>5</sup>. Professional card for working in Estonia and for work on temporary basis in Estonia in case of prior check of foreign professional qualifications**

(1) If the competent authority of a Member State of the European Union, member state of the European Economic Area or Swiss Confederation has submitted to the Estonian competent authority an application regarding a person's work in Estonia or work on a temporary basis in Estonia in the case of a prior check of foreign professional qualifications, the competent authority will review the application and decide the issuing of the professional card as follows:

- 1) in the events specified in §§ 12<sup>1</sup> and 12<sup>2</sup> of this Act and in the case of a doctor, dental practitioner, nurse, pharmacist, midwife, veterinary surgeon and architect, within one month as of the forwarding of the application;
- 2) in the events specified in §§ 10, 11, 13 and 21 of this Act, within two months as of the forwarding of the application.

(2) Before the application can be reviewed, the applicant must pay a state fee at the rate specified in the State Fees Act for a review of the application.

(3) In case of reasonable doubt, the competent authority has the right to request that the competent authority of the state that forwarded the application submit further information or notarised, officially certified or certified (apostilled) copies of the evidence. The competent authority must not demand that the competent authority of the foreign state that forwarded the application resubmit previously submitted valid evidence.

(4) If a further check is required, the competent authority has the right to extend the decision-making time limit specified in subsection (1) by two weeks, immediately informing the applicant of the extension of the time limit and the reason for the extension. Such an extension may be repeated once by the competent authority if it is strictly necessary, above all, for reasons related to consumer safety or public health.

(5) If the professional card is applied for working in Estonia, §§ 8-13 of this Act apply to reviewing the application, while in the case of a prior check of foreign professional qualifications for the purpose of work in Estonia on a temporary basis, subsection 21 (1) and (2) of this Act apply.

(6) By its decision, the competent authority has the right to:

- 1) issue the professional card;
- 2) issue the professional card, recognising the foreign professional qualifications partially in accordance with § 17<sup>1</sup> of this Act;
- 3) in the events specified in §§ 10, 11 and 13 of this Act, demand that the applicant take an aptitude test or undergo an adaptation period in accordance with § 14 of this Act and, if the applicant has passed the test or undergone the adaptation period, issue the professional card;
- 4) in the event specified in subsection 21 (4) of this Act, demand that the applicant take an aptitude test in accordance with § 14 and subsection 21 (4) of this Act and, if the applicant has passed it, issue the professional card;
- 5) refuse to issue the professional card.

(7) The competent authority has the right to refuse to issue the professional card if the competent authority does not receive from the foreign competent authority the required information which the competent authority can, in accordance with this Act, request for the purpose of deciding whether to issue the professional card.

(8) The competent authority will immediately inform the applicant of the decision, thereby also informing the applicant of their right to demand at any time and free of charge that any incorrect or insufficient data of the applicant contained in the professional card be corrected or deleted or that the professional card be revoked. The professional card is made available to the applicant via the Estonian information gateway.

(9) If the competent authority does not decide the issue of the professional card within the time limit provided for in subsection (1) of this section or does not hold an aptitude test within the time limit specified in subsection 21 (4) of this Act, the professional card will be deemed as issued.

(10) The professional card for work or temporary work in the case of a prior check of foreign professional qualifications is valid in a Member State of the European Union, member state of the European Economic Area or Swiss Confederation remains in force until the person has the right to pursue the relevant profession. The provisions of § 16 of subsection 21 (6) of this Act apply to the use of a professional title.

(11) If the person has applied for the revocation of the professional card, the competent authority will revoke it and issue to the person a certificate certifying the recognition of their foreign professional qualifications.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

## **Chapter 3<sup>2</sup>** **ALERT MECHANISM**

[RT I, 30.12.2015, 1 - entry into force 18.01.2016]

### **§ 21<sup>6</sup>. Implementation of alert mechanism**

(1) The competent authority will inform the competent authorities of the Member State of the European Union, member state of the European Economic Area or Swiss Confederation of persons:

- 1) whom the court has imposed a prohibition or a temporary restriction on pursuing a regulated position or profession;
- 2) who has submitted falsified evidence for certifying their qualifications upon applying for recognition of professional qualifications.

(2) The list of regulated positions and professions whereby the alert mechanism is implemented will be established by a regulation of the Government of the Republic.

(3) The competent authority will submit the information specified in subsection (1) of this section via the Internal Market Information System within three days after the entry of a final judgment in the criminal records database and simultaneously also inform the person thereof in writing.

(4) The competent authority implements the alert mechanism in accordance with the procedure provided for in the implementing regulation of the European Commission specified in Article 56a(8) of Directive 2005/36/EC of the European Parliament and of the Council.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

### **§ 21<sup>7</sup>. Specifics of implementation of alert mechanism in case of prohibition or restriction on pursuing regulated position or profession**

(1) In the event specified in clause 21<sup>6</sup>(1) 1) of this Act, the competent authority will enter the following data in the Internal Market Information System:

- 1) name of the person;
- 2) regulated position or profession;
- 3) information about the court that has imposed a prohibition or a temporary restriction on the person regarding pursuing the regulated position or profession;
- 4) extent of the restriction or prohibition;
- 5) term of validity of the restriction or prohibition.

(2) The competent authority will immediately inform the competent authorities of the Member State of the European Union, member state of the European Economic Area or Swiss Confederation via the Internal Market Information System when a prohibition or restriction specified in clause 21<sup>6</sup>(1) 1) of this Act has expired.  
[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

## **Chapter 4**

### **IMPLEMENTING PROVISIONS**

§ 22.–§ 40.[Omitted from this text.]

#### **§ 41. Entry into force of Act**

- (1) This Act will enter into force on 1 July 2008.
- (2) Section 35 of this Act will enter into force on 1 September 2008.

<sup>1</sup>Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications (OJ L 255, 30.09.2005, pp. 22–142), amended by Council Directive 2006/100/EC, adapting certain Directives in the field of freedom of movement of persons, by reason of the accession of Bulgaria and Romania (OJ L 363, 20.12.2006, pp. 141–237), Council Directive 2013/25/EU, 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 (OJ L 158, 10.06.2013, pp. 368–375), and Directive 2013/55/EU of the European Parliament and of the Council, 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’) (OJ L 354, 28.12.2013, pp. 132–170).  
[RT I, 30.12.2015, 1 - entry into force 18.01.2016]