

LAW ON REGULATED PROFESSIONS AND RECOGNITION OF PROFESSIONAL QUALIFICATIONS

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On Regulated Professions and Recognition of Professional Qualifications

The Parliament has adopted and the President of State promulgates the:

LAW ON REGULATED PROFESSIONS AND RECOGNITION OF PROFESSIONAL QUALIFICATIONS

PART A: REGULATED PROFESSIONS IN THE REPUBLIC OF LATVIA

CHAPTER I GENERAL PROVISIONS

Article 1. Definitions

The following definitions are used in the Law:

- 1) adaptation period - the pursuit of a regulated profession by a foreign citizen under the responsibility of a qualified member of that profession in the Republic of Latvia that is concluded by an assessment of such period;
- 2) diploma of higher education - evidence of education which has been awarded in accordance with the laws, regulations or administrative provisions of the state which certifies that the holder has completed an accredited study programme the duration of which is of at least three years on full-time basis or of equivalent duration on a part-time basis, or certifies the acquisition of the second higher education programme;
- 3) diploma on the first level professional higher education - evidence of education which has been awarded in accordance with the laws, regulations or administrative provisions of the state which certifies that the holder has completed an accredited first level professional higher education study programme which enrolls the students with completed secondary education, and the duration of which is of at least one year on full-time basis or of equivalent duration on a part-time basis;
- 4) attestation of competence - any evidence of qualifications awarded by a competent authority in accordance with the laws, regulations or administrative provisions of the state, that attests:
 - a) to person's education not forming part of a set constituting a diploma of higher education, a diploma on the first level professional higher education or attestation of professional education within the meaning of this Law, or
 - b) positive attestation of personal abilities, experience and positive evaluation of knowledge, which are required to pursue independent professional activities in the respective profession;
- 5) aptitude test - a test limited to the professional knowledge of a foreign citizen (hereinafter - an applicant), made by competent authorities of the Republic of Latvia, designated in accordance with laws, regulations or administrative provisions with the aim of assessing the ability of the applicant to pursue a regulated profession in the Republic of Latvia;

- 6) state of origin - the state from which the applicant who wants to take up a regulated profession in the Republic of Latvia has arrived;
- 7) a self-employed person - a person whose income is obtained independently outside contracting employee relationships with the employer as a paid employee, and who does not occupy a position that provides payment;
- 8) attestation (diploma) of professional education - any evidence of education which has been awarded in accordance with the laws, regulations or administrative provisions of the state, which certifies that the holder has completed an accredited professional secondary education study programme, or after the completion of the secondary education has completed a professional education programme that corresponds to the third professional qualifications level;
- 9) certificate of professional qualifications - any evidence of education which has been awarded by a competent authority designated in accordance with the laws, regulations or administrative provisions of the state, which certifies the professional qualifications of the holder or certifies that the holder of this certificate has successfully passed the certification tests in the profession where the certification procedure has met the certification requirements for the acquisition of a certain profession or professional specialisation (including working with new materials, equipment and technologies);
- 10) professional experience - preceding actual and lawful pursuit of the respective profession in the Republic of Latvia as well as in a Member State of European Union or other foreign country as provided by the Law or concluded international agreements with the Republic of Latvia;
- 11) regulated education - any education which is specifically geared to the pursuit of a given profession and comprises a programme the structure and level of which are determined by the laws, regulations of the Cabinet of Ministers or administrative provisions of the state and which are monitored and approved by the authorities designated for that purpose;
- 12) regulated profession - a profession the pursuit of which is subject (likumā paredzētā) to the evidence of respective education or professional qualifications;
- 13) speciality - a field of activities in the respective profession where the respective person has acquired the professional qualifications. A narrower field of the respective field form an subspeciality or professional specialisation, but the field which is common to two or more specialities - a complementary speciality;
- 14) university education - higher education acquired at a university type higher educational institution the programme of which in comparison with other study programmes provides higher rate of academic knowledge.

Article 2. Purposes and Scope

(1) The purposes of the Law are:

- 1) to guarantee quality and criteria of the professional activity if it is connected with protection of the public interests, public safety and protection of health;
- 2) to protect some socially important professions from involvement of non-qualified persons providing these professions with the requirements of a certain enhanced level;
- 3) to maintain the recognition of professional qualifications of the citizens of the Republic of Latvia abroad.

(2) The Law determines the regulated professions as well as basic rules and requirements for recognition of professional qualifications acquired in the Republic of Latvia and abroad in these professions.

(3) The Law on requirements for education and professional qualifications applies to all physical persons who want to take up or pursue regulated professions in a self-employed capacity or as employed persons.

(4) For citizens and non-citizens of Latvia who have acquired education and professional qualifications abroad apply the provisions of this Law on recognition of professional qualifications acquired in respective foreign countries by the citizens of the member states of the European Union;

(5) To the aliens who have arrived from foreign countries as well as to those persons who have been recognised as refugees in accordance with Convention on Refugee Status of July 28, 1951, apply the same provisions on recognition of professional qualifications as to the foreign citizens;

(6) To the citizens of those countries which in accordance with the agreement on the European Economic Area have the Member States of European Union rights in the field of recognition of professional qualifications apply the same provisions as to the citizens of the Member States of the European Union.

(7) The provisions of this Law shall not apply:

1) to the cases when the pursued activities in the regulated professions are connected with performance of functions of the civil service or judicial authority;

2) to the professions which in accordance with provisions of legislative acts have some requirements specified in Article 3, part 5 of this Law, but have not specified necessary evidence of education or professional qualifications required for regulated professions.

Article 3. General Requirements for Education, Professional Qualifications and Pursuit of Regulated Profession

(1) Minimum requirements for study programmes in regulated professions are provided by this Law and regulations of the Cabinet of Ministers.

(2) The person who wants to pursue a regulated profession shall have acquired a respective accredited education programme or professional qualifications in the respective profession which is testified by evidence of education or professional qualifications awarded in accordance with the laws, regulations or administrative provisions of the Republic of Latvia or, other evidence of education or professional qualifications awarded in foreign countries and recognised in the Republic of Latvia in accordance with this Law and international agreements concluded by the Republic of Latvia.

(3) The Republic of Latvia recognises the evidence of education or professional qualifications awarded by educational institutions of former USSR, excluding:

1) documents issued by former CPSU and Komsomol education institutions;

2) documents which do not comply with the requirements to education and professional qualifications provided by international Conventions and international agreements concluded by the Republic of Latvia.

(4) For persons who take up jobs in certain regulated professions for the first time, in accordance with the laws or regulations these rights may be limited by a requirement to work under the supervision of a certified (licensed) specialist or may be forbidden to use their professional title or occupation or have other limitations to pursue activities as a self-employed person - not exceeding the period of 5 years. After this period of time in accordance with this law and regulations of the Cabinet of Ministers the respective person may apply for taking up professional activity in this regulated profession. These regulations do not apply to foreign citizens whose evidence of education and professional qualifications in the country of residence provides with rights to permanent activity without the mentioned limitations.

(5) For taking up and pursuit of a profession or work in a self-employed capacity for certain regulated professions this law or regulations of the Cabinet of Ministers may provide additional requirements:

1) necessity of an oath or solemn declaration;

2) observance of professional ethical code;

- 3) good repute, previous activity without criminal, administrative or disciplinary punishments;
- 4) adequate health condition;
- 5) insurance of civil liability or against financial risk;
- 6) adequate level of the state language knowledge;
- 7) regular, repetitive professional certification (recertification) or periodical certification;
- 8) additional requirements for the pursuit of professions connected with self-employment, including requirements for a special license for certain types of activities.

Article 4. Regulation of Professions in Professional Organisations

For professions which are regulated in accordance with certain professional qualifications provided by professional organisations in accordance with this law and regulations of the Cabinet of Ministers, the respective professional organisations:

- 1) issue evidence of professional qualifications and provide with rights to use the respective professional titles;
- 2) provide maintenance of high professional qualification criteria and maintenance and improvement of qualifications in the respective field of activities;
- 3) develop and certify standards of professional ethics in the respective field of activities and provide adherence to these standards.

Article 5. Protection of Titles of Regulated Professions and Professional Specialisations

Use of titles of regulated professions and professional specialties, subspecialties or complementary specialties shall be permitted only in cases when the concerned person has the evidence of respective education and professional qualification determined in the law. This provision concerns also those titles, which are identical to the titles mentioned in this Article.

Article 6. Competence of the Cabinet of Ministers in the Field of Regulated Professions and Provision of Requirements

The Cabinet of Ministers:

- 1) confirms lists of specialties, subspecialties or complementary specialties for regulated professions provided by this Law and other legislative acts insofar as the confirmation of these lists is not provided otherwise;
- 2) defines minimum requirements for study programmes or requirements for professional knowledge and skills for those regulated professions and specialties which require recognition of professional qualifications abroad. The mentioned requirements shall be included in the respective professional standards and study programmes.

CHAPTER II

REQUIREMENTS IN RESPECT OF EDUCATION AND PROFESSIONAL QUALIFICATIONS FOR REGULATED PROFESSIONS IN ARCHITECTURE AND CONSTRUCTION

Article 7. Regulated Professions in Architecture and Construction

- (1) Regulated profession in the field of architecture is an architect where the minimum requirements for the acquisition of professional qualifications are provided by the Cabinet of Ministers.
- (2) Regulated profession in the field of construction where the qualifications requirements are provided by accredited study programmes and - in cases provided by legislative acts - by regulations of professional certification, are:
 - 1) civil engineer - in specialities provided by legislation and regulation in the field of construction;
 - 2) construction technician - in specialities provided by legislation and regulation in the field of construction;
 - 3) geotechnician - in specialities provided by legislation and regulation in the field of construction.

Article 8. General Requirements for Education and Professional Qualifications of Architects

- (1) Persons, who wish to take up professional activity in the profession of an architect shall have the diploma of higher education issued by a university type higher education institution, which gives evidence that the person concerned has acquired the education according to the architectural educational programme accredited.
- (2) the education of an architect shall satisfy the following requirements:
 - 1) minimum total length of education and training shall consist of either four years of full-time studies at a university or six years of full-time studies and part-time studies at a university of which at least three shall be full-time;
 - 2) the studies referred to in paragraph 1 of this part shall be concluded by successful completion of an examination of academic degree standard, awarding of a diploma and professional title.
- (3) Education in architecture shall also be acquired as part of a qualification improvement scheme or a part-time university course that conforms to the requirements of paragraph 1 of this Article and leads to an examination in architecture successfully completed by persons who have been employed in architecture for not less than seven years under the supervision of an architect or firm of architects. This examination shall comply with the requirements referred to in paragraph 2 , part 2 of this Article which apply to full-time studies.
- (4) To obtain the right to pursue a profession of an architect, the person concerned besides the diploma of higher education issued by a university type higher education institution mentioned in part (1) of this Article shall have also the certificate of professional qualifications which certifies that the respective person has acquired the necessary knowledge and skills for independent practice under the supervision of a certified architect. The certificate is awarded by an institution in the respective professional field of architecture which is authorized by the Cabinet of Ministers.
- (5) In accordance with legislative and regulatory provisions the professional title of an architect may be awarded for outstanding achievements in the field of architecture even if the

requirements of this Article are fulfilled only partly. In such cases the certificate of professional qualifications of an architect is awarded which provides the same rights as the education provided in this Article.

CHAPTER III

REQUIREMENTS IN RESPECT OF EDUCATION AND PROFESSIONAL QUALIFICATIONS FOR THE REGULATED PROFESSIONS IN MEDICINE AND PHARMACY

Article 9. Regulated Professions in Medicine and Pharmacy

(1) The Cabinet of Ministers issues minimum requirements for acquisition of professional qualifications in the following regulated professions in medicine and pharmacy:

- 1) doctor;
- 2) dentist;
- 3) pharmacist;
- 4) nurse (medical nurse);
- 5) midwife.

(2) Regulated professions in medicine and pharmacy where qualification requirements are provided by accredited study programmes and - in cases provided by legislation- rules of professional certification, are:

- 1) doctor's assistant;
- 2) pharmacist's assistant;
- 3) laboratory assistant;
- 4) dental technician;
- 5) dental hygienist;
- 6) physiotherapist;
- 7) ergotherapist;
- 8) optometrist
- 9) physiotherapist's assistant;
- 10) ergotherapist's assistant;
- 11) riding therapist;
- 12) riding therapist's assistant;
- 13) technical orthopaedist.

(3) Clinical and practical part of the medical education, as well as the one acquired in medical residence, for mentioned medical professions and specialties referred to in this Article is provided in medical establishments and by medical employees who comply with the requirements for medical field in this law and provide the requirements for the respective education in accordance with provisions of this Law.

Article 10. General Requirements in Education and Training of Doctors

(1) The persons who wish to take up any profession of a doctor shall have the diploma of higher medical education, which gives evidence that the person concerned has mastered a full-time accredited medical study programme.

- (2) Enrollment in a medical higher educational institution requires secondary education which provides rights to study at the university type higher education institution .
- (3) Minimum duration of study programmes for the acquisition of a diploma of higher medical education is 6 years or 5500 hours of theoretical and practical instruction.
- (4) The higher medical education shall provide adequate knowledge of the medical sciences, clinical disciplines and practice and adequate clinical experience in hospitals.
- (5) The persons who wish to take up independent professional activity in the profession of a doctor besides the diploma referred to in part 1 of this Article shall have also a certificate of professional qualifications acquired in accordance with legislative acts in the field of medicine.

Article 11. General Requirements in Residential Education of Doctors of General Medical Practice

General requirements for residential education programme which provides diploma of higher education or other equivalent evidence of qualifications are the following:

- 1) in order to be accepted for such training the applicant shall master respective study programmes mentioned in Article 10 of this Law;
- 2) the programme shall comprise theoretical and practical training in accordance with accredited study programme and shall be acquired at a university, clinic or other medical institution which complies with the requirements referred to in part 3 Article 9 of this Law.

Article 12. General Requirements in Education of Dentists

- (1) The persons who wish to take up activities in the profession of a dentist shall have the diploma of higher education, which gives evidence that the persons concerned have acquired an accredited study programme in dentistry.
- (2) The rights to pursue independent professional activities and practice in dentistry is provided by a certificate of professional qualifications which can be acquired in accordance with legislative acts in the field of dentistry.
- (3) Education in dentistry is a full-time university education in accordance with accredited study programme the minimum duration of which is five years.
- (4) Dentistry education programme shall be commenced after completion of secondary education that provides rights to study at a university type higher education institution.
- (5) The dental education and training shall ensure the skills, which are necessary for fulfillment of all those activities which are connected with prophylactics, diagnostics and treatment of teeth, alveolus and mucous membrane of mouth cavity, jaws and diseases of tissues.

Article 13. General Requirements in Residential Education in Specialised Dentistry

- (1) The rights of a person to pursue independent professional activities and practice in the respective field of dentistry are provided by certificate of professional qualifications.
- (2) General requirements for the education programme in specialised dentistry for the acquisition of a diploma of medical education or other evidence of acquired qualifications are the following:
 - 1) in order to commence the education it is necessary to acquire the respective study programme referred to in Article 12 of this Law;
 - 2) programme includes a full-time accredited theoretical and practical residential education.

Article 14. General Requirements in Education of Nurses

- (1) The persons who wish to take up professional activity in the profession of a nurse shall have the diploma on first level professional higher education or diploma of higher education which gives evidence that the person concerned has mastered a state accredited education programme for nurses and incorporation of the respective person in the nurses register of Medical persons.
- (2) The rights of a person to pursue independent professional activities and practice in the profession of a nurse are provided by certificate of professional qualifications in accordance with laws in the field of medicine.
- (3) Minimum duration of study programmes for nurses is the following:
 - 1) nurses school or medical college- three years or 4600 theoretical and clinical full-time education hours where the duration of theoretical instruction occupies at least one third and the duration of practical training - at least half of the total duration;
 - 2) higher education institution after the graduation of general secondary school- four years.;
- (4) Education programme of nurses shall be commenced after completion of secondary education that provides rights to study at a university type higher education institution.
- (5) Education programme of nurses includes knowledge of those fields which include care about patients, knowledge of the nature and ethics of the profession as well as adequate clinical experience.
- (6) Clinical instruction of nurses is organised in health care or medical institutions (including home nursing services) as in-service training under supervision of qualified nurses and in cooperation with other medical personnel.
- (7) Higher education programmes in the speciality of nurses must include subjects (courses) that provide balanced theoretical instruction that corresponds to the education process of the respective university and provides wide knowledge in subpecialities and acquisition of new technologies for pursuance of further professional activities.

Article 15. General Requirements in Education of Midwives

- (1) The persons who wish to take up professional activity in the profession of a midwife shall have the diploma on first level professional higher education or diploma of higher education, which gives evidence that the person concerned has mastered a state accredited education programme for midwives and incorporation of the respective person in the midwife register of Medical persons.
- (2) The rights of a person to pursue independent professional activities and practice in the profession of a midwife are provided by certificate of professional qualifications in accordance with legislative acts in the field of medicine.
- (3) Education programme of midwives shall be commenced after completion of secondary education that provides rights to study at a university type higher education institution or education of a nurse.
- (4) If the training of a midwife has been commenced after the completion of secondary education, the minimum duration of studies is three years or 4600 theoretical and clinical full-time education hours where the duration of theoretical instruction occupies at least one third and the duration of practical training - at least half of the total duration of studies. This programme includes knowledge of those fields, which include professional activities of a midwife, knowledge of the professional ethics and legislative documents in the professional field as well as adequate practical skills and clinical experience.

- (5) Clinical instruction of midwives is organised in health care or medical institutions (including home nursing services) as in-service training under supervision of qualified midwives and in cooperation with other medical personnel.
- (6) If the education programme in midwifery has been commenced after the completion of the education programme of a nurse in accordance with the provisions of Article 14 of this Law the minimum duration is 18 months or 3000 study hours. It shall be a full-time study programme and its minimum are the subjects and courses referred to in part 3 and 4 of this Article, which are not a part of equivalent subjects and courses of the nurses education programme.

Article 16. General Requirements for Education in Pharmacy

- (1) The persons who wish to take up professional activity in the profession of pharmacy shall have the diploma of higher education which gives evidence that the person concerned has mastered a state accredited professional or academic pharmacy education programme.
 - (2) For certain kinds of professional activity in pharmacy that include certain advanced professional skills, by laws or regulations of the Cabinet of Ministers additional practical training or practice may be determined under the supervision of a qualified pharmacist.
- (3) Education programme in pharmacy shall be commenced after completion of secondary education that provides rights to study at a university type higher education institution.
- (4) Education diploma in pharmacy certifies at least five years of studies, which comprise:
 - 1) at least four years at a university;
 - 2) at least six months practical training in a pharmaceutical enterprise.
- (5) Diploma of education in pharmacy testifies that the respective person has acquired necessary theoretical and practical knowledge of medicines and substances used in the manufacture of medicines, of pharmaceutical technology and control, use of medical products and legislative acts in the field of pharmacy.

Article 17. General Requirements in Education of Optometrists

- (1) The persons who wish to take up professional activity in the profession of optometry shall have the diploma of higher education which gives evidence that the person concerned has mastered a state accredited academic education programme in optometry.
 - (2) The rights of a person to pursue independent professional activities and practice in the profession of an optometrist are provided by a diploma of higher education, which gives evidence that the person concerned has mastered a state accredited higher professional education programme in optometry or a certificate of professional qualifications of an optometrist.
- (3) Education programme in optometry shall be commenced after completion of secondary education that provides rights to study at a university type higher education institution.
- (4) Diploma of academic education in optometry testifies that its holder has acquired a state accredited academic study programme the duration of which is at least three years. The diploma of professional higher education in optometry gives evidence that its holder after having mastered a state accredited higher academic education programme in optometry has mastered a state accredited higher professional education programme in optometry the duration of which is at least one year.
- (5) Education in optometry provides theoretical and practical knowledge, which are necessary for primary visual care, examination of visual functions and correction of visual defects with eyeglasses and contact lenses.

CHAPTER IV

REQUIREMENTS IN RESPECT OF EDUCATION AND PROFESSIONAL QUALIFICATIONS FOR REGULATED PROFESSIONS IN THE FIELD OF TRANSPORT

Article 18. Regulated Professions in the Field of Transport

- (1) The Cabinet of Ministers has provided minimum requirements for the acquisition of professional qualifications for the following regulated professions in transport:
 - 1) driver of motor vehicle;
 - 2) driver (administrator) of international freight motor transportation;
 - 3) driver (administrator) of international passenger motor transportation;
 - 4) driver (administrator) of inland freight motor transportation;
 - 5) driver (administrator) of inland passenger motor transportation;
 - 6) driver of dangerous freight motor transportation;
 - 7) instructor of drivers for theoretical training subjects;
 - 8) instructor of drivers for practical training;
 - 9) instructor of drivers of motor vehicles with dangerous freight;
 - 10) inspectors of transport technical control.
- (2) Regulated professions in the field of railway transport where qualification requirements are provided by accredited study programmes and - in cases provided by regulatory documents- professional certification requirements, are:
 - 1) engine-driver instructor;
 - 2) engine-driver of locomotive;
 - 3) engine-driver assistant.
- (3) Regulated professions in the field of seafaring are:
 - 1) captain;
 - 2) deck officer;
 - 3) rating,
 - 4) maritime lecturer (instructor);
 - 5) maritime qualifications assessment officer;
 - 6) pilot;
 - 7) sailor - towman;
 - 8) testing officer.
- (4) Profession of inland waterway transportation is regulated and the minimum requirements for professional qualifications are provided by the Cabinet of Ministers.
- (5) Profession of inland waterway carriers of goods (vessels with a dead-weight capacity not exceeding 200 tons) and passengers is regulated and the qualification requirements are provided by an accredited study programme and professional certification rules.
- (6) Regulated professions in civil aviation and airport professions are:
 - 1) aircraft pilot (amateur);
 - 2) aircraft commercial pilot;

- 3) aviation transport aircraft pilot;
 - 4) aircraft pilot (instructor);
 - 5) helicopter pilot (amateur);
 - 6) helicopter commercial pilot;
 - 7) aviation transport helicopter pilot;
 - 8) helicopter pilot (instructor);
 - 9) glider pilot;
 - 10) glider pilot (instructor);
 - 11) balloon pilot;
 - 12) balloon pilot (instructor);
 - 13) mate;
 - 14) pilot engineer;
 - 15) air traffic controllers;
 - 16) aviation safety professional of international airports;
 - 17) aircraft technicians.
- (7) Regulated professions in carriage of dangerous loads along motorways, railways and inland waterways are:
- 1) safety consultant (advisor) where the minimum requirements for the acquisition of professional qualifications are provided by the Cabinet of Ministers;
 - 2) lecturers in safety consultant (advisor) education, where the qualification requirements are provided by an accredited study programmes and- in cases provided by legislation- professional certification rules.

Article 19. Requirements for Regulated Professions in the Field of Road Motor Transport

- (1) Certificate of professional qualifications is a compulsory prerequisite for taking up activities in the following motor transport professions:
- 1) instructor of drivers for theoretical training subjects;
 - 2) instructor of drivers for practical training;
 - 3) instructor of drivers of motor vehicles with dangerous freight;
 - 4) inspectors of transport technical control.
- (2) Attestation of competence or certificate of professional qualifications is a compulsory prerequisite for taking up activities in the following motor transport professions:
- 1) driver (administrator) of international passenger motor transportation;
 - 2) driver (administrator) of international freight motor transportation;
 - 3) driver (administrator) of inland passenger motor transportation;
 - 4) driver (administrator) of inland freight motor transportation;
 - 5) driver of motor vehicle;
 - 6) driver of dangerous freight motor transportation
- (3) For taking up professions referred to in part 2 of this Article the subject matter requirements shall be such that it can be assimilated by persons whose education level is equivalent to that attained at the end of compulsory education.

Article 20. Requirements for Regulated Professions in the Field of Railway Transport

- (1) Attestation of professional education is a compulsory prerequisite for taking up activities in the following railway transport professions:
- 1) engine-driver instructor;
 - 2) engine-driver of locomotive;
 - 3) engine-driver assistant.
- (2) For specialities which are mentioned in part 1 of this Article and require certificate of professional qualifications, the certification requirements and order is provided by the Minister of Communication.

Article 21. Requirements for Regulated Professions in Respect of Carriers of Goods and Passengers by Inland Waterways

- (1) Certificate of professional qualifications and attestation of competence is a compulsory prerequisite for taking up activities in the following inland waterway transport professions:
- 1) inland waterway carriers of cargoes by local and international transport vessels with a dead-weight capacity exceeding 200 tons;
 - 2) inland waterway carriers of cargoes and passengers by vessels with a dead-weight capacity not exceeding 200 tons.
- (2) Subject requirements for taking up professions referred to in part 1 of this Article are such that they can be acquired by persons who have general basic education.
- (3) The Cabinet of Ministers provides order for issuing temporary permits to provide inland waterway shipping up to one year.
- (4) The provisions of this Article do not refer to physical persons who work on ferries.

Article 22. Requirements for Regulated Professions in Respect of Seafaring

- (1) Compliance to requirements of professional qualifications which meet the requirements of International Convention on Standards of Training, Certification and Watch-keeping for Seafarers, 1978 is compulsory prerequisite for taking up activities in the following seafaring professions:
- 1) captain;
 - 2) deck officer;
 - 3) rating,
 - 4) maritime lecturer (instructor);
 - 5) maritime qualifications assessment officer.
- (2) Certificate of professional qualifications or attestation of competence is a compulsory prerequisite for taking up activities in the following seafaring professions:
- 1) pilot;
 - 2) sailor - anchorman;
 - 3) surveyor.

Article 23. Requirements for Regulated Professions in Respect of Civil Aviation

- (1) Compliance to requirements of professional qualifications which meet the requirements of Standards and Recommended Practices for Personnel Licensing (1944) as well as Joint

Aviation Requirements - Flight Crew Licensing (JAR - FCL) adopted by Joint Aviation Authority (JAA) is a compulsory prerequisite for taking up activities in the following civil aviation professions:

- 1) aircraft pilot (amateur);
- 2) aircraft commercial pilot;
- 3) aviation transport aircraft pilot;
- 4) aircraft pilot (instructor);
- 5) helicopter pilot (amateur);
- 6) helicopter commercial pilot;
- 7) aviation transport helicopter pilot;
- 8) helicopter pilot (instructor);
- 9) glider pilot;
- 10) glider pilot (instructor);
- 11) balloon pilot;
- 12) balloon pilot (instructor);
- 13) mate;
- 14) pilot engineer.

(2) In order to provide recognition of diplomas and professional qualifications issued by the Republic of Latvia abroad, the educational programmes and order of professional certification and licensing comply with requirements of international agreements.

Article 24. Requirements for Regulated Professions in Respect of Airport Professions

- (1) Compliance to requirements of professional qualifications which meet the requirements of International Convention on Standards and Recommended Practices for Personnel Licensing (1944) is a compulsory prerequisite for taking up activities in such airport professions as air traffic controllers or aircraft technicians.
- (2) Compliance to requirements of professional qualifications which meet the requirements of the International Civil Aviation Organisation (ICAO) is a compulsory prerequisite for taking up activities in such airport profession as aviation safety professional of international airports.

Article 25. Requirements for Regulated Professions in the Field of Carriage of Dangerous Freight

- (1) Rights to pursue professional activities of a safety consultant (advisor) for carriage of dangerous freight along motorways, railways and inland waterways are certified by the certificate of professional qualifications on the completion of a respective study programme.
- (2) Rights to pursue professional activities of an instructor of safety consultants (advisors) for carriage of dangerous freight are provided by evidence of education and professional qualifications stipulated by legislative acts of the Republic of Latvia.

CHAPTER V

REQUIREMENTS IN RESPECT OF EDUCATION, DIPLOMAS AND OTHER FORMAL EVIDENCE OF QUALIFICATIONS FOR REGULATED PROFESSIONS IN VETERINARY MEDICINE AND ANIMAL HUSBANDRY

Article 26. Regulated Professions in Veterinary Medicine and Animal Husbandry

- (1) Regulated profession in the field of veterinary medicine is the profession of veterinary surgeon where minimum requirements for acquisition of professional qualifications are provided by the Cabinet of Ministers.
- (2) Regulated professions in the field of animal husbandry where qualification requirements are provided by accredited veterinary or zootechnical education study programmes and - in cases stipulated by legislation- professional certification rules, are provided by legislative acts in animal husbandry.

Article 27. General Requirements in Education of Veterinary Surgeons

- (1) Rights to pursue activities in the profession of a veterinary surgeon are provided by a diploma of higher veterinary medicine education on completion of an accredited study programme.
- (2) Diploma of veterinary medicine education certifies that the holder has accomplished at least five years of theoretical and practical full-time instruction given in a university type of higher education institution.
- (3) In order to be accepted to this training, the applicant must have a diploma or a certificate of secondary education which entitles him/her to be admitted to a university type of higher education institution.
- (4) Veterinary medicine education programmes shall provide that the person concerned has acquired the following theoretical and practical knowledge of the sciences on which the activities of the veterinary surgeon are based, of anatomy and physiology of animals, the causes of the diseases of animals, diagnostics and treatment, the hygiene and technology involved in the production, manufacture and putting into circulation of animal foodstuffs or foodstuffs of animal origin intended for human consumption, the laws, regulations and administrative provisions relating to the subjects listed above as well as adequate clinical and other practical experience under supervision of qualified specialists.
- (5) Practical training may be in the form of a separate training period, provided that such training is full-time and under the direct control of competent authorities appointed by the Cabinet of Ministers. It shall not exceed six months within the aggregate training period of five years study.
- (6) In order to obtain the right for practice in the field of veterinary medicine the respective person besides the diploma referred to in part 1 of this Article shall have a certificate of practical training in veterinary medicine.

CHAPTER VI

REQUIREMENTS IN RESPECT OF EDUCATION, DIPLOMAS AND OTHER FORMAL EVIDENCE OF QUALIFICATIONS FOR OTHER REGULATED PROFESSIONS

Article 28. Requirements for Regulated Professions in Science and Education

- (1) Regulated professions in the field of science and education where qualification requirements are provided by accredited study programmes and - in cases stipulated by legislation- professional certification rules, are:
- 1) teachers (pedagogues);
 - 2) professions of higher education academic staff;
 - 3) professions of academic staff at research institutions.
- (2) Requirements for education and professional qualifications of teachers as well as academic staff of higher education institutions and research institutions are provided by legislative acts in the field of education and science.

Article 28. Requirements for Regulated Professions in Electric Power Industry

- (3) Regulated professions in the field of electric power industry where qualification requirements are provided by accredited study programmes and - in cases stipulated by legislation- professional certification rules, are professions stipulated by the Classifier of Professions – electrical engineer, electrician and electric mounter.
- (4) The persons who wish to take up or pursue professional activity in one of the professions referred to in part 1 of this Article the person shall have:
- evidence of the respective professional education;
 - conformity to requirements in respect of of professional qualifications and professional experience.

Article 30. Requirements for Regulated Professions in Law

- (1) Regulated professions in the field of law where qualification requirements are provided by accredited study programmes and - in cases stipulated by legislation- professional certification rules, are:
- 1) sworn notary;
 - 2) sworn notary candidate;
 - 3) lawyer (advocate, sworn advocate, assistant of sworn advocate).
- (2) The persons who wish to take up and pursue professional activity in any of the professions referred to in part 1 of this Article shall have:
- 1) the diploma of higher education, which confirms completed education on the basis of an accredited law study programme of at least 4 years duration;
 - 2) conformity to requirements in respect of professional qualifications and professional experience stipulated by respective legislative acts.

Article 31. Requirements for Education and Professional Qualifications of Sworn Auditors

Requirements for education and professional qualifications of sworn auditors are provided by law or regulations of the Cabinet of Ministers in the field of finance and auditing.

**Article 32. Requirements for Regulated Professions in Topographic Works and
Taxation and Valuation of Real Estate**

Regulated professions in the field of topographic works and taxation and valuation of real estate where qualification requirements are provided by accredited study programmes and - in cases stipulated by legislation- professional certification rules, are:

- 1) sworn land surveyor;
- 2) real estate surveyor.

PART B

RECOGNITION OF PROFESSIONAL QUALIFICATIONS OF FOREIGN CITIZENS

CHAPTER VII

**GENERAL PROVISIONS FOR RECOGNITION OF PROFESSIONAL
QUALIFICATIONS OF FOREIGN CITIZENS**

Article 33. Systems for Recognition of Professional Qualifications of Foreign Citizens

In recognition of professional qualifications of foreign citizens in the Republic of Latvia the following systems are applied:

- 1) the special system of recognition;
- 2) the general system of recognition;
- 3) recognition of qualifications on the basis of the applicant's professional experience.

Article 34. Application of the Special System of Recognition:

- (1) The special system of recognition of professional qualifications of foreign citizens is applied for:
 - 1) regulated professions where professional qualification requirements are provided by international agreements concluded by the Republic of Latvia:
 - a) seafaring professions;
 - b) professions in civil aviation and motor transport;
 - 2) regulated professions where exist unified requirements for all foreign countries:
 - a) architect;
 - b) doctor;
 - c) dental practitioner;
 - d) pharmacist;
 - e) nurse;
 - f) midwife;
 - g) veterinary surgeon;
 - h) driver of motor vehicle;
 - i) driver (administrator) of freight motor transportation;
 - j) inland cargo and passenger transportation profession;

- k) safety consultant (advisor) for transportation of dangerous freight;
 - 3) recognition of the rights of advocate practice.
- (2) If the country of residence of the foreign citizen has not signed the international agreements mentioned in part 1 of this Article, professional qualifications of the applicant are recognised only in case when the level, contents and duration his/her education and professional experience do not essentially differ from the requirements to the respective profession in the Republic of Latvia.
- (3) Provisions of paragraph 2, part 1 of this Article refer only to the recognition of professional qualifications of the European Union member state citizens. In recognition of professional qualifications of other foreign citizens the requirements of the general recognition system are applied if the international agreements approved by the Parliament of the Republic of Latvia do not provide otherwise.
- (4) If a European Union member state doctor, dentist, nurse, midwife, veterinary surgeon or architect provide only temporary professional service in the Republic of Latvia, the Article 50 of this Law is applied.

Article 35. Application of the General System of Recognition of Professional Qualifications and Recognition of Professional Qualifications on the Basis of the Applicant's Professional Experience

- (1) General recognition system for recognition of professional qualifications is applied for those regulated professions in the Republic of Latvia where requirements in respect of education programmes and professional qualifications are not provided by binding international legislation.
- (2) For recognition of professional qualifications in separate fields of economic activity may be applied general recognition system of professional qualifications as well as recognition of professional qualifications based on professional experience of the applicant which he/she has acquired in the state of origin. Recognition of professional qualifications based on the professional experience of the applicant does not apply to professions for pursuance of which the respective persons need a diploma of the first level professional higher education or the diploma of higher education.
- (3) Recognition of professional qualifications based on the professional experience of the applicant is applied only to the European Union member state citizens. For the recognition of professional qualifications of other foreign citizens in the cases mentioned in part 2 of this Article is applied general recognition system of professional qualifications, if the international agreements approved by the Parliament of the Republic of Latvia do not provide otherwise.

Article 36. Competence of the Cabinet of Ministers in the Recognition of Professional Qualifications of Foreign Citizens

The Cabinet of Ministers in accordance with the respective provisions of binding international agreements, which provide mutual recognition of professional qualifications in the Republic of Latvia and abroad:

- 1) provides additional requirements for recognition of professional qualifications in regulated professions for foreign citizens, including the European Union member state citizens whose education and professional qualifications only partly comply with the requirements for the respective profession in the Republic of Latvia;
- 2) provides duration of professional experience period for recognition of professional qualifications for foreign citizens based on the applicant's professional experience in those fields of economic activity which require specific requirements for general or professional knowledge and skills;

- 3) appoints information institutions which issue the certificates of professional qualifications;
- 4) certifies and sample copies of documents issued as evidence of professional qualifications.

Article 37. Evidence of Education and Professional Qualifications of Foreign Citizens

- (1) If a foreign citizen wants to take up a regulated profession in the Republic of Latvia, his/her diploma of higher education, diploma on the first level professional higher education, certificate of professional education or attestation of competence shall certify, that:
 - 1) the holder has necessary professional qualifications which are required to take up and pursue independent activities in the respected regulated profession in his/her state of origin, and
 - 2) the respective education has been completed in the state of origin (for the citizen of European Union member state - any European Union member state).
- (2) If in the applicant's state of origin a set of documents comply with the requirements mentioned in part 1 of this Article, then diploma of higher education, diploma on the first level professional higher education, certificate of professional education or attestation of competence shall be considered the set of such evidence which provides corresponding education to the respective documents.
- (3) If the European Union member state has recognised that the evidence of education provided by the third country in any professions corresponding to the general recognition system of professional qualifications is equivalent to diploma of higher education, diploma on the first level professional higher education, certificate of professional education or attestation of competence then (if the international agreements approved by the Parliament of the Republic of Latvia do not provide otherwise) this evidence is recognised, if:
 - 1) the applicant has at least three year professional experience in the respective regulated profession in the state of origin, where activities in such profession require diploma on the first level professional higher education or diploma of higher education, or
 - 2) the applicant has at least two year professional experience in the respective regulated profession in the state of origin, where activities in such profession require a certificate of professional education.
- (4) For a European Union member state citizen as a diploma of higher education, diploma on the first level professional higher education or attestation of professional education shall be recognised also other evidence or set of evidences of education and professional qualifications:
 - 1) which have been issued by a competent European Union member state institution on successful completion of study programme in a European Union member state and
 - 2) which are recognised as sufficient to the level of professional qualifications of the respective profession by a competent European Union member state institution, and
 - 3) that provides the same rights to take up or pursue independent activities in the regulated profession as a diploma of higher education, diploma on the first level professional higher education or attestation of professional education.

Article 38. Rules of Use of Professional Designations (Titles) and Academic Degrees (Designations, Titles)

- (1) In the Republic of Latvia is recognised the right of the foreign citizens, who have the qualifications conforming to the requirements determined in this Law, to use the name (title) of a relevant profession accepted in the Republic of Latvia.

- (2) In the Republic of Latvia is recognised the right of the foreign citizens, who conform to the requirements of part 1 of this Article, to use their legal academic or science degree (name, title) as well as, in case of necessity, its abbreviation in the language of the state of origin.
- (3) The competent bodies of the Republic of Latvia which issue the evidence of professional qualifications attestation have the right to require that in addition to the degree (name, title) mentioned in part 2 of this Article the name and address of relevant establishment or establishments, which organised tests and awarded the degree (name, title), is supplied.
- (4) If relevant academic or science degree (name, title) used in the state of origin of the applicant is identical to such a degree used in the Republic of Latvia, which requires additional or other education of the person concerned, the competent bodies of the Republic of Latvia which issue the evidence of professional qualifications attestation may require that the degree (name, title) of the applicant's state of origin is supplemented by necessary explanations.

Article 39. Foreign Citizens and Professional Associations of the Republic of Latvia

- (1) If a citizen of the Member State of the European Union, in such a manner as it is determined in this law has received the permit to take up or pursue professional activity in the regulated profession, he/she is not be obliged to enter or to be registered with relevant professional association.
- (2) If it is a profession which is regulated by this law or set of evidence of education and professional qualifications for a professional association authorised by the Cabinet of Ministers, then the citizens of the foreign states, who have received the professional qualifications attestation in their profession, have the right to use the titles and abbreviations confirming the profession, post or qualification given by this organisation only if he/she is admitted in this organisation.

Article 40. Necessary Documents for the Recognition of Professional Qualifications of Foreign Citizens

- (1) Foreign citizens present to the bodies determined in Article 57 of this Law:
 - 1) application for receipt of the professional qualifications attestation, in which the kind of the professional activity, status (paid employee or self-employed person) and duration (short-term provision of services, permanent activity (establishment)) is specified;
 - 2) documents, which provide evidence of the education and training, professional qualifications and professional experience of the applicant;
 - 3) additional documents, which are necessary for recognition of professional qualifications in the cases determined in this Law.
- (2) The applicants for the regulated professions, which are subjected in the Republic of Latvia to any rules of part 5 of Article 3 of this Law, shall have sufficient documentary proofs on meeting these requirements in the applicant's state of origin. Concerning the requirements of paragraph 5, part 3 Article 3 of this Law, the mentioned documents shall confirm that the applicant has not been suspended or prohibited to pursue that profession.
- (3) The documents and proofs mentioned in part 2 of this Article shall be submitted not later than three months after the date of issue.
- (4) Where the competent bodies of the applicant's Member State of origin do not issue the documents mentioned in part (2) of this Article concerning the requirements of paragraphs 3) and 4) of part (5) of Article 3 of this Law, such documents can be replaced by the declaration confirmed by a notary.
- (5) If the person, who wishes to take up or pursue the regulated profession, according to item 1) of part (5) of Article 3 of this Law, gives an oath or solemn declaration, and the form of this oath or solemn declaration cannot be used by the applicant, then the authority issuing the

professional qualifications attestation shall ensure that the suitable and equivalent form of the oath or declaration is offered to the applicant.

Article 41. Documents that Prove Compliance of Education and Professional Qualifications of Foreign Countries with Requirements of the Republic of Latvia

- (1) The compliance of education and professional qualifications of foreign countries with requirements of the Republic of Latvia provides professional qualifications attestation document (hereinafter - qualifications attestation) or equivalent documents mentioned in part 2 of this Article which are issued by bodies defined by this Law or regulations of the Cabinet of Ministers.
- (2) For professions where the rights to take up or pursue permanent activities in the Republic of Latvia are testified by certificates or other documents issued by competent bodies the qualifications attestations may be substituted by the mentioned documents.
- (3) The documents mentioned in part 2 of this Article are issued in the same order and under the same conditions as the qualifications attestations provided by this Law.
- (4) For professions where, in accordance with international agreements signed by the Republic of Latvia, the recognition of professional qualifications is provided without the professional qualifications tests, including respective professions of motor vehicle drivers, the qualifications attestations are not needed.

Article 42. Temporary or Permanent Professional Activities of a Foreign Citizen in the Regulated Profession

- (1) The professional activities of the foreign citizen are considered to be temporary professional services if they are of limited duration, frequency or periodicity and in the cases when his/her stay in the Republic of Latvia is not permanent and he/she is registered as a businessperson or self-employed person in his/her state of origin.
- (2) The professional activities of the foreign citizen are considered to be permanent if he/she has obtained the rights to take up and pursue permanent individual business or take up professional activities of a self-employed person (right of establishment) in the Republic of Latvia and has taken up such activities.
- (3) Foreign citizen who has obtained the rights to take up temporary activities in a regulated profession in the Republic of Latvia is not entitled to obtain the status of a self-employed person and take part in the association of self-employed persons.
- (4) Foreign citizen who has obtained the rights to take up temporary activities or right of establishment in a regulated profession in the Republic of Latvia is subjected to the professional activity regulations enforced in the Republic of Latvia, including state recognised requirements of good practice and professional ethics even in case if the professional ethics regulations are different in the state of origin of the foreign citizen. If the foreign citizen violates the mentioned regulations, he/she is subject to the disciplinary and administrative responsibility provided in the Republic of Latvia and, in this case the respective institutions of the foreign citizen's state of origin shall receive information on commencement of the mentioned procedure, allowing them to take part in this procedure as well as inform them about the taken decisions.

Article 43. Procedure of Examination of Applications, Documents and Proofs of Rights of the Applicants

- (1) Institutions which issue qualification attestation provide the applicant with all necessary information on regulatory documents and requirements which regulate the respective profession and the order of acquisition of the qualification attestation.

- (2) The applicant's application for reception of the qualification attestation for professional activity and the documents mentioned in Article 40 of this Law in such a manner as it is determined in this Law are considered by the bodies which issue qualification attestations in the respective profession. In the event of a positive decision the qualification attestation, which confirms recognition of professional qualification of the applicant and right to take up or pursue professional activity in this profession in the Republic of Latvia, is issued to the applicant.
- (3) The application, in which the wish to take up the relevant profession is expressed, shall be considered not later than 3 months after submitting all documents for the professions of the special recognition system and not later than 4 months after submitting all documents for other professions. The applicant shall be informed about the taken decision and statement of reasons.
- (4) The taken decision mentioned in part (3) of this Article may be appealed by the bearer at court.
- (5) If the bodies which issue qualification attestation have any reasonable doubts in respect of authenticity of the documents of the applicants or there is sufficient information concerning the unlawful or professionally inadmissible actions outside of the territory of the Republic of Latvia, then these bodies have the right to request the additional information from the relevant countries. In this case the term of consideration of the applications determined in part (3) of this Article is prolonged accordingly.
- (6) The citizen of the foreign country whose professional qualifications are recognised in such a manner as it is set forth by this Law and who has received the qualification attestation mentioned in part (2) of this Article, has the same rights and the same responsibilities to pursue the relevant profession as the citizens of the Republic of Latvia.

CHAPTER VIII

RULES OF RECOGNITION OF PROFESSIONAL QUALIFICATIONS FOR PROFESSIONS OF GENERAL RECOGNITION SYSTEM AND PROFESSIONAL EXPERIENCE RECOGNITION SYSTEM

Article 44. General Provisions of Conformity to Professional Qualifications of the Applicant

- (1) For comparison of professional qualifications of applicants with the requirements determined in the Republic of Latvia in the relevant profession, there are following parameters and criteria based on them:
- 1) the levels (stages) of education and training, which are confirmed by the relevant documents, in the following hierarchical sequence:
 - a) the diploma of higher education, which confirms education on the basis of the study programme of at least 3 years duration;
 - b) the diploma of first level professional higher education, which confirms completed education on the basis of the study programme of less than 3 years and which confirms education on the basis of the post-secondary educational programme, or - for a Member State of the European Union citizen - a document giving evidence of education on the basis of a programme of specially structured courses (programmes of regulated education), which by the European Communities is recognised as equivalent to a diploma of first level professional higher education;
 - c) the attestation of professional education;
 - d) the attestation of competence;
 - e) the document giving evidence of general secondary education;
 - f) the document giving evidence of general primary education;

- 2) the certificate of professional qualifications in addition to other evidence of education;
 - 3) the status of profession conforming to the education and training:
 - a) regulated profession in the country where this education is acquired;
 - b) non-regulated profession in the country where this education is acquired;
 - 4) certification of the competent bodies- - for a Member State of the European Union citizen- of state of origin in respect of recognition of conformity of the education and training received in other state of origin to the requirements of the state of origin in this regulated profession;
 - 5) contents and duration of education, its conformity to the requirements determined in the Republic of Latvia for a relevant profession;
 - 6) nature of education and training:
 - a) regulated education and training;
 - b) non-regulated education and training;
 - 7) duration of professional experience of the applicant in the relevant profession in the state of origin.
- (2) The professional qualifications of the applicant are recognised without additional conditions, if any of the parameters mentioned in part (1) of this Article is not lower than the relevant requirements for this profession in the Republic of Latvia. The given proofs of qualification of the applicant shall also give evidence of the same warranties (in particular in the sphere of safety, health protection, environmental protection and consumer protection), which are determined by the legal acts of the Republic of Latvia or regulations of the Cabinet of Ministers for the relevant profession.
- (3) Evidence of education and professional qualifications issued by professional organisations of the Member States of the European Union are recognised as documentary certification of the parameters mentioned in part 1 of this Article, if they are authorised to issue such evidence of regulated professions in conformity with the respective legal acts of the European Communities.

Article 45. Cases When Applicant's Education and Professional Qualifications Do Not Conform to the Requirements Determined in the Republic of Latvia

- (1) The parameters of education and professional qualifications of the applicant mentioned in Article 44 of this Law only partially conform to the requirements determined in the Republic of Latvia for a concerned regulated profession:
- 1) if the relevant profession in the state of origin of the applicant is not regulated, but other parameters of education and professional qualifications conform to the requirements determined in the Republic of Latvia for the respective regulated profession;
 - 2) if the respective profession in the state of origin of the applicant- a citizen of a Member State of the European Union- is regulated but the parameters of the education and training of the applicant are lower than the requirements determined in the Republic of Latvia in the respective profession;
 - 3) if the respective profession in the state of origin of the applicant- a citizen of a Member State of the European Union- is not regulated and the level of education and training of the applicant differ from the requirements determined for the respective profession in the Republic of Latvia.
- (2) If the applicant's professional qualifications parameters in the cases mentioned in part 1 of this Article do not substantially differ from the requirements determined for the respective profession in the Republic of Latvia, additional requirements are determined, including the applicant's professional experience contents and duration in the state of origin.

If the applicant's- a citizen of a Member State of the European Union- education contents or duration of studies substantially differ from the requirements determined for the respective profession in the Republic of Latvia, then the bodies which issue qualifications recognition certificates in respective professions have the right to determine for the applicant a necessity to pass the adaptation period or aptitude test:

- 1) giving the applicant the right to choose one of these opportunities; or
 - 2) determining one of these conditions without the right of the applicant to choose (including professions the pursue of which in the Republic of Latvia is required certain knowledge of national rights, that is an essential and constant part of the professional activities).
- (4) The requirements of professional experience mentioned in part 2 of this Article and the adaptation period or aptitude test mentioned in part 3 of this Article shall not apply simultaneously.
- (5) The professional qualifications of the applicant do not conform to the requirements determined for the relevant profession in the Republic of Latvia, if his/her evidence of education and professional qualifications do not meet the requirements of Article 44 of this Law and:
- 1) do not meet the additional requirements provided in part 2 of this Article;
 - 2) the requirements of adaptation period or aptitude test are not applicable.

Article 46. General Provisions on Professional Adaptation and Aptitude Test

- (1) For passing a period of professional adaptation, the bodies, which issue the qualifications recognition certificates, determine duration of this period and approve the professional, under whose supervision the adaptation period passes, as far as possible observing wishes of the applicant concerning this question. The adaptation period is finished by the evaluation of work, the criteria and procedure of which are determined by the mentioned body.
- (2) To execute an aptitude test of the applicant, the bodies which issue qualifications recognition certificates shall establish a detailed aptitude test procedure, create the list of those educational subjects and courses, on the basis of which, comparing with volume of the education and training determined for the respective regulated profession in the Republic of Latvia, the applicant has not the relevant document confirming the education and training, and which is substantial that the person could work in the relevant profession. The mentioned subjects and courses can include both theoretical knowledge and practical skills, which are necessary in the relevant profession, and also knowledge of those professional norms, which should be carried out in the relevant sphere.
- (3) The contents of the aptitude test shall be established taking into account the fact that in the applicant's state of origin his professional qualifications are recognised as sufficient for activities in the respective profession.
- (4) The applicant not later than a month before the aptitude test shall be acquainted with its contents and procedure.

Article 47. Recognition of Qualifications Based on Professional Experience of the Applicant

- (1) This Article concerns professions, which require general, commercial or professional knowledge and skills and it is applied for the issue of qualifications recognition certificate for the citizens of the Member States of the European Union.
- (2) The issue of qualifications recognition certificate for the professions mentioned in part 1 of this Article shall not be refused on the grounds of applicant's insufficient qualifications if the professional qualifications or skills and rights to pursue permanent activities in the respective profession have not been compared with the documents issued by competent institutions of the applicant's country of origin and respective requirements in the Republic of Latvia. If such

comparison is required it is provided by institutions which issue qualifications recognition certificates in the respective professions, and:

- 1) issues the applicant qualifications recognition certificates in the respective profession if the applicant's professional qualifications comply with the requirements for this profession in the Republic of Latvia (including part 5 of Article 3 of this Law);
 - 2) provides adaptation period or qualifications aptitude test in accordance with Article 46 of this Law if the applicant's professional qualifications only partly comply with the requirements for this profession in the Republic of Latvia.
- (3) For the professions mentioned in part (1) of this Article sufficient certification of professional qualifications for the citizens of the Member States of the European Union are certificates of professional qualifications mentioned in part 2 of this Article as well as applicant's professional experience in the respective country of origin. The Cabinet of Ministers provides the necessary duration of experience and type for the recognition of applicant's professional qualifications.
- (4) Compliance with the requirements mentioned in part 3 of this Article is certified by a certificate issued by competent institutions of the applicant's state of origin which is enclosed with the application for acquisition of qualifications recognition certificate for respective professional activity in the Republic of Latvia.

CHAPTER IX

RULES OF RECOGNITION OF PROFESSIONAL QUALIFICATIONS FOR PROFESSIONS OF SPECIAL SYSTEM OF RECOGNITION

Article 48. Recognition of Professional Qualifications of the Citizens- Architects- of the Member States of the European Union

- (1) The conditions of this Article apply to activity in the sphere of architecture under the professional title of architect.
- (2) In the Republic of Latvia are recognised the diplomas, certificates and other formal evidence of professional qualifications of the architects awarded in the Member States of the European Union conforming to the requirements Article 8 of this Law and are recognised in the European Community, and which entitle to pursue the professional activity under the professional title of architect in this Member State.
- (3) The certificate of architect which in the Member State of the European Union is issued according to the regulations mentioned in part 5 Article 8 of this Law is recognised pursuant to the requirements provided in part 2 of this Article.
- (4) The documents mentioned in Article 40 of this Law and in parts (2) and (3) of this Article after a relevant procedure of recognition, which is carried out by the bodies which issue qualifications recognition certificates in the profession of architect, and acquisition of the qualifications recognition certificate, give the citizens of the Member State of the European Union the same right to take up or to pursue professional activity in the profession of architect, which citizens of the Republic of Latvia have.
- (5) If during a procedure of recognition the competent bodies of the Republic of Latvia have doubts whether the concrete diploma or certificate corresponds to the requirements of part (2) of this Article, then they may request opinion of the Advisory Committee on Education and Training in the Field of Architecture of the European Commission concerning this question.

Article 49. Recognition of Professional Qualifications of Citizens of the Member States of the European Union in Professions of Medicine, Veterinary Medicine and Pharmacy

(1) In the Republic of Latvia are recognised the diplomas, certificates and other formal evidence of professional qualifications awarded in the Member States of the European Union conforming to the requirements this Law and are recognised in the European Community in the following professions:

- 1) doctor;
- 2) dentist;
- 3) subspecialities in dentistry;
- 4) nurse of general care (medical nurse);
- 5) midwife;
- 6) veterinary surgeon;
- 7) pharmacist.

(2) In order to pursue independent professional activity of a midwife the citizens of the Member States of the European Union in addition to the documents mentioned in part 1 of this Article shall obtain a certificate which certifies that the applicant after the acquisition of the midwife qualifications has successfully managed all obligations of this profession at a hospital or other establishment of medical care approved for this purpose:

- 1) not less than 2 years, if the diploma of midwife is awarded after the educational programme of midwives of at least 3-year duration of full-time education, and before entering this programme, the complete general secondary education, which entitles to apply for entrance to the university type of higher education institution, is not completed;
- 2) not less than 1 year, if the diploma of midwife is awarded after the educational programme of at least 18-months' or 3000 hours duration, in which the person concerned is accepted after acquired qualification of nurse of general care.

(3) Recognition of professional qualifications in pharmacy and acquisition of a qualifications recognition certificate shall not allow the citizens of the Member State of the European Union to establish new pharmaceutical establishments (drugstores) open for general access and work in these shops. New pharmaceutical establishments (drugstores) in the meaning of this part are pharmaceutical establishments, which have been in operation for less than three years.

(4) The documents mentioned in Article 40 of this Law and in part (1) of this Article after a relevant procedure of recognition which is carried out by the bodies which issue the qualifications recognition certificate, give the citizens of the Member State of the European Union the same right to take up or to pursue professional activity in the professions mentioned in part (1) of this Article as the citizens of the Republic of Latvia have.

(5) The applicants from the Member States of the European Union, who wish to receive the diploma of a doctor or a dentist as well as diplomas or relevant certificates of corresponding qualifications in other fields of medicine or specialised dentistry but which are not given in the Member States of origin of the applicants, should conform to the requirements determined in the Republic of Latvia for reception of the relevant qualification. In these cases in such a manner as it is determined in part (2) of Article 46 of this Law the contents and duration of the education received by the applicant shall be examined and compared with the requirements determined in the Republic of Latvia and the contents and duration of the necessary additional education and training should be determined.

Article 50. Provision of Temporary Services in the Fields of Medicine, Veterinary Medicine and Architecture

(1) If a doctor, dentist, nurse, midwife or veterinary surgeon who have practice in any of the Member States of the European Union are on temporary stay in the territory of the Republic of Latvia and provides services in accordance with his/her qualifications or an architect is engaged in the implementation of a project in the territory of the Republic of Latvia this person shall provide information to the institution provided in accordance with provisions of Article 56 of this Law:

- 1) declaration about the provided services, their contents and scope;
 - 2) certificate that proves that they are legally providing activities in the respective profession in his/her state of origin;
 - 3) documents mentioned in Article 48 or 49 of this Law which prove their professional qualifications in the respective fields of professional activities.
- (2) The information institution prepares a reference on the conformity of the supplied proof of professional qualifications with the minimum requirements provided by the Cabinet of Ministers for the relevant profession and together with documents submitted by the applicant sends to the institution mentioned in Article 57 of this Law which registers the applicant in the respective register of professions. Certificate of registration provides the applicant with rights to provide short-term services in the given profession.
- (3) The veterinary surgeons in the cases mentioned in part 1 of this Article have not the right to examine animals, if it relates to functions of the state veterinary supervisory bodies.

Article 51. Recognition of Professional Qualifications of Foreign Citizens in the Field of Motor Transport, Seafaring and Civil Aviation

In the field of motor transport, seafaring and civil aviation where the qualification requirements are provided by international agreements, professional qualifications of foreign citizens are recognised in accordance with these agreements.

Article 52. Recognition of Professional Qualifications of the Citizens of the Member States of the European Union in Other Fields of Transportation

- (1) In the Republic of Latvia are recognised diplomas, certificates and other formal evidence of professional qualification awarded in the Member States of the European Union, which conform to the provisions of this Law and are recognised in the European Community in the following professions:
- 1) driver (administrator) of international passenger motor transportation;
 - 2) driver (administrator) of international freight motor transportation;
 - 3) driver (administrator) of inland passenger motor transportation;
 - 4) driver (administrator) of inland freight motor transportation;
 - 5) driver of dangerous freight motor transportation;
 - 6) safety consultant (advisor) of dangerous freight motor transportation (all fields of transportation);
 - 7) carrier of cargo in inland waterways;
 - 8) inland waterway carrier of goods (vessels with a dead-weight capacity not exceeding 200 tons).
- (2) The documents mentioned in Article 40 of this Law and in part (1) of this Article after a relevant procedure of recognition which is carried out by the bodies which issue the qualifications recognition certificate, give the citizens of the Member State of the European Union the same

right to take up or to pursue professional activity in the professions mentioned in part (1) of this Article, which citizens of the Republic of Latvia have.

- (3) The drivers license issued to a citizen of the Member State of the European Union can be used without the recognition procedures mentioned in part (2) of this Article and the requirements laid out in the Law on Motor Transportation shall be observed.

Article 53. Rules for Practice of Advocates of the Member States of the European Union in the Republic of Latvia

- (1) In the Republic of Latvia are recognised the European Union Member State professional qualifications and official titles of advocates, which are provided by the European Community legislation and certified by the formal evidence of these qualifications awarded by competent authorities of the Member States of the European Union, without preconditioning conformity of these qualifications to the requirements of qualifications determined in the Republic of Latvia, are recognised.
- (2) The recognition of professional qualifications of the advocate in the meaning of part (1) of this Article is given to the applicant the right to pursue professional activity by way of provision of services and only using the professional title of the Member State of origin, which is given in the language of the state of origin, specifying the body which has given the right to professional activity:
- 1) provide short-time services (submitting to the Latvian Council of Sworn Advocates proof of professional rights);
 - 2) permanent practice (registration with the Latvian Council of Sworn Advocates).
- (3) Advocate whose professional qualifications and rights are recognised in the meaning of the provisions of part 1 and 2 of this Article, shall take part in court procedures only together with a member of the Latvian Council of Sworn Advocates.
- (4) Professional qualifications recognition certificate in the profession of advocate in the Republic of Latvia is issued to applicants from Member States of the European Union by the Latvian Council of Sworn Advocates, if:
- 1) the applicant has formal evidence of professional qualifications and rights of advocate which are recognised by the authorities of the state of origin and he/she has successfully passed the aptitude test according to part 2 of Article 46 of this Law, or
 - 2) the applicant has worked in the Republic of Latvia for at least three years, using the professional title of his state of origin in accordance with paragraph 2 of part 2 of this Article and has proved necessary knowledge and skills in the field of legislation of the Republic of Latvia.
- (5) The advocate from Member States of the European Union whose professional qualifications are recognised in the meaning of part (4) of this Article has the same rights for professional activity as an advocate of the Republic of Latvia.
- (6) Necessary requirements in accordance with the provisions of this Article for professional qualifications of practicing advocates from Member States of the European Union and regulations of their professional practice are provided by the Law of the Bar.

Article 54. The Cases, when the Professional Qualifications of the Applicants Partially Correspond to the Minimum Requirements

- (1) In the cases, when the evidences of professional qualification of applicants for the regulated professional activity in the sphere of medicine, pharmacy, veterinary medicine or architecture conform to the requirements of this Law (in aspect of the structural contents and specialisation) in the field of

respective education, but do not correspond to the relevant minimum requirements determined in this Law, the applicant shall have the additional certificate issued by a competent body of the Member State of origin, which gives evidence that within the last 5 years he/she at least 3 consecutive years has worked legally and successfully on a full-time basis in the relevant profession in this Member State.

- (2) The requirements in respect of the professions mentioned in part (1) of this Article concerning professional experience are considered met, if the applicant submits the certificate issued by the Member State of origin, which gives evidence that he/she has acquired equivalent practical experience in this Member State.

PART C

PROVISION OF ENFORCEMENT OF THIS LAW

Article 55. Accreditation of Study Programmes in the Regulated Professions

Accreditation of study programmes in the regulated professions is provided by the provisions laid out in the Law on Education and other laws.

Article 56. Coordination and Information Functions in the Field of Mutual Recognition of Professional Qualifications

- (1) The Cabinet of Ministers approves the coordinator of the professional qualifications recognition.
- (2) The coordinator of the professional qualifications recognition:
- 1) coordinates the activities of those bodies which issue the qualification recognition certificates;
 - 2) maintains contacts with the European Commission and respective foreign institutions and authorities, providing exchange of information about legislative acts and responsible institutions in the field of recognition of professional qualifications.
- (3) Functions of information institutions in the field of regulated professions where the higher education is compulsory in the Republic of Latvia or abroad are provided by the Academic Information centre.
- (4) Information institutions for other regulated professions are appointed by the Cabinet of Ministers and provide unified system for fulfillment of the requirements of Articles 55, 56, 57 and 58 of this Law.
- (5) Information institutions in their respective fields:
- 1) provide citizens of Latvia who want to work abroad with information about the legislative acts, requirements, information institutions and competent institutions in the field of regulated professions;
 - 2) provide foreign citizens with information about the legislative acts, requirements of professional ethics, academic and professional requirements for education and professional qualifications in the field of regulated professions;
 - 3) accept applications for the acquisition of qualification recognition certificates to take up activities in regulated professions;

- 4) prepare references on the conformity of applicants education and professional qualifications to the provisions of the Republic of Latvia;
 - 5) deliver the documents mentioned in paragraph 3 of this part and references mentioned in paragraph 4 to the institutions provided in Article 57;
 - 6) maintain communication with competent foreign institutions to provide mutual exchange of information in the field of regulated professions.
- (6) If necessary the information institution prepares provisional reference and sends it to the institution which issues qualification recognition certificates in the respective profession for the formation of an expert commission. The staff of the expert commission is provided by the institution, which issues qualification recognition certificates, including in the group representatives of the information institution. The expert commission submits its conclusions to the institution, which issues qualification recognition certificates.

Article 57. The Bodies, which Issue Qualification Recognition Certificates

- (1) If the activities in the respective regulated profession require the diploma of higher education which does not require additional professional qualifications certificate, then the body provided by the legislation or appointed by the Cabinet of Ministers on the grounds of Article 56 of this Law examines the applications for acquisition of the qualification recognition certificates for taking up activities in the respective profession and issues the mentioned certificates in accordance with the provisions of this Law.
- (2) If the activities in the respective regulated profession require the diploma of first level higher professional education or attestation of professional education, then the body provided by the legislation or appointed by the Cabinet of Ministers on the grounds of Article 56 of this Law examines the applications for acquisition of the qualification recognition certificates for taking up activities in the respective profession and issues the mentioned certificates in accordance with the provisions of this Law. If necessary, the mentioned institution form an expert commission in accordance with provisions of part 6 of Article 56 of this Law.
- (3) If the activities in the respective regulated profession require attestation of competence, which is issued by an institution provided by legislative acts or the Cabinet of Ministers on the grounds of Article 56 of this Law examines the applications for acquisition of the qualification recognition certificates for taking up activities in the respective profession and issues the mentioned certificates in accordance with the provisions of this Law.
- (4) If the activities in the respective regulated profession require certificate of professional qualification, which is issued by an institution provided by legislative acts or the Cabinet of Ministers, then this institution on the grounds of Article 56 of this Law examines the applications for acquisition of the certificate of professional qualification for taking up activities in the respective profession and issues the mentioned certificates in accordance with the provisions of this Law.
- (5) If the activities in the respective regulated profession require certification of education (diploma of higher education, diploma of first level higher professional education or certificate of professional education) as well as certificate of professional qualification, then:
 - 1) bodies provided by legislation or the Cabinet of Ministers on the grounds of Article 56 of this Law examine the conformity of the respective documents with regulations of the Republic of Latvia;
 - 2) the results of the examination they submit to the institution which issues certificates in the respective profession;
 - 3) the institution mentioned in paragraph 2 of this part adopts the decision to issue the certificate of professional qualification and issues the mentioned certificate in accordance with provisions of this Law.

- (6) To recognise qualifications for professions which require recognition of qualifications on the grounds of applicant's professional experience, the institution authorised by law or the Cabinet of Ministers in accordance with provisions of part 6 of Article 56 of this Law establish an expert commission. On the basis of documents mentioned Article 56 of this Law and the conclusion of the expert commission the mentioned institution considers the applications for the acquisition of the qualification recognition certificate in the respective profession and issues the mentioned certificates in accordance with provisions of this Law.
- (7) The institutions mentioned in this Article together with institutions mentioned in Article 56 of this Law cooperate and provide information exchange with respective competent foreign and European Union institutions to provide coordination in education and professional qualifications requirements in the Republic of Latvia and abroad and mutual recognition of professional qualifications.
- (8) Professional organisations are authorised to take part with a deliberate function in the recognition of professional qualifications of foreign citizens in accordance with provisions of parts 1, 2, 3, 4, 5, 6 of this Article.

Article 58. General Provisions on Foreign Citizen Qualification Recognition Certificates

- (1) Institutions provided by this Law which issue qualification recognition certificates to foreign citizens in regulated professions in the Republic of Latvia, may take the following decisions:
- 1) acknowledge the professional qualifications and issue qualification recognition certificates for taking up professional activities in the Republic of Latvia;
 - 2) request additional documents in accordance with the provisions of this Law;
 - 3) to appoint adaptation period or qualification aptitude test;
 - 4) to refuse the recognition of qualification.
- (2) If activities in the regulated profession in accordance with the provisions of this Law or other legal acts are connected with compulsory registration of the respective person in the registers of professional organisations or other registers, then the qualification recognition certificates mentioned in part 1 of this Article provide rights for such registration.
- (3) In the decisions on the denial to recognise professional qualifications, denial to issue qualification recognition certificate or annulment of such certificate, denial for registration or annulment and disciplinary or administrative punishments as well as court decisions in criminal cases which limit or may limit the professional activities of the applicant are included in the justification of the respective decision.
- (5) decisions mentioned in part 3 of this Article the applicant may appeal to court.
- (6) Expenses connected with the recognition of professional qualifications are covered by the applicant in the order and amount provided by the Cabinet of Ministers.

Article 59. Supervision of Observance of the Law

The bodies appointed by the law or the Cabinet of Ministers are authorised to withdraw or suspend operation of the issued professional qualification certificates or qualification recognition certificates if they have detected violations of regulatory acts or professional activity regulations.

TRANSITIONAL PROVISIONS

1. Part B of this Law takes effect as of January 1, 2003.
2. The Cabinet of Ministers approves the requirements mentioned in paragraph 2 of Article 6 of this Law till January 1, 2002.

3. Persons who at the moment of enforcement of this Law perform legal activities in any of regulated professions, maintain the rights to these activities even if their professional qualifications do not correspond to the requirements of this Law. These rights are maintained till the period which corresponds to the period between repeated certifications (recertifications) if such are provided for the respective profession. Henceforth the rights for activities in this profession are provided by results and provisions of repeated certification.

The Law was passed by the Parliament (Saeima) on June 20, 2001.

The President of the State V. Vītke-Freiberga

Riga, July 6, 2001