

Recognition of Professional Qualifications
REGCOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

1997-31

Subsidiary
2002/046

Regulations made under section 44 of the Recognition of Professional Qualifications Act.

REGCOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

(LN. 2002/046)

13.6.2002

Amending enactments	Relevant current provisions	Commencement date
None		

ARRANGEMENT OF REGULATIONS.

Regulations.

1. Title.
2. Interpretation.
3. Production of certificates of experience.
4. False Representations or Declaration.

SCHEDULE 1

Qualifications and Experience for the purposes of Certificates of Experience.

SCHEDULE 2

PART ONE

Activities related to categories of professional experience

List I

Major Groups covered by Directive 64/427/EEC, as amended by Directive 69/77/EEC, and by Directives 68/366/EEC, 75/368/EEC and 75/369/EEC

List II

1997-31

Recognition of Professional Qualifications

RECOGNITION OF PROFESSIONAL QUALIFICATIONS REGULATIONS, 2002

**Subsidiary
2002/046**

Directive 82/470/EEC (Article 6(3))

List III

Directive 82/489/EEC

List IV

Directive 82/470/EEC (Article 6(1))

List V

Directives (64/222/EEC) and (70/523/EEC)

List VI

Directives 68/364/EEC, 68/368/EEC, 75/368/EEC, 75/369/EEC,
82/470/EEC

PART TWO

Activities other than those covered in Part One

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

1997-31

Subsidiary
2002/046

Title.

1. These Regulations may be cited as the Recognition of Professional Qualifications Regulations 2002.

Interpretation.

2.(1) In these Regulations—

“the Directive” means the Directive 1999/42/EC of the European Parliament and of the Council of 7 June 1999 establishing a mechanism for the recognition of qualifications in respect of the professional activities covered by the Directives on liberalisation and transitional measures and supplementing the general systems for the recognition of qualifications;

“the ISIC nomenclature” means the list published by the Statistical Office of the United Nations, New York, in 1958 entitled International Standard Industrial Classification of All Economic Activities, statistical papers series M number 4, Rev. 1;

“the Minister” means the Minister with responsibility for education and training; and

the “NICE nomenclature” means the nomenclature of industrial activities drawn up by the European Economic Community and called “Nomenclature of Industries in the European Communities (NICE)” - Supplementary issue in the “Industrial Statistics” series, Statistical Office of the European Communities, Brussels, June, 1963.

Production of certificates of experience.

3.(1) The Minister shall issue a certificate, to be called a “Certificate of Experience”, to a person who makes an application to him for the issue of such certificate in respect of a relevant activity and satisfies him as to his relevant experience and qualifications gained in Gibraltar as set out in Schedule 1.

(2) A relevant activity is an activity which falls within the lists of occupations set out in Schedule 2. Where those lists of occupations include reference to the NICE nomenclature or the ISIC nomenclature as the case may be, reference shall be had to those nomenclatures to resolve any question as to whether a particular activity is included within the scope of Schedule 2. Where the NICE nomenclature is said to correspond to the ISIC nomenclature the activities described in the ISIC nomenclature shall be deemed to be included within the NICE classification.

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

Subsidiary
2002/046

False Representations or Declaration.

4. Any person who procures or attempts to procure the issue of a certificate by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either orally or in writing, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

5.(1) Where the Minister is satisfied—

- (a) that a certificate was issued in reliance upon a representation or declaration in respect of which a person has been convicted of an offence under section 4; or
- (b) that information in reliance upon which a certificate has been issued is not correct or is not correct in a material particular and that the matters to which the certificate attests have not been attained,

he may revoke the certificate by notice in writing sent to the person named in the certificate subject to the conditions in subsection (2).

(2) The condition is that before revoking the certificate the Minister shall serve on the person named in the certificate a notice specifying—

- (a) that he is minded to revoke the certificate; and
- (b) the false representations or declarations in respect of which a person has been convicted of an offence; or
- (c) the incorrect information; and
- (d) the effect of (b) and (c) on the truth of the certificate,

and inviting that person within a reasonable period of not less than 14 days to submit representations in writing as to—

- (i) the relevance of any conviction for an offence in relation to the certificate or the matters to which it attests; and
- (ii) any other reason why the Minister should not revoke the certificate,

and the Minister shall consider any representation submitted within the period specified in the notice.

Section 3(1)

SCHEDULE 1

Qualifications and Experience for the
purposes of Certificates of Experience.

1. In this Schedule, “applicant” means a person who has made an application to the Minister for the issue of a Certificate of Experience.

2.(1) In the case of activities appearing in the Lists of Part One of Schedule 2 the relevant qualifications and experience are that the applicant has pursued the activity in Gibraltar:

- (a) in the case of activities in List I:
 - (i) for six consecutive years in either a self-employed capacity or as a manager of an undertaking; or
 - (ii) for three consecutive years in a self-employed capacity or as a manager of an undertaking where he proves that he has received at least three years’ prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
 - (iii) for three consecutive years in a self-employed capacity where he proves that he has pursued the activity in question for at least five years in an employed capacity; or
 - (iv) for five consecutive years in a managerial capacity of which at least three years were spent in technical posts with responsibility for one or more departments of the undertaking where he proves that he has received at least three years prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements, and

in the cases referred to in sub-paragraphs (i) and (iii), the applicant shall have pursued the activity during a period ending not more than 10 years prior to the application; or

- (b) in the case of activities in List II–
- (i) for six consecutive years in either a self-employed capacity or as a manager of an undertaking; or
 - (ii) for three consecutive years in a self-employed capacity or as a manager of an undertaking where he proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
 - (iii) for four consecutive years in a self-employed capacity or as a manager of an undertaking where he proves that he has received at least two years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
 - (iv) for three consecutive years in a self-employed capacity or as a manager of an undertaking where he proves that he has pursued the activity in question for at least five years in an employed capacity; or
 - (v) for five consecutive years in an employed capacity where he proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
 - (vi) for six consecutive years in an employed capacity where he proves that he has received at least two years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements, and

in the cases referred to in sub-paragraphs (i) and (iii), the applicant shall have pursued the activity during a period ending not more than 10 years prior to the application; or

- (c) in the case of the activities in List III–
- (i) for six consecutive years in either a self-employed capacity or as a manager or an undertaking; or

RECOGNITION OF PROFESSIONAL QUALIFICATIONS REGULATIONS, 2002

Subsidiary
2002/046

- (ii) for three consecutive years in a self-employed capacity or as a manager of an undertaking, where he proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
- (iii) for three consecutive years in a self-employed capacity where he proves that he has pursued the activity in question for at least five years in an employed capacity, and

in the cases referred to in sub-paragraphs (i) and (iii), the applicant shall have pursued the activity during a period ending not more than 10 years prior to the application; or

- (d) in the case of the activities in List IV–
 - (i) for five consecutive years in either a self-employed capacity or as a manager of an undertaking; or
 - (ii) for two consecutive years in a self-employed capacity or as a manager of an undertaking where he proves that he has received at least three years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
 - (iii) for three consecutive years in a self-employed capacity or as a manager of an undertaking where he proves that he has received at least two years' prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
 - (iv) for two consecutive years in a self-employed capacity or as a manager of an undertaking where he proves that he has pursued the activity in question for at least three years in an employed capacity; or
 - (v) for three consecutive years in an employed capacity where he proves that he has received at least two years' previous training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or

- (e) in the case of the activities in List V(a) and (b)–
 - (i) for three years in a self-employed capacity or as a manager of an undertaking, provided that pursuit of the activity in question did not cease more than two years before the date on which the application is made;
 - (ii) for three years in a self-employed capacity or as a manager of an undertaking, provided that, except in cases where the Member State in which the activity in respect of which the Certificate of Experience is sought permits its nationals to interrupt their pursuit of that activity for a longer period, pursuit of the activity in question did not cease more than two years before the date on which the application is made; or
- (f) in the case of the activities in List VI–
 - (i) for three consecutive years in either a self-employed capacity for as a manager of an undertaking; or
 - (ii) for two consecutive years in a self-employed capacity or as a manager of an undertaking where he proves that he has received prior training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements; or
 - (iii) for two consecutive years in a self-employed capacity or as a manager of an undertaking where he proves that he has pursued the activity in question for at least three years in an employed capacity; or
 - (iv) for three consecutive years in an employed capacity where he proves that he has received previous training for the activity in question, attested by a nationally recognised certificate or regarded by a competent professional or trade body as fully satisfying its requirements, and

in the cases referred to in sub-paragraphs (i) and (iii), the applicant shall have pursued the activity during a period ending not more than 10 years prior to the application.

(2) In the case of other activities referred to in Schedule 2, the relevant experience and qualifications are possession of general, commercial or

RECOGNITION OF PROFESSIONAL QUALIFICATIONS REGULATIONS, 2002

Subsidiary
2002/046

professional knowledge or ability evidenced by the pursuit in Gibraltar of the activity in question.

3. If an applicant has worked as mentioned in subparagraphs (a)(ii) and (iv), (b)(ii), (c)(ii) and (iii), (d)(v), and has received at least two years but less than three years prior training, the requirements of paragraph 1 shall be satisfied if the time he has spent working and the time he has spent training together equal—

- (a) 6 years, in the cases of subparagraphs (a)(ii), (b)(ii) and (c)(ii);
- (b) 8 years, in the cases of subparagraphs (a)(iv), (b)(iv) and (c)(iii);
- (c) 5 years, in the case of subparagraph (d)(v).

4. A person shall be regarded as having pursued an activity as a manager of an undertaking for the purposes of this Schedule if he has pursued such an activity in an undertaking in the occupational field in question—

- (a) as a manager of an undertaking or a manager of a branch of an undertaking; or
- (b) as a deputy to the proprietor or the manager of an undertaking where that post involves responsibility equivalent to that of the proprietor or manager represented; or

in a managerial post with duties of a commercial and/or technical nature and with responsibility for one or more departments of the undertaking.

SCHEDULE 2

PART ONE

Activities related to categories of professional experience

List I

**Major Groups covered by Directive 64/427/EEC, as amended by
Directive 69/77/EEC, and by Directives 68/366/EEC, 75/368/EEC and
75/369/EEC**

1

Directive 64/427/EEC
(liberalisation Directive: 64/429/EEC)

NICE Nomenclature (corresponding to ISIC Major Groups 23-40)

Major Group 23	Manufacture of textiles
232	Manufacturing and processing of textile materials on woollen machinery
233	Manufacturing and processing of textile materials on cotton machinery
234	Manufacturing and processing of textile materials on silk machinery
235	Manufacturing and processing of textile materials on flax and hemp machinery
236	Other textile fibre industries (jute, hard fibres, etc) cordage
237	Manufacture of knitted and crocheted goods
238	Textile finishing
239	Other textile industries
Major Group 24	Manufacture of footwear, other wearing apparel and bedding

Recognition of Professional Qualifications

1997-31

RECOGNITION OF PROFESSIONAL QUALIFICATIONS REGULATIONS, 2002

Subsidiary
2002/046

- 241 Machine manufacture of footwear (except from rubber or wood)
- 242 Manufacture by hand and repair of footwear
- 243 Manufacture of wearing apparel (except furs)
- 244 Manufacture of mattresses and bedding
- 245 Skin and fur industries
- Major Group 25 Manufacture of wood and cork, except manufacture of furniture
 - 251 Sawing and industrial preparation of wood
 - 252 Manufacture of semi-finished wood products
 - 253 Series production of wooden building components including flooring
 - 254 Manufacture of wooden containers
 - 255 Manufacture of other wooden products (except furniture)
 - 259 Manufacture of straw, cork, basketware, wicker-work and rattan products; brush-making
- Major Group 26 260 Manufacture of wooden furniture
- Major Group 27 Manufacture of paper and paper products
 - 271 Manufacture of pulp, paper and paperboard
 - 272 Processing of paper and paperboard, and manufacture of articles of pulp
- Major Group 28 280 Printing, publishing and allied industries
- Major Group 29 Leather industry
 - 291 Tanneries and leather finishing plants
 - 292 Manufacture of leather products

1997-31

Recognition of Professional Qualifications

RECOGNITION OF PROFESSIONAL QUALIFICATIONS REGULATIONS, 2002

**Subsidiary
2002/046**

ex Major Group 30	Manufacture of rubber and plastic products, man-made fibres and starch products
301	Processing of rubber and asbestos
302	Processing of plastic materials
303	Production of man-made fibres
ex Major Group 31	Chemical industry
311	Manufacture of chemical base materials and further processing of such materials
312	Specialised manufacture of chemical products principally for industrial and agricultural purposes (including the manufacture for industrial use of fats and oils of vegetable or animal origin falling within ISIC Group 312)
313	Specialised manufacture of chemical products principally for domestic or office use (excluding the manufacture of medicinal and pharmaceutical products (ISIC ex Group 319))
Major Group 32	320 Petroleum industry
Major Group 33	Manufacture of non-metallic mineral products
331	Manufacture of structural clay products
332	Manufacture of glass and glass products
333	Manufacture of ceramic products, including refractory goods
334	Manufacture of cement, lime and plaster
335	Manufacture of structural materials, in concrete, cement and plaster
339	Stone working and manufacture of other non-metallic mineral products
Major Group 34	Production and primary transformation of ferrous and non-ferrous metals

RECOGNITION OF PROFESSIONAL QUALIFICATIONS

REGULATIONS, 2002

**Subsidiary
2002/046**

- 341 Iron and steel industry (as defined in the ECSC Treaty, including integrated steelworks-owned coking plants)
- 342 Manufacture of steel tubes
- 343 Wire-drawing, cold-drawing, cold-rolling of strip, cold-forming
- 344 Production and primary transformation of non-ferrous metals
- 345 Ferrous and non-ferrous metal foundries
- Major Group 35 Manufacture of metal products (except machinery and transport equipment)
 - 351 Forging, heavy stamping and heavy pressing
 - 352 Secondary transformation and surface-treatment
 - 353 Metal structures
 - 354 Boiler making, manufacture of industrial hollow-ware
 - 355 Manufacture of tools and implements and finished articles of metal (except electrical equipment)
 - 359 Ancillary mechanical engineering activities
- Major Group 36 Manufacture of machinery other than electrical machinery
 - 361 Manufacture of agricultural machinery and tractors
 - 362 Manufacture of office machinery
 - 363 Manufacture of metal-working and other machine-tools and fixtures and attachments for these and for other powered tools
 - 364 Manufacture of textile machinery and accessories, manufacture of sewing machines
 - 365 Manufacture of machinery and equipment for the food-manufacturing and beverage industries and for the chemical and allied industries

- 366 Manufacture of plant and equipment for mines, iron and steel works foundries, and for the construction industry; manufacture of mechanical handling equipment
- 367 Manufacture of transmission equipment
- 368 Manufacture of machinery for other specific industrial purposes
- 369 Manufacture of other non-electrical machinery and equipment
- Major Group 37 Electrical engineering
- 371 Manufacture of electric wiring and cables
- 372 Manufacture of motors, generators, transformers, switch gear, and other similar equipment for the provision of electric power
- 373 Manufacture of electrical equipment for direct commercial use
- 374 Manufacture of telecommunications equipment, meters, other measuring appliances and electro medical equipment
- 375 Manufacture of electronic equipment, radio and television receivers, audio equipment
- 376 Manufacture of electric appliances for domestic use
- 377 Manufacture of lamps and lighting equipment
- 378 Manufacture of batteries and accumulators
- 379 Repair, assembly and specialist installation of electrical equipment
- ex Major Group 38 Manufacture of transport equipment
- 383 Manufacture of motor vehicles and parts thereof
- 384 Repair of motor vehicles, motorcycles and cycles

Recognition of Professional Qualifications

1997-31

RECOGNITION OF PROFESSIONAL QUALIFICATIONS REGULATIONS, 2002

**Subsidiary
2002/046**

- 385 Manufacture of motorcycles, cycles and parts thereof
- 389 Manufacture of transport equipment not elsewhere classified
- Major Group 39 Miscellaneous manufacturing industries
- 391 Manufacture of precision instruments and measuring and controlling instruments
- 392 Manufacture of medico-surgical instruments and equipment and orthopaedic appliances (except orthopaedic footwear)
- 393 Manufacture of photographic and optical equipment
- 394 Manufacture and repair of watches and clocks
- 395 Jewellery and precious metal manufacturing
- 396 Manufacture and repair of musical instruments
- 397 Manufacture of games, toys, sporting and athletic goods
- 399 Other manufacturing industries
- Major Group 40 Construction
- 400 Construction (non-specialised): demolition
- 401 Construction of buildings (dwellings or other)
- 402 Civil engineering; building of roads, bridges, railways, etc
- 403 Installation work
- 404 Decorating and finishing

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

Subsidiary
2002/046

NICE Nomenclature

- Major Group 20 A
- 200 Industries producing animal and vegetable fats and oils
- Major Group 20 B Food manufacturing industries (excluding the beverage industry)
- 201 Slaughtering, preparation and preserving of meat
 - 202 Milk and milk products industry
 - 203 Canning and preserving of fruits and vegetables
 - 204 Canning and preserving of fish and other sea foods
 - 205 Manufacture of grain mill products
 - 206 Manufacture of bakery products, including rusks and biscuits
 - 207 Sugar industry
 - 208 Manufacture of cocoa, chocolate and sugar confectionery
 - 209 Manufacture of miscellaneous food products
- Major Group 21 Beverage industry
- 211 Production of ethyl alcohol by fermentation, production of yeast and spirits
 - 212 Production of wine and other unmalted alcoholic beverages
 - 213 Brewing and malting
 - 214 Soft drinks and carbonated water industries
- ex 30 Manufacture of rubber products, plastic materials, artificial and synthetic fibres and starch products
- 304 Manufacture of starch products

Directive 75/368/EEC (activities listed in Article 5(1))

ISIC Nomenclature

- ex 04 Fishing
 - 043 Inland water fishing

- ex 38 Manufacture of transport equipment
 - 381 Shipbuilding and repairing
 - 382 Manufacture of railroad equipment
 - 386 Manufacture of aircraft (including space equipment)

- ex 71 Activities allied to transport and activities other than transport coming under the following groups:
 - ex 711 Sleeping- and dining-car services; maintenance of railway stock in repair sheds; cleaning of carriages
 - ex 712 Maintenance of stock for urban, suburban and interurban passenger transport
 - ex 713 Maintenance of stock for other passenger land transport (such as motor cars, coaches, taxis)
 - ex 714 Operation and maintenance of services in support of road transport (such as roads, tunnels and toll-bridges, goods depots, car parks, bus and tram depots)
 - ex 716 Activities allied to inland water transport (such as operation and maintenance of waterways, ports and other installations for inland water transport; tug and piloting services in ports, setting of buoys, loading and unloading of vessels and other similar activities, such as salvaging of vessels, towing and the operation of boathouses)

- 73 Communication: postal services and telecommunications

- ex 85 Personal services
 - 854 Laundries and laundry services, dry-cleaning and dyeing

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

Subsidiary
2002/046

- ex 856 Photographic studios: portrait and commercial photography, except journalistic photographers
- ex 859 Personal services not elsewhere classified (maintenance and cleaning of buildings or accommodation only)

4

Directive 75/369/EEC (Article 6: where the activity is regarded as being of an industrial or small-craft nature)

ISIC Nomenclature

The following itinerant activities:

- (a) the buying and selling of goods:
 - by itinerant tradesmen, hawkers or pedlars (ex ISIC Group 612);
 - in covered markets other than from permanently fixed installations and in open-air markets;
- (b) activities covered by transitional measures already adopted that expressly exclude or do not mention the pursuit of such activities on an itinerant basis.

List II

Directive 82/470/EEC (Article 6(3))

Groups 718 and 720 of the ISIC Nomenclature

The activities comprise in particular–

- organizing, offering for sale and selling, outright or on commission, single or collective items (transport, board, lodging, excursions, etc.) for a journey or stay, whatever the reasons for travelling (Article 2(B)(a)).

List III

Directive 82/489/EEC

- ex 855 Hairdressing, excluding services of chiropodists and professional beauticians and hairdressers' training schools

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

1997-31

Subsidiary
2002/046

List IV
Directive 82/470/EEC (Article 6(1))

Groups 718 and 720 of the ISIC Nomenclature:

The activities comprise in particular-

- acting as an intermediary between contractors for various methods of transport and persons who dispatch or receive goods, and carrying out related activities:
 - (aa) by concluding contracts with transport contractors, on behalf of principals;
 - (bb) by choosing the method of transport, the firm and the route considered most profitable for the principal;
 - (cc) by arranging the technical aspects of the transport operation (e.g. packing required for transportation); by carrying out various operations incidental to transport (e.g. ensuring ice supplies for refrigerated wagons);
 - (dd) by completing the formalities connected with the transport such as the drafting of way bills; by assembling and dispersing shipments;
 - (ee) by coordinating the various stages of transportation, by ensuring transit, reshipment, transshipment and other termination operations;
 - (ff) by arranging both freight and carriers and means of transport for persons dispatching goods or receiving them;
- assessing transport costs and checking the detailed accounts;
- taking certain temporary or permanent measures in the name of and on behalf of a shipowner or sea transport carrier (with the port authorities, ship's chandlers, etc.)

(The activities listed under Article 2(A)(a), (b) and (d)).

List V
Directives (64/222/EEC) and (70/523/EEC)

(a)

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

Subsidiary
2002/046

See Article 4(5)(a) of this Directive

Directive 64/222/EEC

(liberalisation Directive 64/224/EEC)

1. professional activities of an intermediary who is empowered and instructed by one or more persons to negotiate or enter into commercial transactions in the name of and on behalf of those persons;
2. professional activities of an intermediary who, while not being permanently so instructed, brings together persons wishing to contract directly with one another or arranges their commercial transactions or assists in the completion thereof;
3. professional activities of an intermediary who enters into commercial transactions in his own name on behalf of others;
4. professional activities of an intermediary who carries out wholesale selling by auction on behalf of others;
5. professional activities of an intermediary who goes from door to door seeking orders;
6. provision of services, by way of professional activities, by an intermediary in the employment of one or more commercial, industrial or small craft undertakings.

(b)

See Article 4(5)(b) of this Directive

Directive 70/523/EEC

Activities of self-employed persons in the wholesale coal trade and activities of intermediaries in the coal trade (ex Group 6112, ISIC Nomenclature)

List VI
Directives 68/364/EEC, 68/368/EEC, 75/368/EEC, 75/369/EEC,
82/470/EEC

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

1997-31

Subsidiary
2002/046

Directive 68/364/EEC

(liberalisation Directive 68/363/EEC)

ISIC ex Group 612 Retail trade

Excluded activities

- 012 Letting-out for hire of farm machinery
- 640 Real estate, letting of property
- 713 Letting-out for hire of automobiles, carriages and horses
- 718 Letting-out for hire of railway carriages and wagons
- 839 Renting of machinery to commercial undertakings
- 841 Booking of cinema seats and renting of cinematograph films
- 842 Booking of theatre seats and renting of theatrical equipment
- 843 Letting-out for hire of boats, bicycles, coin-operated machines for games of skill or chance
- 853 Letting of furnished rooms
- 854 Laundered linen hire
- 859 Garment hire

2

Directive 68/368/EEC

(liberalisation Directive 68/367/EEC)

ISIC Nomenclature

ISIC ex Major Group 85:

1. Restaurants, cafes, taverns and other drinking and eating places (ISIC Group 852)

**RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002****Subsidiary
2002/046**

2. Hotels, rooming houses, camps and other lodging places (ISIC Group 853)

3

Directive 75/368/EEC (Article 7)

All the activities listed in the Annex to Directive 75/368/EEC, except those referred to in Article 5 of that Directive (List I, No 3 of this Annex).

ISIC Nomenclature

ex 62 Banks and other financial institutions

ex 620 Patent buying and licensing companies

ex 71 Transport

ex 713 Road passenger transport, excluding transportation by means of motor vehicles

ex 719 Transportation by pipelines of liquid hydrocarbons and other liquid chemical products

ex 82 Community services

827 Libraries, museums, botanical and zoological gardens

ex 84 Recreation services

843 Recreation services not elsewhere classified:

- sporting activities (sports grounds, organising sporting fixtures, etc) except the activities of sports instructors
- games (racing stables, areas for games, racecourses, etc)
- other recreational activities (circuses, amusement parks and other entertainments)

ex 85 Personal services

ex 851 Domestic services

ex 855 Beauty parlours and services of manicurists, excluding services of chiropodists and professional beauticians' and hairdressers' training schools

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

1997-31

Subsidiary
2002/046

ex 859 Personal services not elsewhere classified, except sports and paramedical masseurs and mountain guides, divided into the following groups

- disinfecting and pest control
- hiring of clothes and storage facilities
- marriage bureaux and similar services
- astrology, fortune-telling and the like
- sanitary services and associated activities
- undertaking and cemetery maintenance
- couriers and interpreter-guides

4

Directive 75/369/EEC (Article 5)

The following itinerant activities—

- (a) the buying and selling of goods:
- by itinerant tradesmen, hawkers or pedlars (ex ISIC Group 612);
 - in covered markets other than from permanently fixed installations and in open-air markets,
- (b) activities covered by transitional measures already adopted that expressly exclude or do not mention the pursuit of such activities on an itinerant basis.

5

Directive 82/470/EEC (Article 6(2))

(Activities listed in Article 2(A)(c) and (e), (B)(b), (C) and (D))

These activities comprise in particular:

- hiring railway cars or wagons for transporting persons or goods;

**RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002**

**Subsidiary
2002/046**

- acting as an intermediary in the sale, purchase or hiring of ships;
- arranging, negotiating and concluding contracts for the transport of emigrants;
- receiving all objects and goods deposited, on behalf of the depositor, whether under customs control or not, in warehouses, general stores, furniture depots, coldstores, silos, etc.
- supplying the depositor with a receipt for the object or goods deposited;
- providing pens, feed and sales rings for livestock being temporarily accommodated while awaiting sale or while in transit to or from the market;
- carrying out inspection or technical valuation of motor vehicles;
- measuring, weighing and gauging goods.

PART TWO

Activities other than those covered in Part One

1

Directives 63/261/EEC, 63/262/EEC, 65/1/EEC, 67/530/EEC, 67/531/EEC, 67/532/EEC, 68/192/EEC, 68/415/EEC and 71/18/EEC

ISIC Nomenclature

ex Major group 01 Agriculture

In particular—

- (a) general agriculture including the growing of field crops and viticulture; growing of fruits, nuts, seeds, vegetables, flowers, both in the open and under glass;
- (b) raising of livestock, poultry, rabbits, fur-bearing or other animals, bees; the production of meat, milk, wool, skins and fur, eggs, honey;

**RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002**

**Subsidiary
2002/046**

- (c) agricultural, animal husbandry and horticultural services on a fee or contract basis.

2

Directive 63/607/EEC

(Films)

3

Directive 64/223/EEC

ISIC Nomenclature

ex Group 611 Activities of self-employed persons in wholesale trade (with the exception of wholesale trade in medicinal and pharmaceutical products, in toxic products and pathogens, and in coal).

4

Directive 64/428/EEC

NICE Nomenclature

Group

- | | |
|-------------|---|
| Major 11 | Mining and preparation of solid fuels |
| | 111 Mining and preparation of coal |
| | 112 Mining and preparation of lignite |
| Major 12 | Mining of metalliferous ores |
| | 121 Mining of iron ore |
| | 122 Mining of non-ferrous metalliferous ores and related activities |
| Major ex 13 | ex 130 Extraction of petroleum and natural gas (excluding prospecting and drilling) |
| Major 14 | 140 Extraction of building materials and fireclays |
| Major 19 | 190 Extraction of other minerals and of peat |

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

Subsidiary
2002/046

5

Directive 65/264/EEC

(cinema)

6

Directive 66/162/EEC

ISIC Nomenclature

Division 5 Electricity, gas, steam, water and sanitary services

7

Directive 67/43/EEC

ISIC Nomenclature

ex Group 640 Real estate (excluding 6401)

Group 839 Business services not elsewhere classified (excluding journalism, activities of customs agents, advice on economic, financial, commercial, statistical, and labour and employment matters, debt collection)

8

Directive 67/654/EEC

ISIC Nomenclature

Major Group 02 Forestry and logging

021 Forestry

022 Logging

9

Directives 68/369/EEC and 70/451/EEC

ISIC Nomenclature

Recognition of Professional Qualifications
RECOGNITION OF PROFESSIONAL QUALIFICATIONS
REGULATIONS, 2002

1997-31

Subsidiary
2002/046

ex Group 841 Production, distribution and projection of films

10

Directive 69/82/EEC

ISIC Nomenclature

ex Major Group 13

ex 130 Exploration (prospecting and drilling) for petroleum and natural gas

11

Directive 70/522/EEC

ISIC Nomenclature

ex Group 6112 Coal