

Republic of Latvia
Cabinet
Regulation No. 71
Adopted 31 January 2017

Regulations Regarding Additional Requirements for Recognition of Professional Qualification Obtained in Foreign States in Professions Regulated in the Republic of Latvia

*Issued pursuant to
Section 36, Clause 1 of the law On the Regulated Professions and the Recognition of Professional Qualifications*

I. General Provision

1. Regulation prescribes additional requirements for recognition of professional qualification obtained in foreign states in professions regulated in the Republic of Latvia (also for citizens of the European Union Member States whose education and professional qualification in accordance with the submitted evidence of education and professional qualification (hereinafter – the qualification documents) partly conform to the requirements which have been specified for the relevant profession in the Republic of Latvia) (hereinafter – the requirements specified for the regulated profession).

II. Additional Requirements if Education and Professional Qualification of the Applicant does not Differ Significantly from the Requirements Specified for the Regulated Profession

2. If education and professional qualification of the applicant does not differ significantly from the requirements specified for the regulated profession, additional requirements shall be applied for the recognition of professional qualification in relation to the duration and type of the professional experience in his or her home country, determining that the professional experience obtained by the applicant shall be equivalent to the type of professional activity and in respect of the total duration not less than the practical work experience the duration of which is determined in the requirements specified for the regulated profession. Additional requirements shall be applied in the following cases:

2.1. the applicant has not obtained the practical work experience of the specified duration under the supervision of a qualified representative of the relevant profession in the home country of the applicant, but for the access to independent professional activity in the relevant profession in the Republic of Latvia such period of supervised professional activity is necessary for obtaining the practical work experience;

2.2. the applicant has no professional experience or its duration is less than the duration provided for by the requirements specified for the regulated profession, if professional experience of specified duration is a requirement specified for the relevant profession.

3. If education and professional qualification of the applicant does not differ significantly from the requirements specified for the regulated profession and the relevant requirement in the Republic of Latvia is acquired higher education or vocational secondary education, the

total duration of professional experience necessary for the recognition of professional qualification shall:

3.1. exceed the missing duration of education not more than two times if there are differences in the content of the education programme acquired by the applicant or traineeship;

3.2. be equivalent to the missing duration of the acquired practical work experience under the supervision of a qualified representative of the profession, if the applicant has not acquired the practical work experience under the supervision of a qualified representative of the profession, but obtaining such experience of specified duration is included in the requirements specified for the regulated profession.

III. Application of Additional Requirements – Aptitude Test or Adaptation Period – if Education and Professional Qualification of the Applicant Differ Significantly from the Requirements Specified for the Regulated Profession

4. If education and professional qualification of the applicant differ significantly from the requirements specified for the regulated profession, additional requirement regarding aptitude test or adaptation period shall be applied for the recognition of professional qualification, giving the applicant the right of choice to fulfil one of the abovementioned requirements in the following cases:

4.1. if education and professional qualification of the applicant differ significantly from the requirements specified for the regulated profession in accordance with Section 45, Paragraph one, Clause 4 of the law On the Regulated Professions and the Recognition of Professional Qualifications, but the applicant has acquired study subjects (study courses) the knowledge of which is significant when pursuing professional activities in the relevant profession in the Republic of Latvia, and the level of acquired education is equivalent or one level lower, and the total duration thereof is not shorter than more than one year when comparing with that specified in the Republic of Latvia, but the applicant does not have at least one year long full-time or equivalent duration of part-time professional activity experience during the last ten years;

4.2. the level of education acquired by the applicant is equivalent or one level lower, and the total duration thereof is not shorter than two years when comparing to the requirements specified for the relevant profession regulated in the Republic of Latvia.

5. If education and professional qualification of the applicant differ significantly from the requirements specified for the regulated profession, additional requirement regarding aptitude test or adaptation period shall be applied for the recognition of professional qualification, without giving the applicant the right of choice to fulfil one of the abovementioned requirements:

5.1. in the regulated profession for which an integral part of performance of independent professional activities in the Republic of Latvia is knowledge about the laws and regulations of the Republic of Latvia and application thereof;

5.2. for specialities, sub-specialities and additional specialities of regulated professions of doctors, professions of general care nurse, dental practitioner, specialised dental practitioner, veterinary practitioner, midwives, pharmacists and architects, if the qualification documents of the applicant do not conform to the documents specified in laws and regulations which are recognised by applying the special system for the recognition of professional qualification;

5.3. if the qualification documents of the applicant certify:

5.3.1. that the acquired education and professional qualification conforms to Level 5 specified in Section 44, Paragraph two, Clause 5 of the law On the Regulated Professions and the Recognition of Professional Qualifications, but the requirements

specified for a profession regulated in the Republic of Latvia regarding the professional activity in the regulated profession conforms to Level 3 specified in Section 44, Paragraph two, Clause 3 or to Level 2 specified in Section 44, Paragraph two, Clause 2 of the abovementioned Law;

5.3.2. that the acquired education and professional qualification conforms to Level 4 specified in Section 44, Paragraph two, Clause 4 of the law On the Regulated Professions and the Recognition of Professional Qualifications, but the requirements specified for a profession regulated in the Republic of Latvia regarding the professional activity in the regulated profession conforms to Level 1 or 2 specified in Section 44, Paragraph two, Clause 1 or 2 of the abovementioned Law accordingly.

6. If medical education and professional qualification of the applicant differ significantly from the minimum requirements of education programmes for acquiring the professional qualification in the professions regulated in the field of health specified in the laws and regulations of the Republic of Latvia, an additional requirement regarding aptitude test shall be applied for the recognition of professional qualification.

7. When determining the aptitude test or duration of the adaptation period, the knowledge obtained through professional experience, acquired continuing education and vocational in-service training of the applicant the obtainment of which is approved by the competent authorities of the home country of the applicant or the competent authorities of the State in which the abovementioned knowledge, continuing education or vocational in-service training is obtained shall be taken into account. The recognition institution shall assess whether the abovementioned knowledge obtained through the applicant's professional experience, the acquired continuing education, and vocational in-service training compensates the missing theoretical knowledge and practical skills in accordance with the requirements specified for regulated professions.

8. The institution which issues professional qualification recognition certificates in regulated professions (hereinafter – the recognition institution) shall indicate in the decision regarding application of aptitude test or duration of adaptation period the necessary education and professional qualification level for the performance of professional activities in professions regulated in Latvia in accordance with the division specified in Section 44, Paragraph two of the law On the Regulated Professions and the Recognition of Professional Qualifications and shall justify why the education and professional qualification certified in the qualification documents do not conform to the requirements specified for the profession regulated in Latvia, as well as why this non-conformity is not compensated by the knowledge obtained through the applicant's professional experience, the acquired continuing education, and vocational in-service training.

9. In a decision regarding application of the aptitude test the recognition institution shall include the list of such essential study subjects (study courses) or content description thereof which conforms to the requirements specified for the profession regulated in Latvia, but the acquisition of which is not certified by the qualification documents of the applicant, and which will be assessed within the aptitude test.

10. In a decision regarding application of the adaptation period the recognition institution shall include a report regarding the theoretical knowledge, practical skills and essential provisions of professional activities which conform to the requirements specified for the regulated profession and the knowledge of which is not certified by the qualification documents of the applicant, and the acquisition of which is necessary during the adaptation period.

11. If a specific education program conforms to the acquisition of theoretical knowledge, practical skills or most essential provisions of professional activities in the relevant profession regulated in the Republic of Latvia specified in decisions referred to in Paragraphs 9 and 10 of this Regulation, the abovementioned decisions shall also indicate information on the place and time where such education can be acquired.

12. The minimum time necessary to obtain the missing theoretical knowledge and practical skills necessary for independent professional activities, and acquire the provisions of professional activities in the relevant profession regulated in the Republic of Latvia, shall be determined as the duration of the adaptation period.

13. The maximum duration of the adaptation period shall be:

13.1. three years if the requirements specified for the regulated profession include higher education or vocational secondary education;

13.2. two years if the acquisition of education included in the requirements specified for the regulated profession is certified by vocational education attestation, certificate of competence, or vocational training certificate the acquisition of which does not require basic education.

14. The decision referred to in Paragraphs 9 and 10 of this Regulation shall include also the following information regarding the aptitude test and adaptation period:

14.1. process;

14.2. assessment criteria;

14.3. place of the aptitude test – an institution (or institutions if it is possible to choose) in the Republic of Latvia in which the applicant can take it, and the time in accordance with Section 46, Paragraph four of the law On the Regulated Professions and the Recognition of Professional Qualifications (refers to the decision referred to in Paragraph 9 of this Regulation);

14.4. information regarding qualified representatives of the relevant profession in the Republic of Latvia who may carry out supervision of the applicant during the adaptation period (refers to the decision referred to in Paragraph 10 of this Regulation).

15. If the recognition institution takes a decision on the aptitude test, it shall, before sending the decision to the applicant, inform the institution (or institutions if it is possible to choose) referred to in Sub-paragraph 14.3 of this Regulation regarding the content and extent of knowledge, skills, and competences to be determined during the aptitude test, as well as agree on the procedure of the aptitude test.

16. The recognition institution shall ensure the process of the aptitude test in the place, time, and according to the procedures specified by it. The aptitude test shall include the test of such knowledge, skills, and competences which refer to the requirements laid down in laws and regulations for the relevant profession regulated in the Republic of Latvia, but the acquisition of which is not certified by the evidence of education and qualification, as well as professional experience of the applicant. The institution which carries out the aptitude test shall, upon finishing it, issue to the applicant a document that certifies the results of the aptitude test.

17. The recognition institution shall supervise the process of adaptation period, if necessary, give additional consultations regarding the tasks set out for the adaptation period to the applicant, and assess the activity of the applicant during this period.

IV. Additional Opportunities for the Recognition of the Qualification Documents of the Applicant

18. If a requirement for the professional activity in a profession regulated in the Republic of Latvia is acquired education which conforms to the education programme specified in Section 44, Paragraph two, Clause 3, Sub-clause “a” of the law On the Regulated Professions and the Recognition of Professional Qualifications, and the qualification documents of the applicant certify acquisition of such education programme, and a certificate approved by the competent authorities of the home country of the applicant has been appended thereto, and such certificate certifies that the level of education acquired by the applicant is equivalent to the education programme specified in Section 44, Paragraph two, Clause 3, Sub-clause “b” or “c” of the abovementioned Law, an additional requirement regarding the aptitude test or adaptation period shall not be applied to the recognition of professional qualification.

19. Upon recognising the professional qualification in a regulated profession, there is a requirement in the Republic of Latvia to obtain the practical work experience of specified duration under the supervision of a qualified specialist (supervisor for obtainment of practical work experience) in order to obtain the right to perform independent professional activity in such regulated profession, in such a case the work experience obtained in another European Economic Area Member State shall be recognised, and practical work experience obtained in a state other than the European Economic Area Member State shall be taken into account. The recognition of practical work experience obtained in foreign states shall not substitute other requirements specified to obtain the right to perform independent professional activity in the regulated profession.

20. Upon recognising the practical work experience obtained in foreign states in accordance with Paragraph 19 of this Regulation, it shall be assessed by taking into account the following criteria:

20.1. quantitative (extent, amount, duration, and other) and qualitative (content, level of complexity, multilateralism, and other) characteristics of tasks performed while obtaining the practical work experience in foreign states and conformity of the obtained skills with equivalent indicators for obtaining practical work experience in Latvia in the relevant regulated profession;

20.2. the role of supervisor for obtainment of practical work experience while obtaining the practical work experience, for example, the objectives set by the supervisor to the applicant for obtainment of practical work experience and reaching thereof, level of participation and attitude of the applicant in joint work with the supervisor for obtainment of practical work experience, as well as control of the tasks carried out independently.

21. Upon recognising the professional qualification in cases referred to in Paragraph 19 of this Regulation, the recognition institution may determine a restricted duration of practical work experience obtained in foreign states if knowledge and skills are to be obtained during obtaining the practical work experience in the relevant regulated profession which can be acquired only in Latvia.

22. If the qualification documents of the applicant certify the rights of the applicant to perform professional activity in the relevant profession in the home country of the applicant and such profession is included in the field of economic activity for which specific requirements in relation to general or professional knowledge or skills have been set, the duration and type of professional experience necessary for compensating the difference created by partial conformity shall be determined in accordance with laws and regulations

regarding recognition of professional qualification, on the basis of duration and type of professional experience in in separate fields of economic activity.

23. Qualification documents issued in a European Economic Area Member State which certify the obtainment of Level 5 education and professional qualification specified in Section 44, Paragraph two, Clause 5 of the law On the Regulated Professions and the Recognition of Professional Qualifications, and which have been recognised by the relevant State as equivalent to higher education or basic education in respect of the education level, within the meaning of this Regulation shall be assessed as equivalent to qualification documents certifying higher education or basic education.

24. In accordance with the legal acts of European Economic Area Member States, the qualification documents issued outside these States shall, within the meaning of this Regulation, be assessed in the same way as qualification documents issued in these States, if conformity thereof to such legal acts is certified by a document issued by the competent institution of the relevant State.

V. Closing Provision

25. Cabinet Regulation No. 397 of 7 June 2005, Regulations Regarding Additional Requirements for Recognition of Professional Qualification Obtained in Foreign States in Professions Regulated in the Republic of Latvia and Regarding Procedures by which Requirement on the Aptitude Test or Adaptation Period shall be Applied in these Professions (*Latvijas Vēstnesis*, 2005, No. 92; 2007, No. 153; 2014, No. 119), is repealed.

Informative Reference to European Union Directives

This Regulation contains legal norms arising from:

- 1) Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications;
- 2) Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 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).

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