

**DECISION No 1/2004 OF THE EU-SWISS JOINT COMMITTEE
of 30 April 2004**

amending Annex III (Mutual recognition of professional qualifications) to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons

(2004/802/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons (the Agreement), and in particular Articles 14 and 18 thereof,

Whereas:

- (1) The Agreement was signed on 21 June 1999 and entered into force on 1 June 2002. The Community acts taken into account in Annex III were those in force on 31 December 1998.
- (2) Annex III should now be updated to take account of amendments made since 21 June 1999, essentially by Directives 1999/42/EC⁽¹⁾ and 2001/19/EC⁽²⁾.
- (3) The amendments to Annex III will take effect from the date on which this Decision enters into force,

HAS DECIDED AS FOLLOWS:

Article 1

Annex III to the Agreement will be replaced by the text set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption by the EU-Swiss Joint Committee.

Done at Brussels, 30 April 2004.

For the Joint Committee

The President

Dieter GROSSEN

⁽¹⁾ OJ L 201, 31.7.1999, p. 77.

⁽²⁾ OJ L 206, 31.7.2001, p. 1.

ANNEX

'ANNEX III

MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS

SECTION A

Acts referred to

A. General system

1. **389 L 0048:** Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration (OJ L 19, 24.1.1989, p. 16), as amended by:
 - **32001 L 0019:** Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1).
2. **392 L 0051:** Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/58/EEC (OJ L 209, 24.7.1992, p. 25), as amended by:
 - **394 L 0038:** Commission Directive 94/38/EC of 26 July 1994 amending Annexes C and D to Council Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC (OJ L 217, 23.8.1994, p. 8),
 - **395 L 0043:** Commission Directive 95/43/EC of 20 July 1995 amending Annexes C and D to Council Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC (OJ L 184, 3.8.1995, p. 21),
 - **95/1/EC, Euratom, ECSC:** Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1),
 - **397 L 0038:** Commission Directive 97/38/EC of 20 June 1997 amending Annex C to Council Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Council Directive 89/48/EEC (OJ L 184, 3.8.1997, p. 31),
 - **32000 L 0005:** Commission Directive 2000/5/EC of 25 February 2000 amending Annexes C and D to Council Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC (OJ L 54, 26.2.2000, p. 42),
 - **32001 L 0019:** Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1).
3. **399 L 0042:** Directive 99/42/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 (OJ L 201, 31.7.1999, p. 77, with the corrigendum 31999L0042R(01) published in OJ L 23, 25.1.2002, p. 48).

B. Legal professions

4. **377 L 0249**: Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services (OJ L 78, 26.3.1977, p. 17), as amended by:

— **1 79 H**: Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 91),

— **1 85 I**: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 160),

— **95/1/EC, Euratom, ECSC**: Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1).

For the purposes of this Agreement, the Directive shall be amended as follows:

the following shall be added to Article 1(2):

“Switzerland:

Avocat

Advokat, Rechtsanwalt, Anwalt, Fürsprecher, Fürsprech

Avvocato.”

— **398 L 0005**: Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained (OJ L 77, 14.3.1998, p. 36).

For the purposes of this Agreement, the Directive is amended as follows:

the following text shall be added to Article 1(2)(a):

“Switzerland:

Avocat

Advokat, Rechtsanwalt, Anwalt, Fürsprecher, Fürsprech

Avvocato.”

C. Medical and paramedical activities

6. **381 L 1057**: Council Directive 81/1057/EEC of 14 December 1981 supplementing Directives 75/362/EEC, 77/452/EEC, 78/686/EEC and 78/1026/EEC concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of doctors, nurses responsible for general care, dental practitioners and veterinary surgeons respectively, with regard to acquired rights (OJ L 385, 31.12.1981, p. 25).

Doctors of medicine

7. **393 L 0016**: Council Directive 93/16/EEC of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications (OJ L 165, 7.7.1993, p. 1), as amended by:

— **95/1/EC, Euratom, ECSC**: Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1),

— **398 L 0021**: Commission Directive 98/21/EC of 8 April 1998 amending Council Directive 93/16/EEC to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications (OJ L 119, 22.4.1998, p. 15),

— **398 L 0063**: Commission Directive 98/63/EC of 3 September 1998 amending Council Directive 93/16/EEC to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications (OJ L 253, 15.9.1998, p. 24),

- **399 L 0046:** Commission Directive 1999/46/EC of 21 May 1999 amending Council Directive 93/16/EEC to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications (OJ L 139, 2.6.1999, p. 25),
 - **32001 L 0019:** Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1),
 - **52002 XC 0316 (02):** Communication: Notification of titles of qualification in specialised medicine,
 - **52002 XC 1128 (01):** Notification of titles of qualification in specialised medicine;
- (a) Article 3 shall be replaced by Annex A on diplomas, certificates and other evidence of formal qualifications, to which the following text shall be added:

“ANNEX A

Diplomas, certificates and other evidence of formal qualifications in medicine

Country	Title of diploma	Body awarding diploma	Certificate accompanying diploma
Switzerland	Diplôme fédéral de médecin Eidgenössisches Arztdiplom Diploma federale di medico	Département fédéral de l'intérieur Eidgenössisches Departement des Innern Dipartimento federale dell'interno”	

- (b) Article 5 shall be replaced by Annex B on diplomas, certificates and other evidence of formal qualifications in specialised medicine, to which the following text shall be added:

“ANNEX B

Diplomas, certificates and other evidence of formal qualifications in specialised medicine

Country	Title of diploma	Body awarding diploma	Certificate accompanying diploma
Switzerland	Diplôme de médecin spécialiste Diplom als Facharzt Diploma di medico specialista	Département fédéral de l'intérieur et Fédération des médecins suisses Eidgenössisches Departement des Innern und Verbindung der Schweizer Ärztinnen und Ärzte Dipartimento federale dell'interno e Federazione dei medici svizzeri”	

- (c) Articles 5(3) and 7(2) shall be replaced by Annex C on titles of training courses in specialised medicine, to which the following text shall be added:

“ANNEX C

Types of specialist medical training

Country	Title of diploma	Body awarding diploma
Anaesthetics Minimum period of training: three years		
Switzerland	Anesthésiologie Anästhesiologie Anestesiologia	

Country	Title of diploma	Body awarding diploma
General surgery Minimum period of training: five years		
Switzerland	Chirurgie Chirurgie Chirurgia	

Country	Title of diploma	Body awarding diploma
Neurosurgery Minimum period of training: five years		
Switzerland	Neurochirurgie Neurochirurgie Neurochirurgia	

Country	Title of diploma	Body awarding diploma
Gynaecology and obstetrics: Minimum period of training: four years		
Switzerland	Gynécologie et obstétrique Gynäkologie und Geburtshilfe Ginecologia e ostetricia	

Country	Title of diploma	Body awarding diploma
Internal medicine Minimum period of training: five years		
Switzerland	Médecine interne Innere Medizin Medicina interna	

Country	Title of diploma	Body awarding diploma
Ophthalmology Minimum period of training: three years		
Switzerland	Ophthalmologie Ophthalmologie Oftalmologia	

Country	Title of diploma	Body awarding diploma
Otorhinolaryngology Minimum period of training: three years		
Switzerland	Oto-rhino-laryngologie Oto-rhino-laryngologie Otorinolaringoiatria	

Country	Title of diploma	Body awarding diploma
Paediatrics Minimum period of training: four years		
Switzerland	Pédiatrie Kinder- und Jugendmedizin Pediatria	

Country	Title of diploma	Body awarding diploma
Pneumo-phthisiology Minimum period of training: four years		
Switzerland	Pneumologie Pneumologie Pneumologia	
Urology Minimum period of training: five years		
Switzerland	Urologie Urologie Urologia	
Orthopaedics Minimum period of training: five years		
Switzerland	Chirurgie orthopédique et traumatologie de l'appareil locomoteur Orthopädische Chirurgie und Traumatologie des Bewegungsapparates Chirurgia ortopedica e traumatologia del sistema motorio	
Pathological anatomy Minimum period of training: four years		
Switzerland	Pathologie Pathologie Patologia	
Neurology Minimum period of training: four years		
Switzerland	Neurologie Neurologie Neurologia	
Psychiatry Minimum period of training: four years		
Switzerland	Psychiatrie et psychothérapie Psychiatrie und Psychotherapie Psichiatria e psicoterapia	
Diagnostic radiology Minimum period of training: four years		
Switzerland	Radiologie Radiologie Radiologia	

Country	Title of diploma	Body awarding diploma
Radiotherapy Minimum period of training: four years		
Switzerland	Radio-oncologie/radiothérapie Radio-Onkologie/Strahlentherapie Radio-oncologia/radioterapia	
Plastic surgery Minimum period of training: five years		
Switzerland	Chirurgie plastique, reconstructive et esthétique Plastische, rekonstruktive und ästhetische Chirurgie Chirurgia plastica, ricostruttiva ed estetica	
Thoracic surgery Minimum period of training: five years		
Switzerland	Chirurgie cardiaque et vasculaire thoracique Herz- und thorakale Gefäßchirurgie Chirurgia del cuore e dei vasi toracici	
Paediatric surgery Minimum period of training: five years		
Switzerland	Chirurgie pédiatrique Kinderchirurgie Chirurgia pediatrica	
Cardiology Minimum period of training: four years		
Switzerland	Cardiologie Kardiologie Cardiologia	
Gastroenterology Minimum period of training: four years		
Switzerland	Gastro-entérologie Gastroenterologie Gastroenterologia	
Rheumatology Minimum period of training: four years		
Switzerland	Rhumatologie Rheumatologie Reumatologia	

Country	Title of diploma	Body awarding diploma
General haematology Minimum period of training: three years		
Switzerland	Hématologie Hämatologie Ematologia	

Country	Title of diploma	Body awarding diploma
Endocrinology Minimum period of training: three years		
Switzerland	Endocrinologie-diabétologie Endokrinologie-Diabetologie Endocrinologia-diabetologia	

Country	Title of diploma	Body awarding diploma
Physical and rehabilitative medicine Minimum period of training: three years		
Switzerland	Médecine physique et réadaptation Physikalische Medizin und Rehabilitation Medicina fisica e riabilitazione	

Country	Title of diploma	Body awarding diploma
Dermato-venereology Minimum period of training: three years		
Switzerland	Dermatologie et vénéréologie Dermatologie und Venerologie Dermatologia e venereologia	

Country	Title of diploma	Body awarding diploma
Tropical medicine Minimum period of training: four years		
Switzerland	Médecine tropicale et médecine des voyages Tropen- und Reisemedizin Medicina tropicale e medicina di viaggio	

Country	Title of diploma	Body awarding diploma
Child psychiatry Minimum period of training: four years		
Switzerland	Psychiatrie et psychothérapie d'enfants et d'adolescents Kinder- und Jugendpsychiatrie und -psychotherapie Psichiatria e psicoterapia infantile e dell'adolescenza	

Country	Title of diploma	Body awarding diploma
Renal diseases Minimum period of training: four years		

Switzerland	Néphrologie Nephrologie Nefralogia	
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Country	Title of diploma	Body awarding diploma
Public health and social medicine Minimum period of training: four years		

Switzerland	Prévention et santé publique Prävention und Gesundheitswesen Prevenzione e salute pubblica	
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Country	Title of diploma	Body awarding diploma
Pharmacology Minimum period of training: four years		

Switzerland	Pharmacologie clinique et toxicologie Klinische Pharmakologie und Toxikologie Farmacologia clinica e tossicologia	
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Country	Title of diploma	Body awarding diploma
Occupational medicine Minimum period of training: four years		

Switzerland	Médecine du travail Arbeitsmedizin Medicina del lavoro	
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Country	Title of diploma	Body awarding diploma
Allergology Minimum period of training: three years		

Switzerland	Allergologie et immunologie clinique Allergologie und klinische Immunologie Allergologia e immunologia clinica	
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Country	Title of diploma	Body awarding diploma
Nuclear medicine Minimum period of training: four years		

Switzerland	Médecine nucléaire Nuklearmedizin Medicina nucleare	
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Country	Title of diploma	Body awarding diploma
Maxillo-facial surgery (basic medical training) Minimum period of training: five years		

Switzerland	Chirurgie maxillo-faciale Kiefer- und Gesichtschirurgie Chirurgia mascello-facciale"	
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8. **96/C/216/03**: List of designations of diplomas, certificates and other evidence of formal qualifications as general medical practitioner published in accordance with Article 41 of Directive 93/16/EEC:

i) titles of diplomas, certificates and other evidence of formal qualifications

“diplôme de médecin praticien”

“Diplom als praktischer Arzt/praktische Ärztin”

“diploma di medico generico”

ii) professional titles:

“médecin praticien”

“praktischer Arzt/praktische Ärztin”

“medico generico”

Nurses

9. **377 L 0452**: Council Directive 77/452/EEC of 27 June 1977 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of nurses responsible for general care, including measures to facilitate the effective exercise of this right of establishment and freedom to provide services (OJ L 176, 15.7.1977, p. 1), as amended by:

— **1 79 H**: Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 91),

— **1 85 I**: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 160),

— **389 L 0594**: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19),

— **389 L 0595**: Council Directive 89/595/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 30).

— **390 L 0658**: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73),

— **95/1/EC, Euratom, ECSC**: Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1),

— **32001 L 0019**: Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1);

for the purposes of this Agreement, the Directive shall be amended as follows:

(a) the following text shall be added to Article 1(2):

“in Switzerland:

infirmière, infirmier

Pflegefachfrau, Pflegefachmann

infermiera, infermiere”;

- (b) Article 3 shall be replaced by the Annex on diplomas, certificates and other evidence of formal qualifications in nursing (general care), to which the following text shall be added:

“ANNEX

Titles of diplomas, certificates and other evidence of formal qualifications in nursing (general care)

Country	Title of diploma	Body awarding diploma	Certificate accompanying diploma
Switzerland	infirmière diplômée et infirmier diplômé diplomierte Pflegefachfrau, diplomierter Pflegefachmann infermiera diplomata e infermiere diplomato	Ecoles qui proposent des filières de formation reconnues par l' État Schulen, die staatlich anerkannte Bildungsgänge durchführen Scuole che propongono dei cicli di formazione riconosciuti dallo Statu”	

10. **377 L 0453**: Council Directive 77/453/EEC of 27 June 1977 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of nurses responsible for general care (OJ L 176, 15.7.1977, p. 8), as amended by:

— **389 L 0595**: Council Directive 89/595/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 30),

— **32001 L 0019**: Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1).

Dental practitioners

11. **378 L 0686**: Council Directive 78/686/EEC of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners of dentistry, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ L 233, 24.8.1978, p. 1), as amended by:

— **1 79 H**: Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 91),

— **1 85 I**: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 160),

— **389 L 0594**: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19),

— **390 L 0658**: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73),

— **95/1/EC, Euratom, ECSC**: Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1),

— **32001 L 0019**: Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1);

for the purposes of this Agreement, the Directive shall be amended as follows:

- (a) the following text shall be added to Article 1:
 “in Switzerland:
 médecin dentiste
 Zahnarzt
 medico-dentista”;
- (b) Article 3 shall be replaced by Annex A on the diplomas, certificates and other evidence of the formal qualifications of dental practitioner, to which the following text shall be added:

“ANNEX A

Titles of diplomas, certificates and other evidence of formal qualifications of dental practitioners

Country	Title of diploma	Body awarding diploma	Certificate accompanying diploma
Switzerland	Diplôme fédéral de médecin-dentiste Eidgenössisches Zahnarzt Diplom Diploma federale di medico-dentista	Département fédéral de l'intérieur Eidgenössisches Departement des Innern Dipartimento federale dell'interno”	

- (c) Article 5, point 1, shall be replaced by Annex B on the titles of diplomas, certificates and other evidence of formal qualifications of practitioners of specialist dentistry, to which the following text shall be added:

“ANNEX B

Titles of diplomas, certificates and other evidence of formal qualifications of specialist dental practitioners

(a) Orthodontics

Country	Title of diploma	Body awarding diploma	Certificate accompanying diploma
Switzerland	Diplôme fédéral d'orthodontiste Diplom für Kieferorthopädie Diploma di ortodontista	Département fédéral de l'intérieur et Société Suisse d'Odonto-stomatologie Eidgenössisches Departement des Innern und Schweizerische Zahnärzte-Gesellschaft Dipartimento federale dell'interno e Società Svizzera di Odontologia e Stomatologia	

(b) Oral surgery

Country	Title of diploma	Body awarding diploma	Certificate accompanying diploma
Switzerland	Diplôme fédéral de chirurgie orale Diplom für Oralchirurgie Diploma di chirurgia orale	Département fédéral de l'intérieur et Société Suisse d'Odonto-stomatologie Eidgenössisches Departement des Innern und Schweizerische Zahnärzte-Gesellschaft Dipartimento federale dell'interno e Società Svizzera di Odontologia e Stomatologia”	

12. **378 L 0687**: Council Directive 78/687/EEC of 25 July 1978 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental practitioners (OJ L 233, 24.8.1978, p. 10), as amended by:
- **95/1/EC, Euratom, ECSC**: Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1),
 - **32001 L 0019**: Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1).

Veterinary surgeons

13. **378 L 1026**: Council Directive 78/1026/EEC of 18 December 1978 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in veterinary medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ L 362, 23.12.1978, p. 1), as amended by:
- **1 79 H**: Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 92)
 - **1 85 I**: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 160),
 - **389 L 0594**: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19),
 - **390 L 0658**: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73),
 - **95/1/EC, Euratom, ECSC**: Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1),
 - **32001 L 0019**: Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1);

Article 3 shall be replaced by the Annex on diplomas, certificates and other evidence of formal qualifications in veterinary medicine, to which the following text shall be added:

“ANNEX

Titles of diplomas, certificates and other evidence of formal qualifications in veterinary medicine

Country	Title of diploma	Body awarding diploma	Certificate accompanying diploma
Switzerland	Diplôme fédéral de vétérinaire Eidgenössisches Tierarzt-diplom Diploma federale di veterinario	Département fédéral de l'intérieur Eidgenössisches Departement des Innern Dipartimento federale dell'interno”	

14. **378 L 1027**: Council Directive 78/1027/EEC of 18 December 1978 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of veterinary surgeons (OJ L 362, 23.12.1978, p. 7), as amended by:
- **389 L 0594**: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19),

- **32001 L 0019:** Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1).

Midwives

15. **380 L 0154:** Council Directive 80/154/EEC of 21 January 1980 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in midwifery and including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ L 33, 11.2.1980, p. 1), as amended by:
- **380 L 1273:** Council Directive 80/1273/EEC of 22 December 1980 (OJ L 375, 31.12.1980, p. 74),
 - **185 I:** Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 161),
 - **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19),
 - **390 L 0658:** Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73),
 - **95/1/EC, Euratom, ECSC:** Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1),
 - **32001 L 0019:** Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1);

for the purposes of this Agreement, the Directive shall be amended as follows:

- (a) the following text shall be added to Article 1:

“in Switzerland:

Sage-femme

Hebamme

Levatrice”

- (b) Article 3 shall be replaced by the Annex on diplomas, certificates and other evidence of formal qualifications of midwifery, to which the following text shall be added:

“ANNEX

Titles of diplomas, certificates and other evidence of formal qualifications in midwifery

Country	Title of diploma	Body awarding diploma	Certificate accompanying diploma
Switzerland	Sage-femme diplômée Diplomierte Hebamme Levatrice diplomata	Ecoles qui proposent des filières de formation reconnues par l'État Schulen, die staatlich anerkannte Bildungsgänge durchführen Scuole che propongono dei cicli di formazione riconosciuti dallo Statu”	

16. **380 L 0155:** Council Directive 80/155/EEC of 21 January 1980 concerning the coordination of provisions laid down by law, regulation or administrative action relating to the taking up and pursuit of the activities of midwives (OJ L 33, 11.2.1980, p. 8), as amended by:

— **389 L 0594:** Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19),

— **32001 L 0019:** Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1).

Pharmacy

17. **385 L 0432:** Council Directive 85/432/EEC of 16 September 1985 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of certain activities in the field of pharmacy (OJ L 253, 24.9.1985, p. 34), as amended by:

— **32001 L 0019:** Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1).

18. **385 L 0433:** Council Directive 85/433/EEC of 16 September 1985 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy, including measures to facilitate the effective exercise of the right of establishment relating to certain activities in the field of pharmacy (OJ L 253, 24.9.1985, p. 37), as amended by:

— **385 L 0584:** Council Directive 85/584/EEC of 20 December 1985 (OJ L 372, 31.12.1985, p. 42),

— **390 L 0658:** Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73),

— **95/1/EC, Euratom, ECSC:** Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1),

— **32001 L 0019:** Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1);

for the purposes of this Agreement, the Directive shall be amended as follows:

Article 4 shall be replaced by the Annex on diplomas, certificates and other evidence of professional qualifications in pharmacy, to which the following text shall be added:

“ANNEX

Titles of diplomas, certificates and other evidence of formal qualifications in pharmacy

Country	Title of diploma	Body awarding diploma	Certificate accompanying diploma
Switzerland	Diplôme de pharmacien Eidgenössisches Apotheker- diplom Diploma federale di farmacista	Département fédéral de l'intérieur Eidgenössisches Departement des Innern Dipartimento federale dell'interno”	

D. *Architecture*

19. **385 L 0384**: Council Directive 85/384/EEC of 10 June 1985 on the mutual recognition of diplomas, certificates and other evidence of formal qualifications in architecture, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ L 223, 21.8.1985, p. 15), as amended by:
- **385 L 0614**: Council Directive 85/614/EEC of 20 December 1985 (OJ L 376, 31.12.1985, p. 1),
 - **386 L 0017**: Council Directive 86/17/EEC of 27 January 1986 (OJ L 27, 1.2.1986, p. 71),
 - **390 L 0658**: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73),
 - **95/1/EC, Euratom, ECSC**: Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1),
 - **32001 L 0019**: Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (OJ L 206, 31.7.2001, p. 1);

(a) the following text shall be added to Article 11:

“in Switzerland:

- the diplomas awarded by the écoles polytechniques fédérales/ Eidgenössische Technische Hochschulen/Politecnici Federali: arch. dipl. EPF/dipl. Arch. ETH / arch. dipl. PF,
- the diplomas awarded by the Ecole d'architecture de l'Université de Genève: architecte diplômé EAUG,
- the certificates of the Fondation des registres suisses des ingénieurs, des architectes et des techniciens/-Stiftung der Schweizerischen Register der Ingenieure, der Architekten und der Techniker/Fondazione dei Registri svizzeri degli ingegneri, degli architetti e dei tecnici (REG): architecte REG A /Architekt REG A/architetto REG A,”

(b) Article 15 does not apply.

20. **98/C/217**: Diplomas, certificates and other evidence of formal qualifications in Architecture which are the object of mutual recognition by the Member States (updating of Communication 96/C 205 of 16 July 1996) (OJ C 217, 11.7.1998). (updated by Communications 99/C/351/10 of 4 December 1999, OJ C 351 of 4 December 1999, 2001 C/333/02 of 28 November 2001, OJ C 333 of 28 November 2001, 2002/C 214/03 of 10 September 2002, with the corrigendum published in OJ C 79 of 2/4/2003 and 2003/C).

For the purposes of this Agreement, the following text shall be added to the update 2003/C 294/02 of 4 December 2003, OJ 294 of 4 December 2003 (with the corrigendum published in OJ C 297 of 9 December 2003):

“in Switzerland:

- les diplômes délivrés par l' Accademia di Architettura dell'Università della Svizzera Italiana: diploma di architettura (arch. dipl. USI)”

E. *Commerce and intermediaries*

21. Directives Nos **364 L 022**, **364 L 0223**, **364 L 0224**, **368 L 0363**, **368 L 0364**, **370 L 0522**, **370 L 0523** and **375 L 0369** are repealed by 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 (OJ L 201, 31.7.1999 p. 77, with corrigendum 31999L0042R (01) published in OJ L 23, 25.1.2002, p. 48).

Trade in and distribution of toxic products

22. **374 L 0556**: Council Directive 74/556/EEC of 4 June 1974 laying down detailed provisions concerning transitional measures relating to activities, trade in and distribution of toxic products and activities entailing the professional use of such products including activities of intermediaries (OJ L 307, 18.11.1974, p. 1).
- 22a. **374 L 0557**: Council Directive 74/557/EEC of 4 June 1974 on the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons and of intermediaries engaging in the trade and distribution of toxic products (OJ L 307, 18.11.1974, p. 5), as amended by:
- **95/1/EC, Euratom, ECSC**: Decision of the Council of the European Union of 1 January 1995 adjusting the instruments concerning the accession of new Member States to the European Union (OJ L 1, 1.1.1995, p. 1).

For the purposes of this Agreement, the Directive shall be amended as follows:

“in Switzerland:

All the products and toxic substances set out in Article 2 of the poisons act (SR 813.0), and in particular those on the list of toxic substances and products 1, 2 and 3, in accordance with Article 3 of the Regulation on toxic substances (SR 813.01)”.

Self-employed commercial agents

23. **386 L 0653**: Council Directive 86/653/EEC of 18 December 1986 on the coordination of the laws of the Member States relating to self-employed commercial agents (OJ L 382, 31.12.1986, p. 17).

F. Industry and small craft industries

24. The Directives Nos **364 L 0427, 364 L 0429, 364 L 0428, 366 L 0162, 368 L 0365, 368 L 0366 and 369 L 0082** are repealed by 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 (OJ L 201, 31.7.1999 p. 77, with the corrigendum 31999L0042R (01) published in OJ L 23, 25.1.2002, p. 48).

G. Activities incidental to transport

25. The Directive **No 382 L 0470** is repealed by 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 (OJ L 201, 31.7.1999 p. 77, with the corrigendum 31999L0042R (01) published in OJ L 23, 25.1.2002, p. 48).

H. Film industry

26. The Directives Nos **363 L 0607, 365 L 0264, 368 L 0369 and 370 L 0451** are repealed by 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 (OJ L 201, 31.7.1999 p. 77, with the corrigendum 31999L0042R (01) published in OJ L 23, 25.1.2002, p. 48).

I. Other sectors

27. The Directives Nos **367 L 0043, 368 L 0367, 368 L 0368, 375 L 0368 and 382 L 0489** are repealed by 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 (OJ L 201, 31.7.1999 p. 77, with the corrigendum 31999L0042R (01) published in OJ L 23, 25.1.2002, p. 48).

J. Agriculture

28. The Directives Nos **363 L 0261, 363 L 0262, 365 L 0001, 367 L 0530, 367 L 0531, 367 L 0532, 367 L 0654, 368 L 0192, 368 L 0415 and 371 L 0018** are repealed by 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 (OJ L 201, 31.7.1999 p. 77, with the corrigendum 31999L0042R (01) published in OJ L 23, 25.1.2002, p. 48).

K. Miscellaneous

29. **385 D 0368**: Council Decision 85/368/EEC of 16 July 1985 on the comparability of vocational training qualifications between the Member States of the European Community (OJ L 199, 31.7.1985, p. 56).

SECTION B

Acts of which the parties shall take note

The contracting parties shall take note of the content of the following acts:

In general terms

30. **374 Y 0820(01)**: Council Resolution of 6 June 1974 on the mutual recognition of diplomas, certificates and other evidence of formal qualifications (OJ C 98, 20.8.1974, p. 1).

General system

31. **389 L 0048**: Declaration of the Council and the Commission on Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration (OJ L 19, 24.1.1989, p. 23).

Doctors of medicine

32. **375 X 0366**: Council Recommendation 75/366/EEC of 16 June 1975 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in medicine conferred in a third country (OJ L 167, 30.6.1975, p. 20).
33. **375 X 0367**: Council Recommendation 75/367/EEC of 16 June 1975 on the clinical training of doctors (OJ L 167, 30.6.1975, p. 21).
34. **375 Y 0701(01)**: Council statements made on adopting the texts concerning freedom of establishment and freedom to provide services for doctors within the Community (OJ C 146, 1.7.1975, p. 1).
35. **386 X 0458**: Council Recommendation 86/458/EEC of 15 September 1986 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in medicine conferred by a third State (OJ L 267, 19.9.1986, p. 30).
36. **389 X 0601**: Commission Recommendation 89/601/EEC of 8 November 1989 concerning the training of health personnel in the matter of cancer (OJ L 346, 27.11.1989, p. 1).

Dental practitioners

37. **378 Y 0824(01)**: Council Statement on the Directive concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental surgeons (OJ C 202, 24.8.1978, p. 1).

Veterinary medicine

38. **378 X 1029**: Council Recommendation 78/1029/EEC of 18 December 1978 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in veterinary medicine conferred in a third country (OJ L 362, 23.12.1978, p. 12).
39. **378 Y 1223(01)**: Council statements on the Directive concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in veterinary medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ C 308, 23.12.1978, p. 1).

Pharmacy

40. **385 X 0435**: Council Recommendation 85/435/EEC of 16 September 1985 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in pharmacy conferred in a third State (OJ L 253, 24.9.1985, p. 45).

Architecture

41. **385 X 0386**: Council Recommendation 85/386/EEC of 10 June 1985 concerning holders of a diploma in architecture awarded in a third country (OJ L 223, 21.8.1985, p. 28).
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