



ROYAL NORWEGIAN MINISTRY OF  
EDUCATION AND RESEARCH

EFTA Surveillance Authority  
Avenue des Arts 19H  
BELGIUM

Your ref  
89499

Our ref  
24/5893-

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**Supplementary information concerning a conformity assessment of  
Directive 2005/36/EC (professional qualifications) in Norway**

Dear Sir/Madam,

Reference is made to your letter of 11 October 2024 with a supplementary request for information concerning a conformity assessment of Directive 2005/36 EC on the recognition of professional qualifications ("the Directive," "PQD") in Norway.

In the letter, the EFTA Surveillance Authority ("the Authority") requested more information related to eight questions that the Authority had pointed out. The Ministry of Education and Research ("the Ministry") has received information from the Ministry of Agriculture and Food regarding the questions about animal health personnel and from the Ministry of Health and Care Services regarding the questions about health personnel. Please find the response to the said questions below.

**Question 1: Animal health personnel**

The Ministry of Agriculture and Food notes that Directive 2013/55/EU amends Directive 2005/36/EC Article 13 (2), changing the previous requirement of two years of professional experience to one year. [Forskrift 19. Januar 2009 nr. 77 om rett til å arbeide som dyrehelsepersonell eller semipersonell etter EØS-avtalen](#), § 3-2 will be amended accordingly as soon as possible.

**Question 2: Bulgarian feldsher**

The regulation [forskrift 8. oktober 2008 nr. 1130 om autorisasjon, lisens og spesialistgodkjenning for helsepersonell med yrkeskvalifikasjoner fra andre EØS-land eller fra Sveits](#) <https://lovdata.no/dokument/SF/forskrift/2008-10-08-1130> (Regulation on

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authorization, license, and specialist approval for health personnel with professional qualifications from other EEA -country or from Switzerland) regulates the requirements to achieve professional recognition as a doctor or nurse in Norway for healthcare personnel with qualifications from other EEA-states and Switzerland. A holder of the Bulgarian qualification of feldsher will be denied professional recognition as a doctor or nurse in Norway on the legal ground that the holder of a feldsher qualification does not meet/fulfil these regulated requirements for achieving professional recognition as a doctor or nurse, and will consequently not be granted authorization or licence as a doctor or nurse in Norway.

As stated in the ToC, the above-mentioned regulation §§ 5, 6 and 8 implement PQD Article 21-23. If it is stated in a health personnel's evidence of formal qualifications that he/she holds the qualification of feldsher, and not the qualification of a doctor or nurse, the health personnel will not achieve professional recognition as a doctor or nurse in Norway and will thus not be able to practice as a nurse or doctor in Norway. To illustrate with another example: a Polish dentist cannot achieve professional recognition as a doctor or nurse based on his/her evidence of formal qualification as a dentist. As far as we understand, there is a distinction between feldshers, doctors, and nurses in Bulgaria too. These are three different formal qualifications.

### **Question 3: the Directive Article 24**

The Ministry refers to the discussion at the package meeting on 24 October, where the Authority pointed out that it was necessary to clarify the training hours in Regulation No. 21 of 3 January 2020 on the national guideline for medical education ([forskrift 3. januar 2020 nr. 21 om nasjonal retningslinje for medisinstudanning](#)), at least by having specific references to the relevant provisions of the Directive. In the said regulation § 1, second paragraph, it is stated that the education shall be 6 years and 360 ECTS credits. In § 25, third paragraph, it is stated that the training shall be in accordance with the Directive. The ministry will further consider whether this provision should refer to the relevant articles in the PQD.

### **Question 4: the Directive Article 31**

The Ministry refers to the discussion at the package meeting on 24 October, where we informed the Authority that the Ministry notified the training for nurses in IMI 14 March 2023, IMI Number 496139.

### **Question 5: Implementation of the Directive Article 31, 34, 35, 38, 40 and 44**

The Ministry refers to the discussion at the package meeting on 24 October, where the Authority pointed out that it was necessary to clarify the training hours for the education for nurses, dentists, specialist dentists, veterinary surgeon, midwives and pharmacist, at least by having specific references to the relevant provisions of the Directive.

#### Nurses, Dentist, Midwives and Pharmacists

The Directive is implemented in the following regulations:

- Nurse: [forskrift 15. mars 2019 nr. 412 om nasjonal retningslinje for sykepleierutdanning](#)

- Dentist: [forskrift 3. januar 2020 nr. 17 om nasjonal retningslinje for tannlegeutdanning](#)
- Midwives: [forskrift 5. Juni 2023 nr. 822 om nasjonal retningslinje for jordmorutdanning](#)
- Pharmacist: [forskrift 3. januar 2020 nr. 25 om nasjonal retningslinje for farmasøytutdanningene, bachelor- og masterutdanning i farmasi](#)

In the regulations, there is a general reference to the Directive. The Ministry will further consider whether this general provision should refer to the relevant articles in the PQD.

#### Veterinary surgeon:

In Norway, there is only one university that offers education for veterinary surgeons: Norges miljø- og biovitenskapelige universitet (Norwegian University of Life and Sciences). The training hours for veterinary surgeons are regulated in the regulation [forskrift 16. desember 2005 nr. 1574 om grader og yrkesutdanninger, beskyttet tittel og normert studietid ved universiteter og høyskoler](#), § 6 no. 5. According to the regulation, the nominal length of study is 5 ½ to 6 years. Furthermore, there is a reference to the PQD in the programme description from the university; please see the following link: [Studieplan og emnebeskrivelse](#).

#### Specialist dentist:

The Norwegian programmes for the education of specialist dentist have so far been organised by the division responsible for the education of dentists at the Universities of Oslo, Bergen and Tromsø according to the rules for [specialist regulations given by the Ministry of Health and Care Services 5 February 2014](#), and revised 11 October 2016. The rules set out the general requirements related to the content, duration, interdisciplinary, supervision, scientific work, and documentation of clinical activities in the specialist education of dentists in general. They also include specific requirements for each dentist speciality.

The specialisation programmes combine teaching of theoretic skills and clinical activities. The detailed requirements are further described in the universities' specialisation programmes for the different dental specialisations. The normative minimum training requirements for full-time education of specialist dentists is 3 years, and 5 years for the specialty oral surgery-oral medicine. The dentist specialist education can be part-time according to the EU-directive nr. 2005/36/EF.

The Norwegian authorities have started investigating how the future education of specialist dentist ought to be organised and regulated.

#### **Question 6: the Directive Article 42 (2)**

Norwegian legislation does not include any listings of types of activities, work methods, treatments or services that different groups of healthcare personnel must be able to gain access to or pursue. Healthcare personnel's access to certain activities depend on their qualifications. According to the [act 2 Juli 1999 nr. 64 om helsepersonell mv.](#) (helsepersonelloven) (Norwegian Health Personnel Act) § 4 (1), health personnel must perform their work in accordance with the requirements for responsible conduct. They shall conduct their work in accordance with requirements related to professional responsibility and

diligent care that can be expected based on their qualifications, the nature of their work and the situation in general. According to § 4 (2) of the act, health personnel shall act in accordance with their professional qualifications. Furthermore, they shall acquire assistance and refer patients on to others where it is necessary and possible.

The regulation [forskrift 5. Juni 2023 nr. 822 om nasjonal retningslinje for jordmorutdanning](#) (National Guidelines for the Education of Midwives) lists in chapter 2 to 7 the required learning outcome for the education of midwives. The list will create the basis of a midwife's qualifications. All of the activities listed in PQD Article 42 (2) are covered by the required learning outcomes listed in the regulation chapter 2 to 7, and/or by the Health Personnel Act. Midwives are therefore able to gain access to and pursue all these activities. Please see the following table:

Article 42 (2) PQD	A) The Regulation on National Guidelines for the Education of Midwives  B) The Health Personnel Act
A - Sound family planning information and advice	A) § 11 b, § 12, § 14
B - Diagnosis of pregnancies and monitoring normal pregnancies; carrying out the examinations necessary for this	A) § 8 b, c and g
C - Prescribing or advising on the examinations necessary for the earliest possible diagnosis of pregnancies at risk	A) § 8 c and d
D - Provision on parenthood and childbirth preparation	A) § 8 a
E - Caring for and assisting the mother during labour, monitoring the foetus in utero	A) § 8 b, c, d and e
F - Conducting spontaneous deliveries including where required episiotomies and in urgent cases breech deliveries	A) § 8 f and § 8 h
G – recognizing warning signs, referral to doctor, assisting the doctor, manual removal of placenta, manual examination of uterus	A) § 8 i
H – examining and caring for the newborn infant, immediate resuscitation	A) § 8 j
I – caring for and monitoring the progress of the mother and give advice to her on infant care	A) § 7, § 8 a, c and g, § 9 b, c and d
J – carrying out the treatment prescribed by doctors	A) § 8 d and g, and

	B) § 4 (2), which includes the duty for all health personnel to cooperate with other qualified personnel when necessary
K – Drawing up the necessary written reports	B) §§ 39 and 40 state a duty for all health personnel to write medical records

According to § 2 (3) of the above mentioned regulation, the education shall qualify for work within clinical practice, research, education, management, and administration in the municipal health and care services and in the specialist health services. The candidate shall be able to work independently within the entire scope of activities within a midwife's responsibility. He og she shall also be able to collaborate with other personnel and relevant actors with a common goal of providing high-quality healthcare at all levels of the health service. The main target group is pregnant women, women giving birth and their partners, postpartum women, and unborn/newborn children. Additionally, the education shall provide competence in sexual and reproductive health and rights, and diversity. It follows from § 2 (6) of the said regulation that the education shall always fulfil the national and international requirements for the profession of midwife and comply with Directive 2005/36/EC on the recognition of professional qualifications, as amended, including Directive 2013/55/EU.

Midwives may choose to work in e.g. a health centre where not all their qualifications are needed, but all midwives are able to gain access to and pursue a job where the activities listed in PQD Article 42 (2) are included.

#### **Question 7: the Directive Article 44 (3)**

PQD Article 44 (3) was amended by Commission Delegated Directive 2024/782, where points (f) to (i) were included in the Article. Directive 2024/782 has not yet been incorporated into the EEA Agreement. The amendments for the training for pharmacist in the Commission Delegated Directive are already incorporated in [forskrift 3. januar 2020 nr. 25 om nasjonal retningslinje for farmasøytutdanningene, bachelor- og masterutdanning i farmasi](#).

Please see the following table:

PQD Article 44 (3)	Forskrift om nasjonal retningslinje for farmasøytutdanningene, bachelor- og masterutdanning i farmasi
(f) adequate knowledge of clinical pharmacy and pharmaceutical care, as well as the skills of their practical application;	§ 4 a, b and c § 5 a §22 a
(g) adequate knowledge and skills of public health and its repercussions in health promotion and disease management;	§ 13 a, c and e § 14 a § 19 a
(h) adequate knowledge and skills on inter- and multidisciplinary collaboration,	§ 10 a § 11 a, b and c § 12 a

interprofessional practice and communication	
(i) adequate knowledge of information technology and digital technology and skills on its practical application.	§ 15 d

### Question 8: Professional internship in other states

#### For Health Personnel:

Authorization as and access to the regulated professions of physiotherapist, prosthetist/orthotist and chiropractor in Norway is contingent upon completion of a professional traineeship (turnustjeneste), unless the candidate already has an authorization from another Member state that must be recognised in accordance with the EEA-agreement. Please see [forskrift 8. oktober 2008 nr. 1130 om autorisasjon, lisens og spesialistgodkjenning for helsepersonell med yrkeskvalifikasjoner fra andre EØS-land eller fra Sveits](#) §§ 13 and 15.

#### Physiotherapists

The regulation [forskrift 9. september 2009 nr. 1175 om praktisk tjeneste \(turnustjeneste\) for å få autorisasjon som fysioterapeut](#) regulates the requirements for a professional traineeship necessary to obtain authorization as a physiotherapist in Norway.

According to § 2, the regulation applies to:

- persons with a Norwegian education as a physiotherapist, that have to complete a professional traineeship in order to obtain authorization as a physiotherapist in Norway.
- persons with a foreign education as a physiotherapist, that have to complete or partially complete professional traineeship in Norway in order to obtain authorization as a physiotherapist in Norway.

According to § 5 (1), the following professional traineeships must be satisfactorily performed in Norway to be authorized as a physiotherapist:

- 6 months of service in the specialist health service, and
- 6 months of service in the municipal health and care service

According to § 5 (3), The Norwegian Directorate of Health (Helsedirektoratet), or the person it authorizes, can make exceptions from the required 6 months of service in the specialist health service in Norway, for professional traineeships that are to be performed or have been performed abroad.

#### Orthotists/prosthetists

The regulation [forskrift 21. desember 2000 nr. 1382 om praktisk tjeneste \(turnustjeneste\) for å få autorisasjon som ortopediingeniør og kiropraktor](#) regulates the requirements for a

professional traineeship necessary to obtain authorization as orthotist/ prosthetist (ortopediingeniør).

According to § 5-1 of the regulation, candidates must prove that they have carried out 2 years of continuous professional traineeship at an orthopaedic technical workshop. Oslo University College (OsloMet) is responsible for providing candidates with a traineeship in such a workshop. According to § 5-2 (3), one year of the traineeship may be fully or partially carried out in a workshop outside Norway, provided that the workshop accepts the conditions that apply to professional traineeship at Norwegian workshops. In addition, the workshop must be approved by the Norwegian Directorate of Health (Helsedirektoratet) before the traineeship starts.

Additionally, it follows from § 5-6, that the Norwegian Directorate of Health (Helsedirektoratet) may make exceptions to the requirements set in the regulation “in special cases”.

#### Chiropractors

The above mentioned [forskrift 21. desember 2000 nr. 1382 om praktisk tjeneste \(turnustjeneste\) for å få autorisasjon som ortopediingeniør og kiropraktor](#) also regulates the requirements for a professional traineeship necessary to obtain authorization as chiropractor.

Chiropractor education is not offered in Norway. Persons who wish to work as chiropractors in Norway, must therefore complete an education as chiropractor abroad. According to § 6-1 candidates wanting to obtain an authorization as chiropractor in Norway must prove that they have completed a professional traineeship as determined by the Norwegian Directorate of Health (Helsedirektoratet). According to § 6-2, this does not however apply to candidates from other Member states who fulfil the requirements for authorization as a chiropractor according to the EEA-agreement. These candidates will be granted authorization according to the regulation “Forskrift 8. oktober 2008 nr. 1130 om autorisasjon, lisens og spesialistgodkjenning for helsepersonell med yrkeskvalifikasjoner fra andre EØS-land eller fra Sveits” (Regulation on authorization, license and specialist approval for health personnel with professional qualifications from other EEA -country or from Switzerland).

There is no regulation of other requirements for the traineeship, but the Norwegian Directorate of Health (Helsedirektoratet) has drawn up guidelines to ensure equal treatment, please see the following link [Turnus for kiropraktorer - Helsedirektoratet](#). The professional traineeship should have a duration of one year. If the candidate has completed a professional traineeship in the country of education, the Norwegian Directorate of Health (Helsedirektoratet) may make an exemption from having completed a professional traineeship in Norway. Documented relevant work experience from another country may in some cases compensate for all or parts of the required Norwegian traineeship.

#### For Animal Health personnel:

Directive 2013/55/EU added Article 55a which concerns recognition of professional traineeship to Directive 2005/36/EC. The requirement in Article 55a to recognise professional



traineeships carried out in other Member States only applies where access to a regulated profession in Norway is contingent upon completion of a professional traineeship in Norway. In the TOC, the Norwegian Food Safety Authority answered that the requirement "is regulated in the relevant regulation for the profession". The reason for this is that there are no requirements for professional traineeships in our regulations that regulate access to the profession of veterinary, aquatic animal health professional, veterinary assistant/nurse or artificial insemination technician (seminpersonell).

- Authorisation of veterinarians and aquatic animal health professionals in Norway is only contingent on relevant exam. Please see [lov 15. juni 2001 nr. 75 om veterinærer og annet dyrehelsepersonell \(dyrehelsepersonelloven\)](#) § 4, first subparagraph.
- Authorisation of veterinary assistants/nurses in Norway is only contingent on relevant exam. Please see [forskrift 27. mai 2003 nr. 657 om dyrepleiere](#) § 2.
- The right to work as an artificial insemination technician (seminpersonell) in Norway is only contingent on completion of a course. Please see [forskrift 6. mars 1995 nr. 239 om kunstig sædooverføring hos husdyr utført av andre enn veterinær](#) § 3.

Yours sincerely

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Deputy Director General

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Senior Adviser

*This document is signed electronically and has therefore no handwritten signature*