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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted
and the President has proclaimed the following Law:

On the Regulated Professions and the Recognition of Professional Qualifications

Part A Regulated Professions in the Republic of Latvia

Chapter I General Provisions

Section 1. Terms Used in this Law

The following terms are used in this Law:

1) **adaptation period** – a period during which a person having obtained a professional qualification in a foreign state (hereinafter – applicant) works in a regulated profession in the Republic of Latvia under the supervision of a qualified representative of the relevant profession. The length of such period shall not exceed three years and shall end in the work assessment of the applicant;

2) [17 July 2008];

3) [17 July 2008];

4) **certificate of competence** – a document certifying qualification issued by a competent authority in accordance with the procedures specified by law, in which the following is indicated:

a) the education of a person, for which a diploma of higher education, a diploma for the first level higher vocational education or a certificate of vocational education within the meaning of this Law is not issued, or

b) a positive assessment of the abilities, experience and knowledge of a person which are necessary in order to perform continuous work in the relevant profession;

5) **aptitude test** – an assessment of the professional knowledge of the applicant performed by institutions which issue the certificates of the recognition of a professional qualification in the regulated professions. The aim of the test is to evaluate the abilities of the applicant to work in the regulated profession in the Republic of Latvia;

6) **home country** – the country in which the applicant obtained his or her professional qualification. If a citizen of a European Union Member State has partly or completely obtained a professional qualification outside the European Union, the European Union Member State in which this professional qualification was recognised the first time, shall be regarded as the home country;

¹ The Parliament of the Republic of Latvia

7) **self-employed person** – a person who earns employment income independently, without entering into contractual employment relations with an employer, and does not occupy a position that gives the right to remuneration;

8) [17 July 2008];

9) **professional qualification certificate** – a document issued by an authorised institution in accordance with the procedures specified by law, which certifies the professional qualification or specific level of the professional qualification of the owner thereof, or certifies that the owner thereof has successfully fulfilled the certification requirements for the acquisition of a specific profession or professional specialisation (including work involving new materials, machinery and technology);

10) **professional experience** – previous actual and lawful work in the relevant profession in the Republic of Latvia, as well as a European Union Member State or another foreign state, if it is prescribed by law or international agreements approved by the *Saeima*;

11) **regulated education** – any specially organised education for the acquisition of specific profession, the structure and level of the programme of which in the Republic of Latvia, other European Union Member States and member states of the European Free Trade Association is prescribed by legal acts and is approved and controlled by institutions authorised for this purpose;

12) **regulated profession** – professional activities regulated in the Republic of Latvia or the aggregate of regulated professional activities in the professions specified in this Law, as well as such professional activities or aggregate of regulated professional activities in other European Union Member States and member states of the European Free Trade Association, for the commencement and performance of which a requirement for an adequate professional qualification has been put forward in the legal acts of the relevant state;

13) **speciality** – the field of activities corresponding to the profession, in which the relevant person has obtained the professional qualification. The narrowest field of the relevant speciality forms a sub-speciality or professional specialisation, but the field which is common to two or more specialities forms additional speciality;

14) [17 July 2008];

15) **regulated professional activity** – an activity which in aggregate or a separate type of which has special requirements specified in the regulatory enactments regulating the relevant field of professional activities in relation to education, documents certifying the professional qualification or the use of the title of the professional activity of the performer of professional activity.

[4 November 2004; 17 July 2008]

Section 2. Purpose and Operation of this Law

(1) The purpose of this Law is:

1) to ensure the conformity of professional activities with specific quality requirements and criteria, if these activities are related to the protection of public interests, the safety and the protection of health thereof;

2) to protect individual socially important professions from the involvement of unqualified persons therein, determining higher requirements for these professions;

3) to ensure the opportunity for professional qualifications obtained in the Republic of Latvia to be recognised in foreign states and the professional qualifications obtained in foreign states to be recognised in the Republic of Latvia; and

4) to promote free movement of persons in the European Union Member States and the member states of the European Free Trade Association.

(2) The Law determines the regulated professions, as well as the basic requirements to be observed for the recognition of the qualifications obtained in these professions in the Republic of Latvia and in foreign states.

(3) The provisions of the Law regarding the requirements to be put forward for education and professional qualification shall apply to natural persons who wish to commence work in the regulated professions or to work therein independently as self-employed persons or employees.

(4) The provisions of this Law regarding the recognition of professional qualifications for citizens of the European Union Member States obtained in the relevant foreign states shall apply to citizens and non-citizens of Latvia who have acquired their education and professional qualifications in foreign states.

(5) The provisions of this Law regarding the recognition of professional qualifications shall apply to stateless persons who have received a travel document of a stateless person issued in foreign states, as well as to refugees and persons who have been granted alternative status.

(6) The same provisions of this Law which apply to the citizens of the European Union Member States shall apply to the citizens of those states which, in accordance with the Agreement on the European Economic Area, have the rights of the European Union Member States specified in the referred to agreement in the field of the recognition of professional qualifications and to citizens of the Swiss Confederation.

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

1) cases where activities in the regulated professions are related to the performance of the functions of State administration or the judicial power; or

2) professions which, in accordance with the law or Cabinet regulations, have been put forward any of the requirements referred to in Section 3, Paragraph five of this Law, but the evidence of education or formal qualification necessary for the regulated professions have not been indicated.

(8) The same provisions of this Law which apply to the citizens of the European Union Member States shall apply to the citizens of those states which, in accordance with the international agreements approved by the *Saeima*, have the rights of the European Union Member States specified in these agreements in the field of the recognition of professional qualifications and to citizens of the Swiss Confederation.

[4 November 2004; 13 December 2007; 17 July 2008]

Section 3. General Requirements for Education, Professional Qualification and Activities in the Regulated Professions

(1) The minimum requirements for the education programmes of the regulated professions shall be determined by the law and Cabinet regulations.

(2) Such person has the right to work in a regulated profession who has acquired an accredited education programme corresponding to this profession or obtained a professional qualification and it is certified by evidence of education or formal qualification, which is specified in the law and has been issued in the Republic of Latvia, or evidence of education or formal qualification issued in other states, which is recognised in the Republic of Latvia in accordance with this Law and the international agreements approved by the *Saeima*.

(3) Evidence of education and formal qualification issued by the educational institutions of the former U.S.S.R. shall be recognised in the Republic of Latvia, except:

1) the documents issued by educational institutions of the former Communist Party of the Soviet Union and the All Union Leninist Communist Youth League; and

2) the documents which do not conform with the requirements put forward for education and professional qualification in the international conventions and international agreements approved by the *Saeima*.

(4) The rights of a person who is preparing to commence work in a regulated profession for the first time may be restricted by the law or Cabinet regulations, determining the requirement to work under the supervision of a certified (licensed) specialist or to work without the right of use of the title corresponding to the profession or determining restrictions for activities in

the status of a self-employed person for a period of time which does not exceed five years. These provisions shall not apply to a person whose evidence of education and formal qualification obtained in a foreign state has been recognised in accordance with the procedures specified in this Law.

(5) The following additional requirements may be put forward in the law or Cabinet regulations for the commencement of work, independent activities in a profession or for activities in the status of a self-employed person for individual regulated professions:

- 1) the giving of an oath or solemn declaration;
- 2) the observation of the professional code of ethics;
- 3) an appropriate reputation, a person does not have a criminal record, he or she has not been imposed administrative fines or disciplinary measures in relation to violations of the norms of the relevant professional activities;
- 4) adequate health;
- 5) insurance against civil legal liability or financial risk;
- 6) an appropriate level of knowledge of the official language;
- 7) regular repeated professional certification (re-certification) or attestation, which is performed after a specific period of time; or
- 8) additional provisions for activities in the status of a self-employed person, including the necessity of a special licence for separate types of activities.

[23 October 2003; 4 November 2004]

Section 4. Regulation of Professions in Professional Organisations

In professions which are regulated by the requirements for professional qualification specified by professional organisations authorised by the law or Cabinet regulations, the relevant professional organisations shall:

- 1) issue evidence of formal qualification and grant the right to use the title corresponding to the profession and qualification;
- 2) ensure the retention of high criteria for professional qualification and the maintenance and raising of qualification in the relevant field of activities; and
- 3) develop and approve the norms of the ethics of the profession in the relevant field of activities and ensure the observation of these norms.

Section 5. Protection of the Regulated Professions and the Titles of Professional Specialisations

The use of the titles of the regulated professions specified in this Law and the specialities, sub-specialities or additional specialities thereof is only permitted in cases where the relevant person has an adequate evidence of education and formal qualifications specified by law. This provision shall also apply to the titles of positions, if they are identical to the titles referred to in this Section.

Section 6. Competence of the Cabinet in the Determination of Regulated Professions and the Requirements to be Put Forward Thereto

The Cabinet shall:

- 1) approve the lists of specialities, sub-specialities and additional specialities for the regulated professions indicated in the law, if no other procedures for approval of these lists have been specified by law; and
- 2) determine the minimum requirements for education programmes or the requirements in relation to the professional knowledge and skills in those regulated professions and specialities in which it is necessary for the recognition of professional

qualification in foreign states. The referred to requirements shall be included in the relevant standards of professions and education programmes.

Chapter II

Requirements for Education and Professional Qualification in the Regulated Professions in the Field of Architecture and Construction

Section 7. Regulated Professions in the Field of Architecture and Construction

(1) In the field of architecture, the profession of architect is regulated, in which the minimum requirements for the acquisition of the professional qualification are determined by the Cabinet.

(2) In the field of construction, the regulated professions, in which the qualification requirements are determined by accredited education programmes and in cases specified by the law – the provisions for professional certification, shall be as follows:

1) construction engineer – in specialities which are determined by the laws in the field of construction;

2) construction technician – in specialities which are determined by the laws in the field of construction;

3) [4 November 2004].

Section 8. General Requirements for Education and Professional Qualification of Architects

(1) The right of a person to commence activities in the profession of architect shall be certified by a diploma of higher education issued by a university-type institution of higher education regarding the acquisition of an accredited study programme in architecture.

(2) The education of architect shall conform to the following conditions:

1) the minimum total duration of the acquisition of education in a university-type institution of higher education is full-time studies for four years or full-time or part-time studies for six years, of which at least three years are full-time studies; and

2) the studies referred to in Clause 1 of this Paragraph end in successful passing of examinations corresponding to an architect's diploma or the requirements for academic degree, the issuance of a diploma and the awarding of the title of the profession.

(3) The education of architect may also be acquired by gradual raising of qualification or by acquiring the study programme referred to in Paragraph one of this Section with interruptions, which ends in successful passing of examinations if the person has worked under the supervision of a certified architect or with a merchant who provides architectural services, for at least seven years. Examinations shall conform to the requirements referred to in Paragraph two, Clause 2 of this Section, which are applied to education of full-time studies.

(4) In order to acquire the right to independent practice in the field of architecture, the relevant person, in addition to the diploma of higher education issued by a university-type institution of higher education referred to in Paragraph one of this Section, shall require an architect's practice certificate awarded in accordance with the Construction Law, which certifies that the relevant person has, under the supervision of a certified architect, acquired the knowledge and skills necessary for independent practice.

(5) In accordance with the procedures specified by the law, the title of the profession of architect may also be awarded for exceptional achievements in the field of architecture if the conditions of this Section have only been fulfilled partly. In such cases the professional qualification certificate of architect, which gives the same rights as the education determined in this Section, shall be issued.

[4 November 2004; 17 November 2005]

Chapter III

Requirements for Education and Professional Qualification in the Regulated Professions in the Field of Health Care

Section 9. Regulated Professions in the Field of Health Care

(1) In the field of health care, the regulated professions, for which the minimum requirements for the acquisition of professional qualification are determined by the Cabinet, shall be as follows:

- 1) a doctor;
- 2) a dental practitioner;
- 3) a pharmacist;
- 4) a nurse (medical nurse); and
- 5) a midwife.

(2) In the field of health care, the regulated professions, in which the qualification requirements are determined by accredited education programmes and in cases specified by the law – the provisions for professional certification, shall be as follows:

- 1) a doctor's assistant (paramedic);
- 2) a pharmacist's assistant;
- 3) a laboratory assistant;
- 4) a dental technician;
- 5) a dental hygienist;
- 6) a physiotherapist;
- 7) an occupational therapist;
- 8) an optometrist;
- 9) a physiotherapist's assistant;
- 10) an occupational therapist's assistant;
- 11) a riding therapist;
- 12) a riding therapist's assistant;
- 13) a technical orthopaedist;
- 14) a cosmetician;
- 15) a dentist's assistant;
- 16) a nurse's assistant;
- 17) a dental nurse;
- 18) a speech therapist;
- 19) a radiology assistant; and
- 20) a dietician.

(3) The clinical and practical sections of medical education (including that which may be acquired in residency) in the medical professions and specialities referred to in this Section shall be implemented by medical treatment institutions and medical practitioners, which have obtained the right to educate medical practitioners in accordance with the procedures specified in regulatory enactments.

[4 November 2004; 2 November 2006; 17 July 2008]

Section 10. General Requirements for Education of Doctors

(1) The right of a person in accordance with the competence specified in regulatory enactments to pursue independent professional activities in the profession of doctor shall be certified by a diploma of higher education regarding the acquisition of an accredited full-time medical study programme and the inclusion of the person in the Register of Medical Practitioners. The right of a person to practice in any of the primary specialities, sub-

specialities or additional specialities of the profession of doctor shall be certified by a diploma of higher education regarding the acquisition of an accredited full-time medical study programme, a professional qualification certificate, which has been obtained in accordance with the procedures specified by the Medical Treatment Law, and the inclusion of the person in the Register of Medical Practitioners.

(2) Persons with secondary education shall be accepted in medical study programmes, which gives the right to study at a university-type institution of higher education.

(3) The minimum duration of a study programme for the acquisition of a diploma of higher medical education shall be six years or 5500 contact hours.

(4) Higher medical education shall ensure adequate knowledge for the profession of doctor in the key sectors, clinical disciplines and practice of medicine, as well as adequate clinical experience.

(5) [4 November 2004]

[4 November 2004; 17 July 2008]

Section 11. General Requirements for the Residency Education Programme for Doctors Entitled to Practice

The general requirements for the residency education programme for doctors entitled to practice, after the acquisition of which a diploma of higher medical education is issued or another equivalent certification of qualification is obtained, shall be as follows:

1) such persons shall be accepted in this programme who have acquired the study programme referred to in Section 10 of this Law; and

2) the programme includes theoretical and practical knowledge in accordance with an accredited residency education programme and may be acquired at a university-type institution of higher education, clinic or, if the conditions are appropriate, in another medical treatment institution, which conforms to the requirements referred to in Section 9, Paragraph three of this Law.

Section 12. General Requirements for Education of Dental Practitioners

(1) [4 November 2004]

(2) The right of a person to practice independent professional activities in the profession of dental practitioner and the right to practice in a speciality of the profession and in any of the sub-specialities of dental practitioner shall be certified by a diploma of higher education regarding the acquisition of a full-time dentistry study programme, a diploma of medical education regarding the acquisition of an accredited dentistry residency education programme, a professional qualification certificate, the conditions for the acquisition of which are regulated by the Medical Treatment Law, and the inclusion of the person in the Register of Medical Practitioners.

(3) Education in dentistry shall be an accredited study programme acquired in full-time studies, the minimum duration of which is five years.

(4) Persons with secondary education shall be accepted in the dentistry study programme, which gives the right to study at a university-type institution of higher education.

(5) Education in dentistry shall ensure the knowledge and skills which are necessary for the performance of all the activities which include the prophylaxis, diagnosis and medical treatment of diseases of the teeth, alveolar ridges and the mucous membrane of the oral cavity, jaw and the tissue related thereto.

[4 November 2004]

Section 13. General Requirements for the Residency Education Programmes of Dentistry Sub-specialities

(1) [4 November 2004]

(2) The general requirements for the residency education programme of dentistry sub-speciality, after the acquisition of which a diploma of higher medical education is issued or another equivalent certification of qualification is obtained, shall be as follows:

1) such persons shall be accepted in this programme who have acquired the study programme referred to in Section 12 of this Law; and

2) the programme includes theoretical and practical knowledge, which is acquired in full-time studies according to an accredited residency education programme.

Section 14. General Requirements for Education of Nurses

(1) The right of a person to pursue professional activities in the profession of nurse shall be certified by a diploma of secondary vocational education or a diploma of the first level vocational higher education, or a diploma of higher education regarding the acquisition of an accredited study programme for nurses, which conforms to the requirements of Paragraph three of this Section, and the inclusion of the person in the Register of Medical Practitioners.

(2) The right of a person to pursue independent professional activities in the specialities of the profession of nurse, in addition to the diplomas referred to in Paragraph one of this Section, shall be certified by a professional qualification certificate, the provisions for the acquisition of which are regulated by the Medical Treatment Law, and the inclusion of the person in the Register of Medical Practitioners.

(3) The minimum duration of an education programme for nurses shall be:

1) at a nursing school or medical college – full-time studies for three years or 4600 theoretical and clinical contact hours, the duration of the theoretical training representing at least one-third and the practical training – at least one half of the total duration of the training; or

2) at an institution of higher education after the acquisition of secondary general education – four years.

(4) Persons with secondary education shall be accepted in any education programme for nurses, which gives the right to study at a university-type institution of higher education.

(5) An education programme for nurses shall include knowledge in the branches of science on which the care of patients is based, knowledge of the nature and the ethics of the profession, as well as an adequate clinical experience.

(6) The clinical education of nurses shall be organised in medical treatment institutions (including domestic patient care) as education during the course of work under the management of qualified nurses and by co-operation with other medical practitioners.

(7) Each subject (course) in the study programme for nurses of an institution of higher education shall ensure a sufficient proportion of theoretical education, which conforms to university education and ensures broad knowledge base for the acquisition of specialities and new technologies in further professional activities.

(8) The right of a person to pursue independent professional activities in the profession of dental nurse shall be certified by a diploma of secondary vocational education, a professional qualification certificate, the provisions for the acquisition of which are regulated by the Medical Treatment Law, and the inclusion of the person in the Register of Medical Practitioners.

[4 November 2004]

Section 15. General Requirements for Education of Midwives

(1) [4 November 2004]

(2) The right of a person to pursue independent professional activities and the right to specialist practice in the profession of midwife shall be certified by a diploma of secondary vocational education or a diploma of the first level vocational higher education, or a diploma of higher education regarding the acquisition of an accredited study programme for midwives, which conforms to the requirements of Paragraph four or six of this Section, a professional qualification certificate, the provisions for the acquisition of which are regulated by the Medical Treatment Law, and the inclusion of the person in the Register of Medical Practitioners.

(3) Persons with secondary education, which gives the right to study at a university-type institution of higher education, or with the education of nurse, shall be accepted in the education programme for midwives.

(4) If the acquisition of the education programme for midwives is commenced with secondary education, the minimum duration thereof shall be full-time studies for three years or 4600 theoretical and clinical contact hours, the duration of the theoretical training representing at least one third and the practical training – at least one half of the total duration of the training. This education programme shall comprise knowledge in those branches of sciences on which the professional activities of midwives are based, knowledge of the ethics of the profession and the regulatory enactments in the field of professional activities, as well as the practical skills and clinical experience corresponding to the referred to knowledge.

(5) The clinical education of midwives shall be organised in medical treatment institutions (including domestic patient care) as education during the course of work under the management of qualified midwives and by co-operating with other medical practitioners.

(6) If the acquisition of the education programme for midwives is commenced after the acquisition of the education programme for nurses in accordance with the requirements referred to in Section 14 of this Law, the minimum duration thereof shall be 18 months or 3000 contact hours. This education programme shall be acquired in full-time studies and the minimum thereof shall be the subjects and courses conforming with the requirements of Paragraphs three and four of this Section, which do not form part of equivalent subjects and courses in the education programme for nurses.

[4 November 2004]

Section 16. General Requirements for Education of Pharmacists

(1) The right of a person to commence the professional activities of pharmacist shall be certified by a diploma of higher education regarding the acquisition of an accredited vocational or academic study programme for pharmacists.

(2) The education of pharmacists shall be supplemented by professional experience in the relevant field, if higher requirements are put forward for individual types of professional activities in the regulatory enactments regulating the field of pharmacy.

(3) Persons with secondary education shall be accepted in the study programmes for pharmacists, which gives the right to study at a university-type institution of higher education.

(4) The diploma of the education of pharmacist shall certify that the owner thereof has acquired a study programme in the duration of at least five years, which comprises:

1) a university education of at least four years in duration; or

2) traineeship for at least six subsequent months in a general-type or open-type pharmacy or in a closed-type pharmacy or a pharmacy of a medical treatment institution.

(5) The diploma of the education of pharmacist shall certify that the relevant person has acquired appropriate theoretical and practical knowledge regarding medicinal products and substances which are used in the production of medicinal products, regarding the

pharmaceutical technology and control, the use of medicinal products and regarding the regulatory enactments in the field of pharmacy.

[4 November 2004]

Section 17. General Requirements for Education of Optometrists

(1) The right of a person to commence the professional activities of optometrist shall be certified by a diploma of higher education regarding the acquisition of an accredited academic study programme for optometrists.

(2) The right of a person to pursue independent professional activities and the right to practice in optometry shall be certified by a diploma of higher education regarding the acquisition of an accredited higher vocational study programme of optometry or a professional qualification certificate of optometrist.

(3) Persons with secondary education shall be accepted in the study programmes for optometrists, which gives the right to study at a university-type institution of higher education.

(4) An academic education diploma of optometrist shall certify that the owner thereof has acquired an accredited academic study programme in full-time studies, the duration of which is at least three years. The higher vocational education diploma of optometrist shall certify that the owner thereof, after the acquisition of the higher education diploma, has acquired an accredited higher vocational study programme of optometry, the duration of which is at least one year.

(5) The optometric education shall ensure theoretical knowledge and practical skills which are necessary for primary care of eyesight, the investigation of eyesight functions and correction with glasses and contact lenses.

Chapter IV

Requirements for Education and Professional Qualification in the Regulated Professions and the Regulated Professional Activities in the Field of Transport

[17 November 2005]

Section 18. Regulated Professions in the Field of Transport

(1) In the field of road transport, the regulated professions, in which the minimum requirements for the acquisition of professional qualification are determined by the Cabinet, shall be as follows:

- 1) the driver of a motor vehicle;
- 2) the driver of a vehicle carrying dangerous goods;
- 3) [17 November 2005];
- 4) [17 November 2005];
- 5) [17 November 2005];
- 6) [17 November 2005].

(2) In the field of rail transport, the regulated professions, in which the qualification requirements are determined by accredited education programmes and in cases specified by the law – the provisions for professional certification, shall be as follows:

- 1) an engine driver (machine-operator) instructor;
- 2) an engine driver (machine-operator); and
- 3) an engine driver's (machine-operator's) assistant.

(3) In the field of seafaring, the regulated professions shall be as follows:

- 1) the captain of a ship;
- 2) an engineer officer;
- 3) a rating;

- 4) a radio specialist; and
 - 5) a hydrographer.
- (4) [23 October 2003]
- (5) [23 October 2003]
- (6) In the field of civil aviation, the regulated professions shall be as follows:
- 1) a pilot;
 - 2) a navigator;
 - 3) a flight radiotelephone operator;
 - 4) a flight engineer;
 - 5) an air traffic controller;
 - 6) an aircraft technical maintenance specialist;
 - 7) an airport aviation security officer; and
 - 8) a civil aviation security inspector.
- (7) The regulated professions in the organisation of carriage of dangerous goods by road and rail shall be as follows:
- 1) the profession of a safety consultant (advisor), in which the minimum requirements for the acquisition of professional qualification are determined by the Cabinet; and
 - 2) the profession of a safety consultant (advisor) instructor for carriage of dangerous goods, in which the qualification requirements are determined by accredited education programmes and in cases specified by the law – the provisions for professional certification.
- (8) The regulated professional activities in the field of road transport, the minimum requirements for the knowledge and skills necessary for the performance of which and acquisition of vocational competence are prescribed by the Cabinet, shall be as follows:
- 1) the management of international road haulage operations;
 - 2) the management of international road passenger transport operations;
 - 3) the management of national road haulage operations; and
 - 4) the management of national road passenger transport operations.
- [23 October 2003; 4 November 2004; 17 November 2005]*

Section 19. Requirements for the Regulated Professions and Regulated Professional Activities in the Field of Road Transport

- (1) A professional qualification certificate corresponding to the profession or a certificate of competence shall be a mandatory prerequisite in order for a person to be entitled to pursue activities in the following professions:
- 1) the driver of a motor vehicle; and
 - 2) the driver of a vehicle carrying dangerous goods;
- (2) In the training programmes intended for the acquisition of the documents referred to in Paragraph one of this Section, such requirements shall be put forward so that these programmes could be acquired by persons who have general basic education.
- (3) A professional qualification certificate corresponding to the profession or a certificate of competence shall be a mandatory prerequisite in order for a person to be entitled to pursue the following professional activities:
- 1) to manage international road haulage operations;
 - 2) to manage international road passenger transport operations;
 - 3) to manage national road haulage operations; and
 - 4) to manage national road passenger transport operations.
- (4) In the training programmes intended for the acquisition of the documents referred to in Paragraph three of this Section, such requirements shall be put forward so that these programmes could be acquired by persons who have at least general basic education and vocational basic education or vocational secondary education.
- [17 November 2005]*

Section 20. Requirements for the Regulated Professions in the Field of Rail Transport

(1) Evidence of vocational education or formal qualifications shall be a mandatory prerequisite in order for a person to be entitled to pursue activities in the following professions of rail transport employees:

- 1) an engine driver (machine-operator) instructor;
- 2) an engine driver (machine-operator); and
- 3) an engine driver's assistant.

(2) The specialities of the professions referred to in Paragraph one of this Section, for which a professional qualification certificate is necessary, the requirements and procedures for certification shall be determined by the Cabinet.

[23 October 2003; 17 November 2005]

Section 21. Requirements for Professional Qualification for Carriers of Goods and Passengers by Inland Waterways

[23 October 2003]

Section 22. Requirements for the Regulated Professions in the Field of Seafaring

(1) The conformity of the professional qualification with the requirements of the 1978 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, the amendments thereof, and the conventions of the International Labour Organisation shall be a mandatory prerequisite for a person to be entitled to pursue professional activities in the field of seafaring, receiving the relevant professional qualification certificate.

(2) A professional qualification certificate, which has been issued on the grounds of the international agreements approved by the *Saeima* or the regulatory enactments of the Republic of Latvia, shall be a mandatory prerequisite in order for a person to be entitled to pursue professional activities in the following regulated professions in the field of seafaring:

- 1) the captain of a ship;
- 2) an engineering officer;
- 3) a rating; and
- 4) a radio specialist.

[4 November 2004]

Section 23. Requirements for the Regulated Professions in the Field of Civil Aviation

(1) Conformity with the requirements of professional qualification, which have been coordinated with the standards and recommended practices for personnel certification corresponding to the 1944 Convention on International Civil Aviation, the Joint Aviation Requirements for Flight Crew Licensing (JAR – FCL) and the Joint Aviation Requirements for Certifying Staff Maintenance (JAR – 66) of the Joint Aviation Authorities (JAA), shall be a mandatory prerequisite in order for a person to be entitled to pursue activities in the following professions in the field of civil aviation:

- 1) a pilot;
- 2) a navigator;
- 3) a flight radiotelephone operator;
- 4) a flight engineer; and
- 5) an aircraft technical maintenance specialist.

(2) Conformity with the requirements of professional qualification which have been co-ordinated with the standards and recommended practices for personnel certification corresponding to the 1944 Convention on International Civil Aviation shall be a mandatory prerequisite in order for a person to be entitled to pursue activities in the profession of an air traffic controller.

(3) Conformity with the requirements of professional qualification which have been co-ordinated with the requirements specified by the International Civil Aviation Organisation (ICAO) shall be a mandatory prerequisite in order for a person to be entitled to pursue activities in the profession of an airport aviation security officer.

(4) Conformity with the requirements of professional qualification which have been co-ordinated with the requirements specified by the International Civil Aviation Organisation (ICAO) shall be a mandatory prerequisite in order for a person to be entitled to pursue activities in the profession of an airport aviation security officer.

(5) In order for the education documents issued and the professional qualification awarded in the Republic of Latvia to be recognised in foreign states, the conformity of the relevant education programme and procedures for professional certification and licensing with the requirements specified by international agreements, shall be ensured.

[23 October 2003]

Section 24. Requirements for the Regulated Professions in the Field of Airport Operations

[23 October 2003]

Section 25. Requirements for the Regulated Professions in the Field of Carriage of Dangerous Goods

(1) The right of a person to pursue professional activities of safety consultant (advisor) in the organisation of carriage of dangerous goods by road and rail shall be certified by a qualification certificate regarding the acquisition of a programme corresponding to the profession.

(2) The right of a person to pursue the activities of a safety consultant (advisor) instructor in carriage of dangerous goods shall be certified by evidence of education or formal qualifications, which have been specified by the Law and issued in the Republic of Latvia.

[23 October 2003]

Chapter V

Requirements for Education and Professional Qualification in the Regulated Professions in the Field of Veterinary Medicine and Breeding Activities

Section 26. Regulated Professions in the Field of Veterinary Medicine and Breeding Activities

(1) In the field of veterinary medicine, the profession of veterinary surgeon shall be regulated, in which the minimum requirements for the acquisition of professional qualification are determined by the Cabinet.

(2) The regulated professions in the field of breeding activities, in which the qualification requirements are determined by accredited veterinary or zootechnical study programmes and in cases specified by the law – the provisions for professional certification, shall be determined by the law in the field of breeding activities.

Section 27. General Requirements for Education of Veterinary Surgeons

(1) The right of a person to pursue independent professional activities in the profession of veterinary surgeon and the practising right shall be certified by a diploma of higher education regarding the acquisition of a full-time veterinary study programme and the registration of veterinary surgeons in accordance with the procedures specified in the regulatory enactments regulating the field of veterinary medicine.

(2) The diploma of education of veterinary surgeon shall certify that the owner thereof has acquired a full-time study programme for at least five years in a university-type institution of higher education, which comprises theoretical and practical knowledge.

(3) Persons with secondary education shall be accepted in a veterinary study programme, which gives the right to study at a university-type institution of higher education.

(4) The veterinary study programme shall comprise the theoretical and practical knowledge corresponding to the profession in those branches of sciences on which the activities of the veterinary surgeon are based, knowledge of the anatomy and physiology of animals, causes, diagnosis and treatment of diseases, of the hygiene and technology which apply to the foodstuffs of animal and plant origin intended for human consumption, knowledge of the regulatory documents in the field of professional activities, as well as an adequate clinical and other practical experience under the supervision of qualified specialists.

(5) Practical education may be acquired in full-time studies under direct control of the institutions specified by the Cabinet. The acquisition of the practical education within the total duration of study shall not exceed six months.

(6) [4 November 2004]

[4 November 2004]

Chapter VI

Requirements for Education and Professional Qualification in Other Regulated Professions

Section 28. Requirements for the Regulated Professions in the Field of Education and Sport

(1) In the regulated professions in the field of education and sport, in which the qualification requirements are determined by accredited education programmes or in cases specified by the law – the provisions for professional certification, shall be as follows:

- 1) a teacher; and
- 2) a sports specialist.

(2) The education and professional qualification requirements in the regulated professions of teachers and sports specialists shall be determined by the laws regulating the field of education and sport.

[2 November 2006]

Section 29. Requirements for the Regulated Professions in the Field of Electric Power Engineering

(1) In the regulated professions in the field of electric power engineering, in which the qualification requirements are determined by accredited education programmes or in cases specified by the law – the provisions for professional certification, shall be as follows:

- 1) an electrical engineer;
- 2) an electrician electrical assemblies specialist;
- 3) an electrician; and
- 4) an electrical assembler.

(2) The right of a person to pursue independent professional activities in the professions referred to in Paragraph one of this Section shall be certified as follows:

1) in the profession of an electrical engineer – a diploma of the second level vocational higher education and qualification of an electrical engineer or a Master's degree in engineering;

2) in the profession of an electrician electrical assemblies specialist – a diploma of the first level vocational higher education and qualification of an electrician electrical assemblies specialist, which certifies the acquisition of the fourth level professional qualification;

3) in the profession of electrician – a diploma of secondary vocational education and qualification of an electrician or a professional qualification certificate, which certifies the acquisition of the third level professional qualification; and

4) in the profession of an electrical assembler – an attestation of vocational basic education and a qualification of an electrical assembler or a professional qualification certificate which certifies the acquisition of the second level professional qualification.

(3) In individual fields of professional activity, in addition to the documents specified in Paragraph two of this Section, a professional qualification certificate, which certifies the acquisition of an additional qualification in the relevant field, shall be necessary in accordance with the laws regulating the field of electric power engineering.

[4 November 2004]

Section 30. Requirements for the Regulated Professions of Lawyers

(1) The regulated profession of lawyer shall be the profession of lawyer (sworn lawyer, sworn lawyer's assistant), in which the qualification requirements are determined by accredited study programmes and – in cases specified by the law – the provisions for professional certification.

(2) The right of a person to apply for work in the profession of lawyer shall be certified by:

1) a diploma of the second level higher vocational education regarding the acquisition of a programme in law accredited in the Republic of Latvia and the qualification of a lawyer; or

2) the conformity with the requirements for professional qualification and professional experience, which are determined by the Advocacy Law.

[4 November 2004]

Section 31. Requirements for Education and Professional Qualification of Sworn Auditors

The requirements for the education and professional qualification of sworn auditors shall be determined by the law or Cabinet regulations in the field of financial and auditing work.

Section 32. Requirements for the Regulated Professions in the Field of Land Survey and Valuation of Immovable Property

(1) In the regulated professions in the field of land survey and valuation of immovable property, in which the qualification requirements are determined by accredited study programmes and in cases specified by the law – the provisions for professional certification, shall be as follows:

1) a sworn surveyor; and

2) an evaluator of immovable property.

(2) The right of a person to pursue independent professional activities in the profession of a surveyor shall be certified by a diploma of higher education issued by a university-type

institution of higher education regarding the acquisition of an accredited study programme and the professional qualification of geodetic engineer or land management engineer, or cartography engineer, or photogrammetric engineer, or a Master's degree in engineering and a professional qualification certificate of surveyor, the provisions for the acquisition of which are regulated by the laws in the field of land surveying.

(3) The minimum total duration of the acquisition of education in the study programmes referred to in Paragraph two of this Section shall be four years in a full-time study programme or studies of equivalent duration in a part-time study programme, and they shall end in successful passing of examinations corresponding to the requirements of the diploma of an engineer or an academic degree and the issuance of a diploma.

(4) The professional qualification of surveyor may also be obtained by gradually raising qualification or by acquiring education programmes with interruptions, which end in successful passing of examinations, if a person has worked, for at least three years within the last five years, under the management of a sworn surveyor or with a merchant who provides surveying services.

(5) In accordance with the procedures specified by the Law On the State Land Service, the professional qualification of surveyor may also be granted for exceptional achievements in the field of surveying even if the conditions of this Section have only been fulfilled partly. In the referred to case a professional qualification certificate shall be issued, which gives the same rights as the education determined in this Section.

[17 November 2005]

Section 32.¹. Requirements for the Regulated Professions in the Field of Conformity Assessment

The regulated professions in the field of conformity assessment, in which the requirements are determined by the Cabinet, shall be as follows:

- 1) a welder of metal materials; and
- 2) a fault detector (a person who performs non-destructive testing of welded joints).

[17 November 2005]

Section 32.². *[14 January 2010]*

Section 32.³. Requirements for the Regulated Professions in the Field of Detective Activities and Security Activities

(1) The regulated profession in the field of detective activities shall be detective and in the field of security activities – security employee.

(2) The right of a person to pursue independent professional activities in the professions referred to in Paragraph one of this Section shall be certified by a certificate for the performance of detective activities obtained in accordance with the procedures specified in the regulatory enactments regulating the relevant field of professional activities and, accordingly, a security guard certificate.

[13 December 2007]

Part B
Recognition of Professional Qualifications Obtained in Foreign States
[4 November 2004]

Chapter VII
General Provisions for the Recognition of Professional Qualifications Obtained in Foreign States
[4 November 2004]

Section 33. Recognition of Professional Qualifications Obtained in Foreign States

(1) A person who has obtained a professional qualification in foreign states may apply for the recognition of the professional qualification in such regulated profession of the Republic of Latvia which includes professional activities comparable with the professional activities which he or she has pursued in the home country thereof.

(2) The recognition of a professional qualification obtained in foreign states shall allow the relevant person to commence independent professional activities in the Republic of Latvia in a regulated profession.

(3) The following systems for the recognition of professional qualifications obtained in foreign states shall be applied for the recognition of professional qualifications obtained in foreign states in the Republic of Latvia:

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

[17 July 2008]

Section 34. Application of the Special System for the Recognition of Professional qualifications

(1) The special system for the recognition of professional qualifications shall be applied:

1) to the regulated professions, for which the qualification requirements are determined by the international agreements binding to the Republic of Latvia, i.e., to the following professions:

- a) seafaring professions,
- b) civil aviation and airport employee professions;

2) for the acquisition of such evidence of education and formal qualifications corresponding to the unified minimum requirements specified in the European Union Member States, which conform to the evidence of education and formal qualifications issued by the competent authorities of the European Union Member States or member states of the European Free Trade Association, the titles of which have been specified in accordance with Section 36, Paragraphs five and six of this Law or in the directly applicable regulatory enactments of the European Union in the field of the recognition of professional qualifications, in the following regulated professions:

- a) an architect,
- b) a doctor,
- c) a dentist,
- d) a pharmacist,
- e) a nurse (general care nurse),
- f) a midwife, and
- g) a veterinary surgeon;

3) in the recognition of the right of lawyers to practice, if a lawyer of a European Union Member State or a member state of the European Free Trade Association wishes to practice in the Republic of Latvia under the professional title of the home country thereof;

4) to the following regulated professions which have been specified unified minimum requirements for the acquisition of the evidence of education and formal qualifications in the European Union Member States, if the evidence of education and formal qualifications of the applicant has been acquired in the European Union Member States or in the member states of the European Free Trade Association and certify the fulfilment of the minimum requirements:

- a) a driver of a motor vehicle,
- b) a safety consultant (advisor) for carriage of dangerous goods,
- c) a driver of a vehicle transporting dangerous goods;

5) to the documents issued by the European Union Member States and the member states of the European Free Trade Association, which certify the competence of the applicant in the management of international road haulage operations, the management of international road passenger transport operations, the management of national road haulage operations and the management of national road passenger transport operations.

(2) If the home country of the applicant has not joined the international agreements referred to in Paragraph one of this Section, the professional qualification of the applicant shall be recognised only if his or her education and level of professional experience, in terms of the content and duration, does not differ significantly from the requirements specified for the relevant profession in the Republic of Latvia.

(3) [17 July 2008]

(4) [17 July 2008]

[4 November 2004; 17 July 2008]

Section 35. Application of the General System for the Recognition of Professional Qualifications and the Recognition of Qualification on the Basis of the Professional Experience of the Applicant

(1) The general system for the recognition of professional qualifications shall be applied:

1) to the professions referred to in Section 34, Paragraph one of this Law, if the evidence of education and formal qualifications of the applicant does not conform with the requirements of Section 34 of this Law; and

2) to other regulated professions in the Republic of Latvia.

(2) Both the general system for the recognition of professional qualifications and the recognition of qualification may be applied for the recognition of professional qualifications in individual fields of economic activities on the basis of the professional experience of the applicant which he or she has acquired in the home country.

(3) The recognition of professional qualification on the basis of the professional experience of the applicant shall be applied in relation to the citizens of the European Union Member States and the member states of the European Free Trade Association, if their professional qualification has been acquired in the European Union Member States or in the member states of the European Free Trade Association. In the cases referred to in Paragraph two of this Section, the general system for the recognition of professional qualifications shall be applied for the recognition of the professional qualifications of citizens of other states if different procedures have not been specified in the international agreements approved by the *Saeima*.

[4 November 2004; 17 July 2008]

Section 36. Competence of the Cabinet in the Recognition of Professional Qualifications Obtained in Foreign States

The Cabinet, observing the norms of the relevant international agreements approved by the *Saeima*, which ensure the opportunity for mutual recognition of professional qualifications in the Republic of Latvia and foreign states, shall:

1) determine additional requirements for the recognition of professional qualifications obtained in foreign states in regulated professions (also for citizens of the European Union Member States whose education and professional qualification partly conform to the requirements specified in the Republic of Latvia for the relevant profession);

2) determine the duration and type of the professional experience for the recognition of professional qualifications obtained in foreign states, on the basis of the professional experience of the applicant, in the regulated professions in the fields of those economic activities to which specific requirements have been put forward in relation to general or professional knowledge and skills;

3) determine the information institutions and institutions issuing the certificates of the recognition of professional qualifications;

4) approve the sample documents related to the recognition of professional qualifications and the issuance of qualification recognition certificates;

5) determine the evidence of primary specialities, sub-specialities or additional specialities of doctors and the profession of doctor, education and professional qualification of pharmacists and veterinary surgeons, which are recognised by applying the special system for the recognition of professional qualifications, the institutions which have issued these documents, and the titles of the qualification obtained (the name of the institution and the title of the qualification shall also be indicated in the language of the state which issued the documents);

6) determine the evidence of professional titles of sub-specialities of architects, nurses, midwives and dentists and education and professional qualification thereof obtained in foreign states, which are recognised by applying the special system for the recognition of professional qualifications, the institutions having issued these documents, as well as the titles of the qualifications obtained (the name of the institution and the title of the qualification shall also be indicated in the language of the state which issued the document);

7) determine the professional titles (qualifications) of lawyers obtained in foreign states, which are recognised by applying the special system for the recognition of professional qualifications;

8) determine the procedures by which the information institutions and institutions issuing the certificates of the recognition of professional qualifications in the regulated professions review the documents submitted by an applicant;

9) determine the content to be included in the declaration on temporary provision of professional services in a regulated profession in the Republic of Latvia, the documents to be appended thereto, the procedures for the submission, examination and renewal of the declaration and the regulated professions in the Republic of Latvia in which an aptitude test is performed for the temporary provider of services, and the procedures for the performance of such test; and

10) determine the professional organisations of the European Union Member States and the member states of the European Free Trade Association, vocational education and qualification documents issued by which are recognised in the Republic of Latvia.

[4 November 2004; 17 July 2008]

Section 37. Evidence of Education and Formal Qualifications Obtained in Foreign States

(1) The evidence of education and formal qualifications obtained in foreign states which an applicant submits for the recognition of professional qualification in accordance with the procedures specified in this Law, shall certify that:

1) the applicant has the education and professional qualification which is necessary in order to allow him or her to commence and pursue independent professional activities in the relevant profession in the home country thereof;

2) the applicant has acquired at least three years of professional experience in the relevant profession in a European Union Member State or in a member state of the European Free Trade Association, if the evidence of education and formal qualifications has been issued in a state which is not a European Union Member State or a member state of the European Free Trade Association, and the professional qualification of the applicant has already been recognised in any of these states.

(2) Certifications of vocational education and qualification issued by professional organisations of the European Union Member States and member states of the European Free Trade Association shall also be recognised as the evidence of education and formal qualifications obtained in foreign states referred to in Paragraph one of this Section, if the right of the referred to organisations to issue such certifications in relation to the regulated professions has been recognised in the European Union and such organisation has been specified in accordance with Section 36, Clause 10 of this Law or in the directly applicable regulatory enactments of the European Union in the field of the recognition of professional qualification.

[17 July 2008]

Section 38. Provisions for the Use of Professional Titles and Academic or Scientific Degrees (Designations, Titles)

(1) If the professional qualification of a person has been recognised in accordance with the procedures specified in this Law, this person has the right to use the corresponding title of the regulated profession specified in this Law.

(2) In the case referred to in Paragraph one of this Section, a person also has the right to use the academic or scientific degree (designation, title) lawfully recognised in his or her home country and, if necessary, the abbreviation thereof in the language of the home country.

(3) The institutions of the Republic of Latvia which issue the certificate of the recognition of professional qualification are entitled to request that, in addition to the academic or scientific degree (designation, title) referred to in Paragraph two of this Section, the name and location of the relevant institution or the institution having organised the examination and awarded the degree (designation, title) is indicated.

(4) If the relevant academic or scientific degree (designation, title) used in the home country of the applicant is identical to a degree which may be used in the Republic of Latvia and which certifies that the relevant person has acquired additional or other education, the institutions, which issue the certificates of the recognition of qualification, are entitled to request that the degree (designation, title) of the home country of the applicant is supplemented with the necessary explanatory wording.

[4 November 2004]

Section 39. Professional Qualifications Obtained in Foreign States and the Professional Organisations of the Republic of Latvia

(1) If persons whose qualification conforms to specific requirements for professional qualification are accepted into a professional organisation of the Republic of Latvia, these

requirements shall be regarded as fulfilled in relation to the person whose professional qualification has been recognised in accordance with the procedures specified in this Law.

(2) If the evidence of education and formal qualifications specified for members by a professional organisation authorised by the law or Cabinet regulations are necessary for practising in a regulated profession, the person whose professional qualification has been recognised in accordance with the procedures specified in this Law has the right to use the professional titles or the titles certifying qualification and abbreviations thereof of the referred to organisation only if he or she has been accepted in this organisation.

(3) If registration in a professional organisation or register is necessary for activities in a regulated profession in the Republic of Latvia in accordance with regulatory enactments, this registration shall be performed concurrently with the recognition of professional qualification within the terms specified in this Law.

[17 July 2008]

Section 40. Documents Necessary for the Recognition of Professional Qualifications Obtained in Foreign States

(1) An applicant shall submit the following to information institutions:

1) an application for the acquisition of the certificate of the recognition of qualification, indicating the type, the status (employee or self-employed person) and the duration (temporary or permanent activities) of professional activities;

2) documents, which attest to the education, professional qualification and professional experience of the applicant; and

3) additional documents which are necessary for the recognition of the professional qualification in the cases specified by this Law.

(2) For activities in any of the regulated professions for which any of the requirements of Section 3, Paragraph five of this Law are put forward, the applicant shall submit documents which certify the fulfilment of these provisions in the home country of the applicant. In cases when the requirements of Section 3, Paragraph five, Clause 3 of this Law should be observed, the referred to documents shall certify that the applicant has not been temporarily withdrawn the right or prohibited to work in the relevant profession.

(3) The documents referred to in Paragraph two of this Section shall be valid for submission to an information institution three months from the date of issuance thereof.

(4) If the competent authorities of the home country of the applicant do not issue the documents referred to in Paragraph two of this Section, which certify the fulfilment of the requirements of Section 3, Paragraph five, Clause 3 or 4 of this Law in the home country thereof, the applicant may substitute the referred to documents with a written declaration regarding the fulfilment of the relevant requirements, but this declaration shall be approved and the authenticity thereof certified notarially or in a judicial institution of the home country of the applicant, or an administrative institution of this country, or a recognised professional organisation of this country, as determined by the regulatory enactments of the home country of the applicant.

(5) If a person who wishes to work in a regulated profession gives an oath or pledge in accordance with Section 3, Paragraph five, Clause 1 of this Law, but it is not acceptable to the applicant, the institution issuing the certificate of the recognition of qualification shall offer the applicant an acceptable and equivalent form of oath or pledge.

(6) Upon the request of an information institution, the applicant has a duty to submit the following:

1) certified translations of the documents referred to in this Section in the official language if they have been issued in a European Union Member State, a member state of the European Free Trade Association or another state, which has been granted the right of a

European Union Member State in the field of the recognition of professional qualifications, in accordance with the international agreements approved by the *Saeima*;

2) certified translations of the documents referred to in this Section in the official language if they have been issued in the states not referred to in Clause 1 of this Paragraph and with which the Republic of Latvia has entered into bilateral or multilateral agreements on legal assistance and legal relations in civil matters, family matters and criminal matters, and conform to the provisions of these agreements; and

3) the documents referred to in this Section legalised in accordance with the procedures specified in the international agreements approved by the *Saeima*, appending certified and legalised translation of these documents in the official language, if they have been issued in the states which are not referred to in Clauses 1 and 2 of this Paragraph or do not conform with the documents referred to in Clause 2 of this Paragraph.

[4 November 2004; 17 July 2008]

Section 41. Documents which Certify the Conformity of Education and Professional Qualification Obtained in Foreign States with the Requirements Specified in the Republic of Latvia

(1) The conformity of education and professional qualification obtained in foreign states with the requirements specified in the Republic of Latvia shall be certified by the certificate of the recognition of professional qualification (hereinafter – qualification recognition certificate) or the equivalent documents referred to in Paragraph two of this Section, which are issued by the institutions referred to in the law or Cabinet regulations.

(2) In professions in which the right to commence work or pursue independent activities in the Republic of Latvia are certified by certificates or other documents issued by competent authorities, these certificates or other documents may be issued instead of qualification certificates.

(3) The documents referred to in Paragraph two of this Section shall be issued according to the same procedures and observing the same provisions by which the issuance of the qualification recognition certificates are provided for in this Law.

(4) A qualification recognition certificate shall not be necessary for professions in which the international agreements approved by the *Saeima* allow the recognition of a professional qualification without the professional aptitude test, including the relevant professions of motor vehicle drivers.

[4 November 2004]

Section 42. Temporary Professional Activities in the Regulated Profession with Evidence of Education and Formal Qualifications Obtained in Foreign States

(1) A person whose home country is a European Union Member State or a member state of the European Free Trade Association and whose home country of the services provided is a European Union Member State or a member state of the European Free Trade Association shall be regarded as a provider of temporary professional services in a regulated profession of the Republic of Latvia if the professional activities corresponding to the professional qualification thereof in the relevant profession in the Republic of Latvia are restricted in terms of duration, frequency and extent, the residence of the person in the Republic of Latvia is not permanent and this person pursues independent activities in the home country thereof.

(2) A provider of temporary professional services shall not require the recognition of the evidence of education and formal qualifications in accordance with the procedures specified by this Law, but, upon commencing temporary provision of professional services in the Republic of Latvia for the first time, has a duty to notify the institution issuing the certificates of the recognition of professional qualification in the relevant regulated profession thereof.

This duty shall be fulfilled by submitting a declaration on temporary provision of professional services. Upon providing emergency medical assistance or other services corresponding to the professional qualification thereof, the urgency of which is determined by special circumstances, the declaration may be submitted as soon as possible after the provision of the service.

(3) The declaration referred to in Paragraph two of this Section shall be renewed not less than once a year if the provider of temporary professional services intends to provide temporary professional services recurrently during the time period referred to. The declaration shall be renewed without delay if the information provided therein has changed significantly or if changes in the documents appended to the declaration have occurred.

(4) A provider of temporary professional services in a regulated profession in the Republic of Latvia has the same rights and duties in the provision of services as the inhabitants of the Republic of Latvia who pursue independent professional activities in the relevant regulated profession. The conditions of good practice and requirements of professional ethics specified in the regulatory enactments of the Republic of Latvia shall also apply to the provider of temporary professional services even if they differ from the requirements of the home country thereof. If the provider of temporary professional services violates the relevant regulatory enactments, he or she shall be held liable as specified in the regulatory enactments of the Republic of Latvia and information shall be sent to the relevant institutions of his or her home country regarding the commencement of the procedure referred to, giving them an opportunity to participate in the procedure, as well as these institutions shall also be informed of the decisions taken.

(5) In the professions and procedures specified by the Cabinet, an institution issuing the certificates of the recognition of professional qualification has the right to perform a professional aptitude test of a provider of temporary professional services, prior to the services being provided in the Republic of Latvia for the first time, in order to ascertain the professional qualification of the service provider.

(6) The aptitude test may only be performed in such regulated professions in which an unqualified provider of temporary professional services may endanger the health and safety of the recipient of services. The aptitude test shall not be performed and the professional qualification of the provider of temporary professional services shall be regarded as corresponding if the evidence of education and formal qualifications of the service provider conform with the requirements of Section 34, Paragraph one, Clause 2 of this Law.

(7) A permit for the provision of temporary professional services and the results of the aptitude test or a decision not to perform an aptitude test for the provider of temporary professional services shall be notified within one month from the day of the receipt of the declaration and the documents appended thereto. If the provider of temporary professional services has not appended all the necessary documents to the declaration or if additional information has to be requested from the home country thereof, the deadline for taking of a decision may be extended in accordance with the procedures specified in the Administrative Procedure Law for a period of time which is not longer than three months after receipt of the declaration.

(8) After issuance of the permit, the institution issuing the certificates of the recognition of professional qualification, shall register the provider of temporary professional services, if registration in a professional organisation or register is necessary for activities in the regulated profession in the Republic of Latvia in accordance with regulatory enactments, or send copies of the decision, declaration and documents appended thereto to the institution which performs temporary registration.

(9) Temporary professional services shall be provided, using the professional title of the home country. The title shall be indicated in the language of the home country of the service provider and the translation thereof in the Latvian language shall be appended. If there is no professional title for the relevant service in the home country of the provider of temporary

professional services, upon providing temporary professional services, the title of the professional qualification of the service provider in the language of the home country thereof shall be used and the translation thereof in the Latvian language shall be appended.

(10) If temporary professional services in the regulated profession in the Republic of Latvia are provided, using the professional title or the title of the professional qualification of the home country, the provider of the temporary professional services has a duty to provide the following information to the recipient of services:

1) the registration number of the service provider or an equivalent means of identification in the Commercial Register of the home country or equivalent state register, indicating the title of this register;

2) the title and address of the supervisory authority of the service provider in the home country;

3) the title of the professional association or register, in which the service provider is registered;

4) the professional title or the title of the professional qualification of the service provider;

5) the registration number of the service provider in the register of persons subject to value added tax in the home country, if the service provider is a payer of value added tax; and

6) professional liability insurance or equivalent guarantee of professional liability.

(11) If the evidence of education and formal qualifications of the provider of temporary professional services have been examined in accordance with the procedures specified in Paragraph five of this Section, he or she shall provide temporary professional services, using the professional title specified for the relevant regulated profession in the Republic of Latvia.

[17 July 2008]

Section 43. Procedures for Examination of Applications, Documents and Evidence of Rights of Applicants

(1) Information institutions shall ensure all information necessary to an applicant regarding the regulatory enactments and requirements put forward for the regulated profession and accept the documents specified in this Law from the applicant necessary for the issuance of the certificate of the recognition of professional qualification. The procedures for the submission and examination of documents of applicants shall be determined by the Cabinet.

(2) The application of an applicant in which a wish to acquire the qualification recognition certificate necessary for the performance of professional activities has been expressed, and the additional documents specified in this Law shall be examined in accordance with the procedures specified by the Cabinet by institutions issuing the qualification recognition certificates in the relevant profession. If the institution takes a relevant decision, the applicant shall be issued the qualification recognition certificate, which certifies the recognition of his or her professional qualification and the right to pursue professional activities in this profession in the Republic of Latvia.

(3) The application of an applicant and the documents appended thereto shall be reviewed and the decision with the justification thereof shall be notified to the applicant:

1) not later than within three months after submission of all documents in relation to the regulated professions, to which the special system for the recognition of professional qualifications is applied, if the person wishes to pursue independent professional activities in the Republic of Latvia;

2) not later than within four months after submission of all documents in relation to the regulated professions, to which the general system for the recognition of professional qualifications is applied, on the basis of the professional experience of the applicant;

3) [17 July 2008];

4) [17 July 2008].

(4) The period for examination specified in Paragraph three of this Section shall be counted from the day when the applicant has submitted all the documents necessary for the acquisition of the certificate of the recognition of professional qualification.

(5) The decision referred to in Paragraph three of this Section may be appealed by the applicant in accordance with the procedures specified in the Administrative Procedure Law.

(6) If an institution issuing the certificates of the recognition of professional qualification has a reason to doubt the authenticity of the documents of the applicant or if it has information regarding any action of the applicant outside the Republic of Latvia which is not permissible in the professional sense, this institution has the right to request additional information from the relevant state. In the request it shall indicate the deadline for the provision of a response, taking into account the total period of time for examination of an application specified in Paragraph three of this Section. If a response is not received within the specified period of time, the institution shall take a decision in accordance with the information at the disposal thereof.

(7) A person whose professional qualification has been recognised in accordance with the procedures specified in this Law and who has received the certificate of the recognition of professional qualification referred to in Paragraph two of this Section, has the same right to work in the relevant regulated profession and the same duties related to these activities as the persons who have obtained the qualification necessary for professional activities in a regulated profession in accordance with the procedures specified in the regulatory enactments of the Republic of Latvia and have fulfilled all the relevant requirements of the regulatory enactments of the Republic of Latvia regulating the field of professional activities for the performance of professional activities.

[4 November 2004]

Chapter VIII

Provisions for the Recognition of Professional Qualifications in Relation to Professions to which the General System for the Recognition of Professional Qualifications and the Recognition of Qualifications is Applied on the Basis of the Professional Experience of Applicant

Section 44. General Provisions for the Recognition of the Professional Qualification of Applicant

(1) An education and professional qualification obtained in foreign states in the regulated professions of the Republic of Latvia, applying the general system for the recognition of professional qualifications, as well as on the basis of the professional experience of an applicant, shall be recognised by determining the conformity of education and professional qualification of the applicant with the requirements specified in the Republic of Latvia for the relevant regulated profession, in accordance with the following criteria:

1) the conformity of education and professional qualification of the applicant with the requirements specified in the Republic of Latvia in relation to the level, content and nature of education (regulated or non-regulated education), as well as the duration of education;

2) the status of the profession or professional activities corresponding to education and professional qualification of the applicant in the home country – regulated or non-regulated profession or professional activity;

3) the duration and type of the professional experience of the applicant in the home country; and

4) the certification by the competent authority of the home country of the applicant – a citizen of a European Union Member State or a member state of the European Free Trade Association, that the education acquired has been recognised as corresponding to the

requirements specified for the relevant profession in the home country. The referred to certification shall be necessary in the following cases:

a) the evidence of education and formal qualifications of the applicant has not been obtained in the home country, which is a European Union Member State or a member state of the European Free Trade Association; or

b) the evidence of education and formal qualifications of the applicant do not conform with the requirements specified by the home country because it has raised the requirements for the acquisition of professional qualification in the relevant profession.

(2) For the application of the general system for the recognition of professional qualifications the evidence of education and formal qualifications shall be divided into the following levels:

1) Level 1 – the evidence of the acquisition of an education programme of at least four years in duration at the level of higher education and, if necessary, are supplemented with the evidence of formal qualifications;

2) Level 2 – the evidence of the acquisition of an education programme of at least three to four years in duration at the level of higher education and, if necessary, are supplemented with the evidence of formal qualifications;

3) Level 3 – documents which certify that at least one of the following programmes has been acquired:

a) a vocational education programme, the duration of which is at least one year after acquisition of such secondary education programme which is necessary in order to commence studies at the level of higher education,

b) an education programme of specific structure at the level of secondary education, or

c) a vocational secondary education programme, the acquisition of which is necessary in order to commence studies at the level of higher education;

4) Level 4 – the evidence of the acquisition of such vocational education programme at the level of secondary education, which does not give the right to commence studies at the level of higher education and are supplemented with an examination or professional practice, which is part of such education programme;

5) Level 5 – documents which certify that education or practical working skills have been acquired in at least one of the following ways:

a) general basic education or general secondary education,

b) a vocational education programme at the basic level and other education, for the acquisition of which a education document corresponding to the Level 1, 2, 3 or 4 is not issued,

c) the passing of a special examination without the acquisition of previous education, or

d) full-time employment of at least three consecutive years in duration or part-time employment of a corresponding duration in the relevant profession during the last 10 years.

(3) The professional qualification of an applicant shall be recognised in the following cases:

1) the documents submitted by the applicant conform to the requirements which have been specified for the relevant profession in the regulatory enactments regulating the field of the relevant professional activities in the Republic of Latvia;

2) the applicant may compensate the significant differences in the nature, content and level of education in accordance with the additional requirements specified by the Cabinet for the recognition of professional qualification in such profession to which the general system for the recognition of professional qualifications is applied;

3) the duration and type of professional experience of the applicant conforms to the duration and type of professional experience specified by the Cabinet in relation to the professions to which the recognition of professional qualifications is applied on the basis of the professional experience of the applicant;

4) the documents submitted by the applicant partly conform to the requirements which have been specified for this profession in the regulatory enactments regulating the relevant professional activities in the Republic of Latvia, but certify the acquisition of such education programme, the content and duration of which does not differ significantly from that specified in the Republic of Latvia, and they are not more than one level lower than the ones specified in Paragraph two of this Section in such profession to which the general system for the recognition of professional qualifications is applied; and

5) the documents submitted by the applicant certify that a complex of criteria for professional qualification (joint platform) developed by the European Union Member States or the relevant professional organisations and recognised by the European Commission has been met, in order to compensate the significant differences in the requirements for the acquisition of education and professional qualification.

[17 July 2008]

Section 44.¹. Provision of Temporary Services in the Field of Education, Science and Sport

[17 July 2008]

Section 45 Cases when Education and Professional Qualifications of Applicants Differs from the Requirements Put Forward by the Republic of Latvia

(1) Education and professional qualifications of applicants shall differ significantly from the requirements put forward for the relevant profession regulated in the Republic of Latvia in the following cases:

1) the education acquired by the applicant is shorter by more than one year than that specified in the Republic of Latvia;

2) the content of the study subjects (study courses) and courses of further education acquired by the applicant differs significantly from that specified in the Republic of Latvia or the education acquired does not comprise all the study subjects (study courses), the knowledge of which is significant, when pursuing professional activities in the relevant profession in the Republic of Latvia;

3) the regulated profession in which the applicant wishes to pursue professional activities in the Republic of Latvia comprises one or several regulated professional activities, which are not included in the relevant profession in his or her home country, and for the pursuing of such professional activity or activities in the Republic of Latvia, such study subjects (study courses) shall be acquired, which are not comprised in the education acquired by the applicant; or

4) the relevant profession is not regulated in the home country of the applicant, and the evidence of education and formal qualifications submitted by the applicant have been issued for the acquisition of non-regulated education.

(2) If the professional qualification of the applicant does not differ significantly from the requirements put forward in the regulated profession in the Republic of Latvia, the professional qualification shall be recognised in accordance with the procedures specified by the Cabinet, applying additional requirements in relation to the duration and type of the professional experience of the applicant in his or her home country.

(3) If the professional qualification of the applicant differs significantly from the requirements put forward for the relevant regulated profession in the Republic of Latvia, the institutions which issue qualification recognition certificates, in accordance with the procedures specified by the Cabinet, are entitled to put forward the requirement to the applicant for an adaptation period or the taking of an aptitude test:

1) giving the applicant the right of choice to fulfil one of the requirements referred to;
or

2) determining the fulfilment of one of the referred to requirements as mandatory (without giving the applicant the right to choose).

(4) The requirements specified for the professional experience in Paragraph two of this Section and the requirements specified for the adaptation period or the professional aptitude test in Paragraph three of this Section shall not be applied concurrently. The adaptation period shall not exceed three years. The applicant may also acquire the necessary education and training during the adaptation period.

(5) The professional qualification of the applicant shall be recognised as non-compliant with the requirements put forward for the relevant regulated profession in the Republic of Latvia, if the evidence of his or her education and formal qualifications:

1) does not conform with the additional requirements specified in accordance with Paragraph two of this Section;

2) is not applicable to the conditions of the professional aptitude test or adaptation period;

3) is not applicable to the recognition of professional qualification on the basis of the professional experience of the applicant in the regulated professions in the fields of those economic activities for which specific requirements have been put forward in relation to the general or professional knowledge and skills.

(6) In the cases specified in Paragraph five of this Section the applicant, in order to commence professional activities in a regulated profession, has a duty to fulfil the requirements which have been specified for the acquisition of the relevant professional qualification in the Republic of Latvia in the regulatory enactments regulating the field of professional activities. Information institutions and institutions issuing the certificates of the recognition of professional qualification shall evaluate the content and duration of education of the relevant person on the basis of the diplomas, certificates and other evidence of qualification submitted, taking into account the professional experience of the person, the vocational in-service training in the profession and shall inform the applicant of the necessary duration and content of additional training, the acquisition of which is essential for activities in the relevant regulated profession in the Republic of Latvia. In such case the applicant has the right to take an examination immediately, in order to prove that he or she has the necessary knowledge.

[17 July 2008]

Section 46. General Provisions for the Professional Adaptation and Aptitude Test of Applicants

(1) An institution issuing the qualification recognition certificates in the relevant profession, in accordance with the requirements specified by the Cabinet, shall determine the duration of the adaptation period of an applicant and, observing the wishes of the applicant as much as possible, shall approve a specialist under whose supervision the applicant shall spend the adaptation period. At the conclusion thereof a work assessment shall be given, the criteria and procedures of which are determined by the institution referred to.

(2) In order to perform an aptitude test of the applicant, the institutions issuing the qualification recognition certificates in the relevant profession shall determine detailed procedures for the aptitude test, develop a list of study subjects or courses for the acquisition of which, in comparison with the extent of education specified in the relevant regulated profession in the Republic of Latvia, the applicant does not have a document certifying the relevant education and the acquisition of which is essential in order for a person to work in the relevant profession. The referred to subjects and courses may include both theoretical knowledge and practical skills, which are necessary in the relevant profession, as well as knowledge of professional standards in the relevant field.

(3) In determining the content of the aptitude test, the fact that the professional qualification of the applicant in his or her home country is recognised as sufficient for work in the relevant profession shall be taken into account.

(4) The applicant, not later than a month before the aptitude test, shall be informed as to the content and procedures thereof.

(5) The provisions for the entry and residence of the applicant at a time when he or she is preparing for the aptitude test or is spending the adaptation period in the Republic of Latvia, shall be determined by the Immigration Law.

[4 November 2004]

Section 47. Recognition of Qualification on the Basis of the Professional Experience of Applicants

(1) This Section applies to the recognition of professional qualifications in the regulated professions in such fields of economic activities, for which specific requirements have been put forward in relation to the general, commercial or professional knowledge and skills and shall be applied, by issuing the qualification recognition certificate to citizens of the European Union Member States.

(2) The issuance of the qualification recognition certificates in the regulated professions referred to in Paragraph one of this Section may not be refused, using a non-compliant qualification as the grounds for refusal, if the professional qualification or skills of the applicant and his or her right to pursue independent activities in the relevant profession certified in the documents issued by the competent authorities of the home country have not been compared with the requirements which have been put forward for this profession in the Republic of Latvia. If such comparison is necessary, the institutions issuing the qualification recognition certificates in the relevant professions shall make such comparison and:

1) issue the qualification recognition certificate in the relevant profession to the applicant, if the professional qualification of the applicant conforms with the requirements put forward for this profession in the Republic of Latvia (including the requirements of Section 3, Paragraph five of this Law); or

2) determine the necessity of an adaptation period or aptitude test in accordance with Section 46 of this Law, if the professional qualification of the applicant differs significantly from the requirements put forward for this profession in the Republic of Latvia.

(3) In relation to the regulated professions referred to in Paragraph one of this Section, the certification of the professional qualification of a citizen of a European Union Member State shall be both the certification of the professional qualification referred to in Paragraph two of this Section and an adequate professional experience in the relevant profession in the home country. The duration and type of experience necessary for the recognition of the qualification of the applicant shall be determined by the Cabinet.

(4) The fulfilment of the provisions of Paragraph three of this Section shall be certified by a document issued by the competent authorities of the home country of the applicant, which the applicant shall append to the application for the issuance of the qualification recognition certificate for the relevant professional activities in the Republic of Latvia.

[4 November 2004]

Chapter IX
**Provisions for the Recognition of Professional Qualifications in Relation to Professions
to which the Special System for Recognition is Applied**

Section 48. Recognition of the Professional Qualification of Architects

- (1) This Section shall relate to activities in the field of architecture, if the title of the profession of architect is used.
- (2) Such diplomas, certificates and other evidence of formal qualification of an architect shall be recognised in the Republic of Latvia, which are recognised in the European Union, conform with the requirements which are specified in this Law and Cabinet regulations regarding the minimum requirements of an education programme for the acquisition of the professional qualification of an architect, and give the right to operate in the relevant states, using the title of the profession of an architect.
- (3) The certificate of an architect which has been awarded in a European Union Member State or in a member state of the European Free Trade Association according to the same provisions as are referred to in Section 8, Paragraph five of this Law shall be regarded as compliant with the requirements specified in Paragraph two of this Section.
- (4) The documents referred to in Section 34 and Paragraphs two and three of this Section of this Law, after the relevant procedure of recognition performed by the institutions issuing the qualification recognition certificates in the profession of architect, and after receipt of the qualification recognition certificate, give the right to pursue independent professional activities in the profession of architect in the Republic of Latvia.
- (5) If during the procedure of recognition the institutions of the Republic of Latvia have doubts about whether the relevant diploma or certificate conforms to the requirements referred to in Paragraph two of this Section, they may request an opinion from the Committee for the Recognition of Professional Qualifications of the European Commission in this matter.
[4 November 2004; 17 July 2008]

**Section 49. Recognition of Professional Qualifications in the Professions in the Field of
Medicine, Veterinary Medicine and Pharmacy**

- (1) Such diplomas, certificates and other evidence of formal qualifications which are recognised in the European Union and conform with the requirements specified in this Law and Cabinet regulations regarding the minimum requirements of an education programme for the acquisition of a professional qualification shall be recognised in the Republic of Latvia in the following professions:
- 1) a doctor;
 - 2) a dentist;
 - 3) a nurse (medical nurse);
 - 4) a midwife.
 - 5) a veterinary surgeon; and
 - 6) a pharmacist.
- (2) For the commencement of independent professional activities in the profession of midwife, in addition to the documents referred to in Paragraph one of this Section, a certificate shall be necessary which certifies that after the acquisition of the qualification of midwife the applicant has performed the duties corresponding to this profession in a hospital or other medical treatment institution:
- 1) for at least two years if the relevant person has obtained the diploma of midwife after the acquisition of a full-time education programme for midwives for at least three years and prior to the acceptance in this programme has not acquired complete general secondary education which gives the right to study at a university-type institution of higher education; or

2) for at least one year if the relevant person has obtained the diploma of midwife after the acquisition of a full-time study programme of at least 18 months or 3000 hours in duration, in which the person was accepted after the acquisition of the qualification as a general care nurse.

(3) The recognition of the professional qualification of pharmacist and the receipt of the professional qualification certificate does not give the right to open a new general-type or open-type pharmacy. Within the meaning of this Paragraph, new pharmacies are pharmacies which have operated for less than three years.

(4) The documents referred to in Section 34 and Paragraph one of this Section of this Law, after the relevant procedure of recognition performed by institutions issuing the qualification recognition certificates in the profession of architect and after receipt of the qualification recognition certificate, give the right to pursue independent professional activities in the profession of architect in the Republic of Latvia.

(5) An applicant who wishes to acquire the basic specialities, sub-specialities or additional specialities of the profession of doctor or dentist or a diploma in the sub-speciality of dentistry or other corresponding certificates of qualification, which are not awarded in the home country thereof, shall fulfil the requirements specified in the Republic of Latvia for the acquisition of the relevant professional qualification. Information institutions and institutions issuing the certificates of the recognition of professional qualification shall evaluate the content and duration of education of the relevant person on the basis of the diplomas, certificates and other evidence of qualification submitted, and taking into account the professional experience of the person, the vocational in-service training in medicine, shall inform the applicant of the duration and content of the necessary additional training.

[4 November 2004; 17 July 2008]

Section 50. Provision of Temporary Services in the Field of Medicine, Veterinary Medicine or Architecture

[17 July 2008]

Section 51. Recognition of Professional Qualifications in the Professions in the Field of Road Transport, Railway, Seafaring and Civil Aviation

In the professions in the field of road transport, railway, seafaring and civil aviation, for which the qualification requirements are determined by the international agreements approved by the *Saeima* and the legal acts of the European Union, the professional qualifications obtained in foreign states shall be recognised in accordance with these agreements and legal acts of the European Union.

[4 November 2004]

Section 52. Recognition of Professional Qualifications in Other Professions in the Field of Transport

(1) The diplomas, certificates and other evidence of formal qualifications issued in the European Union Member States and the member states of the European Free Trade Association, which conform to the requirements of this Law and are recognised in the European Union, shall be recognised in the Republic of Latvia, in the following professions in the field of transport:

- 1) a driver (administrator) of international carriage of passengers by road;
- 2) a driver (administrator) of international carriage of goods by road;
- 3) a driver (administrator) of national carriage of passengers by road;
- 4) a driver (administrator) of national carriage of goods by road;

- 5) the driver of a vehicle carrying dangerous goods;
- 6) a safety consultant (advisor) for carriage of dangerous goods;
- 7) [23 October 2003];
- 8) [23 October 2003].

(2) The documents referred to in Section 40 and Paragraph one of this Section of this Law, after the relevant procedure of recognition performed by institutions issuing the qualification recognition certificates in the relevant regulated professions and after receipt of the qualification recognition certificate, give the applicant the same right to pursue activities in the professions specified in Paragraph one of this Section as the citizens of Latvia.

(3) The licence of a driver of a motor vehicle issued to a citizen of a European Union Member State and a member state of the European Free Trade Association may be used without performing the procedure of recognition referred to in Paragraph two of this Section, but observing the requirements specified in the Road Traffic Law.

[23 October 2003; 17 July 2008]

Section 53. Provisions for the Professional Practice of Lawyers of the European Union Member States and the Member States of the European Free Trade Association in the Republic of Latvia

(1) The professional qualification and the title of the profession of lawyer of a European Union Member State and a member state of the European Free Trade Association (also other states which, in accordance with the international agreements approved by the *Saeima* have the rights of the European Union Member States specified in these agreements in the field of the recognition of professional qualification), which has been recognised in the European Union and certified by evidence of the professional rights issued by the competent authorities of his or her home country, without determining the conformity of the referred to qualification with the requirements specified in the Republic of Latvia, shall be recognised in the Republic of Latvia.

(2) The recognition of the professional qualification of lawyer within the meaning of Paragraph one of this Section gives the right to pursue professional activities in the Republic of Latvia, using the title of the profession specified in the home country and expressed in the language of the home country, specifying the institution which has granted the relevant person the right to pursue professional activities, i.e.:

1) to provide temporary services (if evidence of the professional rights has been submitted to the Latvian Council of Sworn Lawyers); or

2) to work independently in the profession (if the person is registered with the Latvian Council of Sworn Advocates).

(3) A lawyer whose professional qualification and rights have been recognised within the meaning of Paragraphs one and two of this Section is entitled to participate in court proceedings only together with a lawyer of the Latvian Collegium of Sworn Advocates.

(4) For applicants from the European Union Member States, member states of the European Free Trade Association and other states which have the rights of a European Union Member State in the field of the recognition of professional qualification, the certificate of the recognition of professional qualification in the profession of lawyer in the Republic of Latvia shall be issued by the Latvian Council of Sworn Advocates, if:

1) the applicant has the evidence of professional qualification and rights of lawyer recognised in the home country and he or she has successfully passed the aptitude test in accordance with Section 46, Paragraph two of this Law, or

2) the applicant has pursued professional activities in the Republic of Latvia for at least three consecutive years, using the title of the profession in accordance with the provisions referred to in Paragraph two, Clause 2 of this Section, and has certified the necessary knowledge and practice acquired in the field of law of the Republic of Latvia.

(5) A lawyer of a European Union Member State and a member state of the European Free Trade Association (also other states which, in accordance with the international agreements approved by the *Saeima*, have the rights of the European Union Member States specified in these agreements in the field of the recognition of professional qualification), whose professional qualification has been recognised within the meaning of Paragraph four of this Section, has the same right to professional activities as a lawyer of the Republic of Latvia.

(6) The requirements referred to in this Section for the professional qualification, certification of knowledge and the procedures for registration of lawyers of a European Union Member State and a member state of the European Free Trade Association (also other states which, in accordance with the international agreements approved by the *Saeima*, have the rights of the European Union Member States specified in these agreements in the field of the recognition of professional qualification) practising in the Republic of Latvia, as well as the provisions for the professional practice thereof shall be regulated by the Advocacy Law.

[4 November 2004; 17 July 2008]

Section 54. Cases When the Professional Qualification of Applicants Partially Corresponds to the Minimum Requirements

(1) If an applicant for activities in the regulated professions in the field of medicine, pharmacy, veterinary medicine or architecture has evidence of education and formal qualifications, which certifies that he or she has acquired an education conforming to the requirements of this Law (in relation to the structure, content and specialisation), but which does not conform to the relevant minimum requirements specified by the Cabinet, he or she shall also need a document issued by the competent authority of a European Union Member State or a member state of the European Free Trade Association which certifies the professional experience of a specific duration in this profession in the relevant Member State. The duration and type of the additional experience necessary shall be determined by the Cabinet.

(2) [17 July 2008]

(3) If an applicant for activities in the regulated professions in the field of medicine, pharmacy, veterinary medicine or architecture has the evidence of formal qualifications which has been issued in a European Union Member State or a member state of the European Free Trade Association, but whose title does not conform with the titles approved by the Cabinet, he or she shall additionally need a document, which has been issued by the competent authorities of the European Union Member State or the member state of the European Free Trade Association, in which the qualification has been obtained regarding education and the professional title (qualification) awarded in the relevant state being equivalent to the education, qualification and professional title referred to in the list approved by the Cabinet.

(4) [17 July 2008]

(5) [17 July 2008]

[17 July 2008]

Part C

Ensuring the Implementation of the Law

Section 55. Accreditation of Education Programmes of the Regulated Professions

Accreditation of education programmes of the regulated professions shall take place in accordance with the procedures specified in the Education Law and other laws.

Section 56. Functions of Co-ordination and Information in the Field of Mutual Recognition of Professional Qualification

(1) The Cabinet shall approve a co-ordinator for the recognition of professional qualifications.

(2) The co-ordinator for the recognition of professional qualifications shall:

1) co-ordinate the co-operation between institutions issuing qualification recognition certificates and information institutions in matters related to the recognition of professional qualifications;

2) maintain communication with the European Commission and the relevant foreign institutions and ensure exchange of information regarding the regulatory enactments and the responsible authorities in the field of the recognition of professional qualifications; and

3) participate in the work of the Committee for the Recognition of Professional Qualifications of the European Commission.

(3) The functions of the information institution in relation to the regulated professions for which higher education is necessary in the Republic of Latvia or in foreign states, shall be performed by the Academic Information Centre.

(4) The information institutions for the other regulated professions shall be determined by the Cabinet, ensuring a unified system for the implementation of the requirements specified in Sections 55, 56, 57 and 58 of this Law.

(5) The information institutions, in the field of activities thereof, shall:

1) provide information to those inhabitants of Latvia who wish to work in foreign states regarding the regulatory enactments, the requirements, the information institutions and the competent authorities of the relevant state in the field of the regulated professions;

2) provide information regarding the regulatory enactments, requirements of the ethics of the profession, academic and professional requirements for education and professional qualification in the field of the regulated professions in the Republic of Latvia;

3) accept the documents specified in this Law from applicants for the acquisition of the qualification recognition certificate so that they might work in the regulated professions;

4) prepare statements regarding the conformity of education and professional qualification of applicants to the requirements determined in the Republic of Latvia;

5) transfer the documents referred to in Paragraph three and the statements referred to in Paragraph four of this Section to the institutions specified in Section 57 of this Law;

6) maintain communication with the competent authorities of foreign states in order to ensure mutual exchange of information in the field of the regulated professions;

7) issue a statement regarding temporary provision of services, which certifies that the documents submitted by the applicant confirm his or her right to pursue temporary professional activities in the relevant profession in the Republic of Latvia;

8) maintain a register of the applications submitted and examined; and

9) inform the applicant of the decisions taken by the institutions referred to in Section 57 of this Law.

(6) If necessary, the information institution shall prepare a temporary statement and send it to the institution issuing the certificates of the recognition of professional qualification in the relevant profession for the creation of an expert commission. The composition of the expert commission shall be determined by the institution which issues the qualification recognition certificates, also including representatives of the information institution therein. The expert commission shall submit its opinion to the institution which issues the certificates of the recognition of professional qualification.

(7) In the field of seafaring the functions of a co-ordinator and information institution shall be performed by the Register of Seafarers of the state stock company *Maritime Administration of Latvia* in accordance with the 1978 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, and the amendments thereof.

(8) The Cabinet shall determine the competent authorities of the Republic of Latvia which issue the documents necessary to the inhabitants of the Republic of Latvia for the recognition of their professional qualification in foreign states, and the procedures for the issuance of these documents.

[23 October 2003; 4 November 2004; 2 November 2006, 17 July 2008]

Section 57. Institutions Issuing the Certificates of the Recognition of Professional Qualification in the Regulated Professions

(1) Institutions issuing the certificates of the recognition of professional qualification in the regulated professions in the relevant field of activities:

1) in accordance with the procedures specified by the Cabinet, shall examine the applications of the applicants for the receipt of the qualification recognition certificate in the relevant regulated profession and the documents appended thereto and take a decision regarding the recognition or non-recognition of the professional qualification of the applicants:

a) if a decision is taken to recognise the professional qualification of the applicant – shall prepare the qualification recognition certificate, observing the deadlines for examination of documents specified in this Law; or

b) if a decision is taken not to recognise the professional qualification of the applicant – shall prepare a copy of the decision and the justification thereof, observing the deadlines for examination of documents specified in this Law;

2) shall provide the applicant with an opportunity to take an aptitude test or to adapt;

3) shall prepare the qualification recognition certificates after fulfilment of the requirements of Clause 2 of this Paragraph; and

4) send the prepared qualification recognition certificates or decisions about the non-recognition of the professional qualification of the applicant to the relevant information institution.

(2) The institutions referred to in this Section shall co-operate with the institutions referred to in Section 56 of this Law and ensure exchange of information with the relevant foreign and European Union competent authorities in order to ensure the co-ordination of the requirements of education and professional qualifications in the Republic of Latvia and foreign states and mutual recognition of professional qualifications.

(3) Professional organisations are entitled to participate, in an advisory capacity, in the work of those institutions issuing the certificates of the recognition of professional qualification, when they are reviewing matters related to the recognition of professional qualifications obtained in foreign states.

[17 July 2008]

Section 58. General Provisions for the Recognition of Professional Qualifications

(1) The institutions specified in this Law issuing the certificates of the recognition of professional qualification in the regulated professions in the Republic of Latvia may take the following decisions:

1) to recognise the professional qualification and issue the certificate of the recognition of professional qualification for professional activities in the Republic of Latvia;

2) to request additional documents in accordance with this Law;

3) to determine an adaptation period or aptitude test; or

4) to refuse the recognition of qualification.

(2) If in accordance with this Law or other regulatory enactments, the right to pursue professional activities in a regulated profession are connected to mandatory registration of the relevant person in a register of the professional organisation or other registers, the

qualification recognition certificate referred to in Paragraph one of this Section shall concurrently give the right to such registration.

(3) Decisions regarding the determination of an adaptation period or an aptitude test, the non-recognition of the professional qualification, the refusal to issue the qualification recognition certificate or regarding the annulment of such certificate, regarding the refusal or annulment of registration shall include the justification for the relevant decision.

(4) [4 November 2004]

(5) The applicant shall cover the expenditure related to the recognition of the professional qualification of the person in accordance with the procedures and amount specified by the Cabinet.

[4 November 2004]

Section 59. Annulment and Suspension of Operations of a Certificate of Recognition of Professional Qualifications

Institutions issuing the certificates of the recognition of professional qualification are entitled to annul the certificates of the recognition of professional qualification or to suspend the operation thereof, or suspend the operation of a professional qualification certificate if violations of regulatory enactments or the provisions of professional activities have been established.

[4 November 2004]

Transitional Provisions

1. Part B of this Law shall come into force on 1 January 2003.
2. By 1 January 2002 the Cabinet shall approve the requirements referred to in Section 6, Clause 2 of this Law.
3. The persons who, until the day of the coming into force of this Law, have obtained the right to pursue activities in any of the regulated professions, shall retain this right even if the professional qualification of this person does not conform to the requirements of this Law. This right shall be retained for a period of time which complies with the period of time between certification and re-certification, if such is provided for in the relevant profession. Further rights to activities in this profession shall be determined by provisions in respect of, and results of, certification (re-certification).
4. Until the day of the coming into force of the regulations provided by Section 6, Clause 2, Section 26, Paragraph one, Section 27, Paragraph five, Section 36, Clauses 5 and 6, Section 54, Paragraph one and Section 56, Paragraph eight of this Law, but not later than by 30 April 2005, the following Cabinet Regulations shall be in force insofar as they are not in contradiction with this Law:
 - 1) Cabinet Regulation No. 370 of 20 April 2004, *Regulations Regarding Education of Doctors and Documents Certifying Professional Qualification which are Recognised by Applying the Special System for the Recognition of Professional Qualifications*;
 - 2) Cabinet Regulation No. 372 of 20 April 2004, *Regulations Regarding Education of General Care Nurses and Documents Certifying Professional Qualification which are Recognised by Applying the Special System for the Recognition of Professional Qualifications*;
 - 3) Cabinet Regulation No. 373 of 20 April 2004, *Regulations Regarding Education of Architects and Documents Certifying Professional Qualification which are Recognised by Applying the Special System for the Recognition of Professional Qualifications*;

4) Cabinet Regulation No. 374 of 20 April 2004, *Regulations Regarding Education of Veterinary Surgeons and Documents Certifying Professional Qualification which are Recognised by Applying the Special System for the Recognition of Professional Qualifications*;

5) Cabinet Regulation No. 375 of 20 April 2004, *Regulations Regarding Education of Midwives and Documents Certifying Professional Qualification which are Recognised by Applying the Special System for the Recognition of Professional Qualifications*;

6) Cabinet Regulation No. 379 of 22 April 2004, *Minimum Requirements of Education Programmes for the Acquisition of the Professional Qualification of a Driver (Administrator) for Road Haulage*;

7) Cabinet Regulation No. 394 of 22 April 2004, *Regulations Regarding Education of Dentists and Documents Certifying Professional Qualification which are Recognised by Applying the Special System for the Recognition of Professional Qualifications*;

8) Cabinet Regulation No. 395 of 22 April 2004, *Regulations Regarding Institutions which Issue the Documents Required to Inhabitants of the Republic of Latvia for the Recognition of Their Professional Qualification in Foreign States*;

9) Cabinet Regulation No. 424 of 22 April 2004, *Regulations Regarding Education of Pharmacists and Documents Certifying Professional Qualification which are Recognised by Applying the Special System for the Recognition of Professional Qualifications*;

10) Cabinet Regulation No. 426 of 22 April 2004, *Regulations Regarding the Professional Titles of Lawyers Acquired in Foreign States, which are Recognised by Applying the Special System for the Recognition of Professional Qualifications*;

11) Cabinet Regulation No.732 of 24 August 2004, *Regulations Regarding the Minimum Requirements of Education Programmes for the Acquisition of the Professional Qualification of a Veterinary Surgeon and Regarding Institutions under Direct Control of which Practical Education in the Profession of a Veterinary Surgeon may be Acquired*;

12) Cabinet Regulation No. 845 of 12 October 2004, *Procedures by which Information Institutions and Institutions Which Issue the Certificates of the Recognition of Professional Qualifications in the Regulated Professions shall Examine the Documents Submitted by Applicants for the Recognition of Professional Qualifications Acquired in Foreign States for Independent Professional Activities in the Republic of Latvia*; and

13) Cabinet Regulation No. 846 of 12 October 2004, *Regulations Regarding the Recognition of Professional Qualifications on the Basis of the Duration and Type of Professional Experience in the Individual Fields of Economic Activities*.
[4 November 2004]

5. Section 32.² of this Law shall come into force on 1 January 2008.
[2 November 2006]

Informative Reference to European Union Directives

[4 November 2004; 17 November 2005; 13 December 2007; 17 July 2008]

This Law contains legal norms arising from:

1) Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services;

2) Council Directive 77/452/EEC of 27 June 1977 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of nurses responsible for general care, including measures to facilitate the effective exercise of this right of establishment and freedom to provide services;

3) Council Directive 77/453/EEC of 27 June 1977 concerning the coordination of provisions laid down by Law, Regulation or Administrative Action in respect of the activities of nurses responsible for general care;

4) Council Directive 78/686/EEC of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners of dentistry, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services;

5) Council Directive 78/687/EEC of 25 July 1978 concerning the coordination of provisions laid down by Law, Regulation or Administrative Action in respect of the activities of dental practitioners;

6) Council Directive 78/1026/EEC of 18 December 1978 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in veterinary medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services;

7) Council Directive 78/1027/EEC of 25 July 1978 concerning the coordination of provisions laid down by Law, Regulation or Administrative Action in respect of the activities of veterinary surgeons;

8) Council Directive 80/154/EEC of 21 January 1980 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in midwifery and including measures to facilitate the effective exercise of the right of establishment and freedom to provide services;

9) Council Directive 80/155/EEC of 21 January 1980 concerning the coordination of provisions laid down by Law, Regulation or Administrative Action in respect of the taking up and pursuit of the activities of midwives;

10) Council Directive 85/384/EEC of 10 June 1985 on the mutual recognition of diplomas, certificates and other evidence of formal qualifications in architecture, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services;

11) Council Directive 85/432/EEC of 16 September 1985 concerning the coordination of provisions laid down by Law, Regulation or Administrative Action in respect of certain activities in the field of pharmacy;

12) Council Directive 85/433/EEC of 16 September 1985 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy, including measures to facilitate the effective exercise of the right of establishment relating to certain activities in the field of pharmacy;

13) Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration;

14) Council Directive 89/595/EEC of 10 October 1989 amending Directive 77/452/EEC concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of nurses responsible for general care, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services, and amending Directive 77/453/EEC concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of nurses responsible for general care;

15) Council Directive 89/594/EEC of 30 October 1989 amending Directives 75/362/EEC, 77/452/EEC, 78/686/EEC, 78/1026/EEC and 80/154/EEC relating to the mutual recognition of diplomas, certificates and other evidence of formal qualifications as doctors, nurses responsible for general care, dental practitioners, veterinary surgeons and midwives, together with Directives 75/363/EEC, 78/1027/EEC and 80/155/EEC concerning the coordination of provisions laid down by Law, Regulation or Administrative Action relating to the activities of doctors, veterinary surgeons and midwives;

- 16) Council Directive 91/439/EEC of 29 July 1991 on driving licences;
- 17) Council Directive 91/670/EEC of 16 December 1991 on mutual acceptance of personnel licences for the exercise of functions in civil aviation;
- 18) Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC;
- 19) Council Directive 93/16/EEC of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications;
- 20) Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations;
- 21) Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained;
- 22) Directive 1999/42/EC of the European Parliament and of the Council of 7 June 1997 establishing a mechanism for the recognition of qualifications in respect of the professional activities covered by the Directives on liberalisation and transitional measures and supplementing the general systems for the recognition of qualifications;
- 23) Directive 2001/19/EC of the European Parliament and of the Council of 14 May 2001 amending Council Directives 89/48/EEC and 92/51/EEC on the general system for the recognition of professional qualifications and Council Directives 77/452/EEC, 77/453/EEC, 78/686/EEC, 78/687/EEC, 78/1026/EEC, 78/1027/EEC, 80/154/EEC, 80/155/EEC, 85/384/EEC, 85/432/EEC, 85/433/EEC and 93/16/EEC concerning the professions of nurse responsible for general care, dental practitioner, veterinary surgeon, midwife, architect, pharmacist and doctor (Text with EEA relevance);
- 24) Directive 2001/25/EC of the European Parliament and of the Council of 4 April 2001 on the minimum level of training of seafarers;
- 25) Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002 amending the Directives on maritime safety and the prevention of pollution from ships (Text with EEA relevance);
- 26) Directive 2003/103/EC of the European Parliament and of the Council of 17 November 2003 amending Directive 2001/25/EC on the minimum level of training of seafarers (Text with EEA relevance);
- 27) Council Directive 98/76/EC of 1 October 1998 amending Directive 96/26/EC on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations;
- 28) Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted; and
- 29) Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (Text with EEA relevance).

This Law has been adopted by the *Saeima* on 20 June 2001.

President

V. Vīķe-Freiberga

Riga, 6 July 2001