

L.N. 154 of 2023

**HEALTH CARE PROFESSIONS ACT
(CAP. 464)**

Council for the Professions Complementary to Medicine (Standing Orders) (Amendment) Regulations, 2023

IN EXERCISE of the powers conferred by article 51 of the Health Care Professions Act, the Minister responsible for health has made the following regulations:-

Citation and scope.

S.L. 464.10.

1. (1) The title of these regulations is the Council for the Professions Complementary to Medicine (Standing Orders) (Amendment) Regulations, 2023 and these regulations shall be read and construed as one with the Council for the Professions Complementary to Medicine (Standing Orders) Regulations, hereinafter referred to as "the principal regulations".

(2) The scope of these regulations is to transpose Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the Recognition of Professional Qualifications.

Amends regulation 41 of the principal regulations.

2. In regulation 41 of the principal regulations, the words "in the Fifth Schedule." shall be substituted by the words "in the Fifth Schedule:" and immediately after there shall be added the following new proviso:

"Provided that if the applicant applies for only the recognition of the professional qualification and not for registration, the Council shall inform the applicant whether the qualification has been recognised. In order to be registered in the register, the applicant shall fulfil the other requirements listed in items 2 and 3 of the Fifth Schedule."

Substitutes the Fifth Schedule to the principal regulations.

3. The Fifth Schedule to the principal regulations shall be substituted by the following new Schedule:

"FIFTH SCHEDULE
(regulation 41)

REQUIREMENTS FOR REGISTRATION WITH THE
COUNCIL FOR THE PROFESSIONS COMPLEMENTARY TO
MEDICINE

1. Application form
2. Identification document
3. The following documentation (in English or Maltese, or certified translations in English or Maltese):
 - (a) recent conduct certificate issued by the police;
 - (b) documentation indicating the applicant's professional qualifications and, or the applicant's portfolio of academic record and practical training associated with the profession and in relation with the professional syllabus performed by the applicant's institution.
 - (c) a certificate of good standing with the Council where the applicant is registered, or in the case where the profession is not regulated in a Member State and therefore such a certificate cannot be issued, a declaration on oath or a solemn declaration stating that the applicant is not registered with a Council in another Member State since the said profession is not regulated in such Member State. The said declaration shall be made by the applicant before a competent judicial or administrative authority or where appropriate, before a notary or a qualified professional body of the Member State in question, who shall issue a certificate attesting the authenticity of the declaration on oath or solemn declaration made by the applicant;
 - (d) where the competent authorities of the home Member State or of the Member State from where the foreign national originates do not issue the documents referred to in paragraph (c), the said documents shall be substituted by a declaration on oath or in the case where States do not provide a declaration on oath, it shall be substituted by a solemn declaration made by the person concerned before a competent judicial or administrative authority or, where appropriate, before a notary or a qualified professional body of the home Member State or the Member State from where the person originates, who shall issue a certificate attesting the authenticity of the declaration on oath or solemn declaration;

(e) appropriate proof of knowledge of the English or Maltese language;

(f) the Council may invite the applicant to provide information concerning his training to the extent necessary in order to determine the existence of potential substantial differences with the required national training.

All correspondence shall be received and interviews shall be carried out in the Maltese or English language."
