



Crna Gora  
Vlada Crne Gore



CRNA GORA  
SKUPŠTINA CRNE GORE

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## SKUPŠTINA CRNE GORE

Gospodin Andrija Mandić, predsjednik

Vlada Crne Gore, na sjednici od 15. decembra 2023. godine, utvrdila je **PREDLOG ZAKONA O POTVRĐIVANJU SPORAZUMA O PRIZNAVANJU PROFESIONALNIH KVALIFIKACIJA MEDICINSKIH SESTARA OPŠTE NJEGE, DOKTORA VETERINARSKJE MEDICINE, FARMACEUTA I BABICA U KONTEKSTU CENTRALNOEVROPSKOG SPORAZUMA O SLOBODNOJ TRGOVINI**, koji Vam u prilogu dostavljamo radi stavljanja u proceduru Skupštine Crne Gore.

Vlada predlaže Skupštini da, u skladu sa članom 151 Poslovnika Skupštine Crne Gore („Službeni list RCG“, br. 51/06 i 66/06 i „Službeni list CG“ br. 88/09, 80/10, 39/11, 25/12, 49/13, 32/14, 42/15, 52/17, 17/18, 47/19, 112/20, 129/20 i 65/21), ovaj zakon donese po hitnom postupku iz razloga koji su sadržani u Obrazloženju Predloga zakona.

Za predstavnike Vlade, koji će učestvovati u radu Skupštine i njenih radnih tijela prilikom razmatranja Predloga ovog zakona, određeni su dr VOJISLAV ŠIMUN, ministar zdravlja i MIRJANA VLAHOVIĆ ANDRIJAŠEVIĆ, državna sekretarka u Ministarstvu zdravlja.

PREDSJEDNIK  
mr Miloško Spajić, s. r.

**ZAKON  
O POTVRĐIVANJU SPORAZUMA O PRIZNAVANJU PROFESIONALNIH  
KVALIFIKACIJA MEDICINSKIH SESTARA OPŠTE NJEGE, DOKTORA  
VETERINARSKJE MEDICINE, FARMACEUTA I BABICA U KONTEKSTU  
CENTRALNOEVROPSKOG SPORAZUMA O SLOBODNOJ TRGOVINI**

**Član 1**

Potvrđuje se Sporazum o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, koji su potpisali predstavnici Albanije, Bosne i Hercegovine, Kosovo, Crne Gore, Sjeverne Makedonije i Srbije, u Tirani 16. oktobra 2023. godine, u originalu na engleskom jeziku.

**Član 2**

Tekst Sporazuma iz člana 1 ovog zakona, u originalu na engleskom jeziku i u prevodu na crnogorski jezik, glasi:

**AGREEMENT ON THE RECOGNITION OF PROFESSIONAL QUALIFICATIONS OF NURSES, VETERINARY SURGEONS, PHARMACISTS, AND MIDWIVES IN THE CENTRAL EUROPEAN FREE TRADE AGREEMENT CONTEXT**

The representatives of Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, North Macedonia and Serbia (hereinafter referred to as “Parties”)

*In the context of economic integration, pursuant to the Central European Free Trade Agreement (“CEFTA 2006”), in line with Article V of the General Agreement on Trade in Services and for purposes of furthering the liberalisation of trade in services within the CEFTA.*

*Having in mind the goals and priorities stipulated by the Common Regional Market Action Plan 2021-2024 (“CRM”) aimed at removing obstacles to the recognition of professional qualifications, by adopting and implementing a “European Union (EU) framework for automatic recognition of professional qualifications for 7 professions and the EU system of automatic recognition” based on the coordination of minimum training conditions;*

*Noting that no provision of this Agreement may be interpreted as to exempt the Parties from their respective rights and obligations under existing treaties;*

*Aiming to encourage the mobility of professionals, better matching of skills with labour market needs and increased productivity;*

*Underlining the objectives of promoting regulatory harmonisation and approximating the laws and regulations of the Parties with European Union (EU) law; in particular seeking to enable free movement of professionals by transposing into the regional framework*

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\*This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualification, as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013

*Intending to establish the automatic recognition of professional qualifications based on minimum training requirements and to apply it to all 4 professions laid down in this Agreement and the aforementioned Directive and to appoint the professions which satisfy the appliance of the minimum training requirements within the Annexes in not more than 2-year time (in addition to the other three professions listed in the Agreement on the recognition of professional qualifications of doctors of medicine, doctors of dental medicine and architects in the Central European Free Trade Agreement context ,done on 3.11.2022 ).*

Have agreed as follows:

## **CHAPTER I**

### **GENERAL PROVISIONS**

#### **Article 1**

##### **Purpose**

1. This Agreement establishes the rules on automatic recognition of evidence of formal qualifications based on minimum training conditions within Parties for access to and performance of the regulated profession, as well as harmonized minimum training conditions in one or more other Parties, and which allow the holders of said qualification (hereinafter: professionals) to pursue the same profession in a Party (hereinafter: receiving Party) other than the Party in which they obtained their professional qualifications (hereinafter: referred to as the issuing Party).

#### **Article 2**

##### **Scope**

1. This Agreement shall apply to natural persons, as defined in Annex I of the Additional Protocol 6, as professionals of the issuing Party wishing to pursue a regulated profession in a receiving Party contingent upon the harmonized minimum training conditions, on either a self-employed or employed basis. Each Party will allow a professional of the issuing Party, in possession of evidence of professional and formal qualifications within the meaning of Article 3(1)(b) which are not obtained in the receiving Party to pursue a regulated profession within the meaning of Article 3 (1)(a) within such a Party in accordance with its rules and relevant legislation. This recognition shall respect the minimum training conditions laid down in this Agreement. If evidence of formal qualification is not in line with the minimum training conditions, as laid down in this Agreement, the recognition of professional qualification shall be subject to a General system of recognition.
2. This Agreement applies to the following professionals: nurses, veterinary surgeons, midwives, and pharmacists, as defined and listed in Annex I, Annex II, Annex III, and Annex IV, respectively.
3. Each Party shall submit to the Joint Working Group on Recognition of Professional Qualifications the laws, regulations and administrative provisions, which it adopts with

regard to the issuing of evidence of formal qualifications in the professions covered by this Agreement.

4. For the purpose of implementation and application of this Agreement, higher education institutions shall have accredited study programmes and/or licensed study programmes harmonized with the minimum training requirements laid down in the Annexes of this Agreement.

### **Article 3**

#### **Definitions**

1. For the purposes of the present Agreement, the following definitions apply:

- a) 'regulated profession': a professional activity or group of professional activities, access to which, the pursuit of which, or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative, regulatory or administrative provisions to the possession of specific professional qualifications; in particular, the use of a professional title limited by legislative, regulatory, or administrative provisions to holders of a given professional qualification shall constitute a mode of pursuit;
- b) 'professional qualifications': qualifications attested by evidence of formal qualifications, an attestation of competence issued by a competent authority in the Party designated pursuant to legislative, regulatory or administrative provisions of that Party, on the basis of either a training course or a specific examination, and/or professional experience;
- c) 'evidence of formal qualifications': diplomas, certificates and other evidence issued by an authority of a Party designated pursuant to legislative, regulatory or administrative provisions of that Party and certifying successful completion of professional training obtained mainly in a Party;
- d) 'competent authority': any authority or body empowered by a Party specifically to issue or receive training diplomas and other documents or information and to receive the applications, and take the decisions, referred to in this Agreement;
- e) 'regulated education and training': any training which is specifically geared to the pursuit of a given profession and which comprises a course or courses complemented, where appropriate, by professional training, or probationary or professional practice.
- f) The structure and level of the professional training, probationary or professional practice shall be determined by the laws, regulations or administrative provisions of the Party concerned or monitored or approved by the authority designated for that purpose;
- g) 'professional experience': the actual and lawful full-time or equivalent part-time pursuit of the profession concerned in a Party;
- h) 'professional traineeship': a period of professional practice carried out under supervision provided it constitutes a condition for access to a regulated profession, and which can take place either during or after completion of an education leading to a qualification;
- i) 'natural person' as defined in the CEFTA framework

j) 'European Credit Transfer and Accumulation System or ECTS credits': the credit system for higher education used in the European Higher Education Area;

k) The Joint Working Group on for the Recognition of Professional Qualifications (JWGRPQ);

l)'CEFTA': Central European Free Trade Agreement;

m)'RCC': Regional Cooperation Council;

## **Article 4**

### **Effects of the Recognition**

The recognition of professional qualifications by the receiving Party shall allow natural persons to gain access in that Party to the same profession as that for which they are qualified in the issuing Party and to pursue it in the receiving Party under no less favourable conditions as its natural persons.

## **CHAPTER II**

### **Principles of Recognition**

#### **Article 5**

##### **Rules related to professional, statutory or administrative nature**

Where a professional moves, the professional shall be subject to professional rules of a professional, statutory or administrative nature which are directly linked to professional qualifications, such as the definition of the profession, the use of titles and serious professional malpractice which is directly and specifically linked to consumer protection and safety, as well as disciplinary provisions which are applicable in the receiving Party to professionals who pursue the same profession in receiving Party.

#### **Article 6**

##### **Principles of automatic recognition**

1. Each Party shall recognize evidence of formal qualifications as nurse responsible for general care, as veterinary surgeon, as midwife, and as pharmacist, listed in Annex I, Annex II, Annex III, and Annex IV, respectively, which satisfy the minimum training conditions referred to in Annex I, Annex II, Annex III, and Annex IV, respectively, and shall, for the purposes of access to and pursuit of the professional activities, give such evidence the same effect, as the evidence of formal qualifications, which it itself issues.

Such evidence of formal qualifications must be issued by the competent bodies in the issuing parties and accompanied, where appropriate, by the certificates listed in Annex I, Annex II, Annex III, and Annex IV, respectively.

2. Such updates shall not entail an amendment of existing essential legislative principles in Parties regarding the structure of professions as regards training and

conditions of access by natural persons. Such updates shall respect the responsibility of the Parties for the organisation of education systems.

## **Article 7**

### **Common provisions on training**

The Parties shall, in accordance with the procedures specific to each Party, ensure, by encouraging continuous professional development, that professionals, whose professional qualification is covered by this Agreement, are able to update their knowledge, skills and competences in order to maintain a safe and effective practice and keep abreast of professional developments.

## **Article 8**

### **Acquired rights**

Without prejudice to the acquired rights specific to the professions concerned, in cases where the evidence of formal qualifications as nurse responsible for general care, as veterinary surgeon, as midwife, and as pharmacist of the Parties, does not satisfy all the training requirements referred to in this Agreement, each Party shall recognise as sufficient proof evidence of formal qualifications issued by those Parties insofar as such evidence attests successful completion of training, which began at dates to be proposed by the Joint Working Group and is accompanied by a certificate stating that the holders have been effectively and lawfully engaged in the activities in question for at least three consecutive years during the five years preceding the award of the certificate.

## **CHAPTER III**

### **PROCEDURE FOR THE RECOGNITION OF PROFESSIONAL QUALIFICATIONS**

## **Article 9**

### **Common procedure for the recognition of professional qualifications**

1. The receiving Party shall acknowledge the receipt of the application within 30 days of receipt and inform the applicant of any missing document. If the applicant does not submit the supplement to the documentation, the competent body will reject the application as incomplete, unless the candidate justifies the reasons for missing the deadline.
2. The procedure for examining an application for authorization to practice a regulated profession must be completed as quickly as possible and lead to a duly substantiated decision by the competent authority in the receiving Party in any case within three months after the date on which the applicant's complete file was submitted, and in these events, reasons shall be explained in the recognition decision.
3. The decision, or failure to reach a decision within the deadline, shall be subject to appeal according to the general rules of each Party.

## **Article 10**

### **Recourse**

The recognition of professional qualifications shall encompass the possibility to resort to an effective recourse mechanism for the applicant. In the case that the recognition is not granted, the applicant must have recourse to an authority, which is differently composed to the one having refused the demand. That authority will decide the appeal

after having given the applicant the possibility to be heard within a reasonable period of time.

## **Article 11**

### **Documents and certificates which may be required of the applicant in accordance with this Agreement**

#### **1. Documents**

- a) Proof that a person concerned is a natural person of a Party.
- b) Evidence of formal qualifications giving access to the regulated profession in question, as listed in Annex I, Annex II, Annex III, and Annex IV, respectively.
- c) Evidence of professional qualification within the meaning of Article 3(1)(b), accompanied with the certificate of the competent authority stating that the professional has been effectively and lawfully engaged in the activities in question for at least three consecutive years during the five years preceding the award of the certificate.
- d) Where the competent authority of a receiving Party requires of persons wishing to take up a regulated profession proof that they are of good character or repute or that they have not been declared bankrupt, or suspends or prohibits the pursuit of that profession in the event of serious professional misconduct or a criminal offence, that receiving Party shall accept as sufficient evidence, in respect of applicants from Parties wishing to pursue that profession, the production of documents issued by competent authorities in the issuing Party, showing that those requirements are met. Those authorities must provide the documents within a period of two months.
- e) Where the competent authorities of the issuing Party do not issue the documents referred to in the first subparagraph, such documents shall be replaced by a declaration on oath - or, in Parties where there is no provision for declaration on oath, by a solemn declaration - made by the natural person concerned before a competent judicial or administrative authority or, where appropriate, - or qualified professional body of the issuing Party; such authority - shall issue a certificate attesting the authenticity of the declaration on oath or solemn declaration.
- f) Where a receiving Party requires of its own professional wishing to take up a regulated profession, a document relating to the physical or mental health of the applicant, that Party shall accept as sufficient evidence thereof the presentation of the document required in the issuing Party. Where the issuing Party does not issue such a document, the receiving Party shall accept a certificate issued by a competent authority in that Party. In that case, the competent authorities of the issuing Party must provide the document required within a period of one month.
- g) Where a receiving Party requires-professionals to take up a regulated profession, the
  - proof of the applicant's financial standing,
  - proof that the applicant is insured against the financial risks arising from the professionals' professional liability in accordance with the laws and regulations in force in the receiving Party regarding the terms and extent of cover, that Party shall accept as sufficient evidence an attestation to that effect issued by the banks and insurance undertakings of another Party.

Where a Party so requires for professionals, an attestation confirming the absence of temporary or final suspensions from exercising the profession or of criminal convictions shall be provided.

## **2. Other Certificates**

To facilitate the application of the present Agreement, the Parties may prescribe that, in addition to evidence of formal qualifications, the natural person, who satisfies the conditions of training required, must provide a certificate from the competent authorities of his or hers and any other issuing Party stating that this evidence of formal qualifications is that covered by the requirements laid down in this Agreement

## **3. Format and language**

All documents and certificates referred to in this article shall be accepted by the competent authority of the receiving Party in the format and language determined by the legislation of the issuing Party. The receiving Party maintains the right to request translation of documents and certificates in one of its official languages by the applicant.

## **Article 12**

### **Use of professional titles**

1. If, in a receiving Party, the use of a professional title relating to one of the activities of the profession in question is regulated, applicants from the other Party, who are authorised to practise a regulated profession, shall use the professional title of the receiving Party, which corresponds to that profession in that Party, and make use of any associated initials.
2. Where a profession is regulated in the receiving Party by an association or organisation, applicants from Parties shall not be authorised to use the professional title issued by that organisation or association, or its abbreviated form, unless they furnish proof that they are members of that association or organisation.
3. If the association or organisation makes membership contingent upon certain qualifications, it may do so, only under the conditions laid down in this Agreement, in respect of applicants from other Parties, who possess professional qualifications.

## **Article 13**

### **Use of Academic Titles**

The receiving Party shall ensure that the right shall be conferred on the natural persons concerned to use academic titles conferred on them in the issuing Party, and an abbreviated form thereof, in the language of the issuing Party. The receiving Party may require a title to be followed by the name and address of the establishment or examining board it was awarded by. Where an academic title of the issuing Party is liable to be confused in the receiving Party with a title which, in the latter Party, requires supplementary training not acquired by the beneficiary, the receiving Party may require the beneficiary to use the academic title of the issuing Party in an appropriate form, to be laid down by the receiving Party.

## **CHAPTER IV**

### **DETAILED RULES FOR PURSUING THE PROFESSION**

## **Article 14**



## **Knowledge of languages**

1. A Party shall, if deemed necessary require from the service provider benefiting from the recognition of the professional qualifications to have sufficient knowledge of languages necessary for practicing the profession in the receiving Party.
2. A Party shall ensure that any controls carried out for controlling compliance with the obligation under paragraph 1 shall be limited to sufficient knowledge of one official language of that Party.
3. Any language controls shall be proportionate to the activity to be pursued. The professional concerned shall be allowed to appeal such controls under the law of the receiving Party.

## **CHAPTER V**

### **ADMINISTRATIVE COOPERATION**

#### **Article 15**

##### **Central access to information**

1. The Parties shall ensure that the following information is publicly available in English language and through the contact points for services:
  - a) a list of all regulated professions in the Party including contact details of the contact persons for each regulated profession according to Article 18(4);
  - b) the requirements and procedures for all professions regulated in the Party, including all related fees to be paid by natural persons and documents to be submitted by natural persons;
  - c) details on how to appeal, under the laws, regulations and administrative provisions, decisions of Parties adopted in relation to this Agreement.
2. The Parties shall ensure that the information referred to in paragraph 1 is provided in a clear and comprehensive way and that it is easily accessible remotely and by electronic means and that it is kept up to date.
3. The Parties shall ensure that any request for information addressed to the contact points for services is replied to as soon as possible.

#### **Article 16**

##### **Joint Working Group on Recognition of Professional Qualifications**

1. The Joint Working Group on Recognition of Professional Qualifications (JWGRPQ) shall facilitate and supervise the implementation and application of this Agreement.
2. Members of the JWGRPQ shall be, inter alia, tasked with provision of information and assistance as is necessary concerning the recognition of professional qualifications provided for in this Agreement, such as information on the legislation, regulations and administrative provisions governing the recognition of professional qualifications.
3. Terms of Reference of the JWGRPQ shall be adopted no later than one year after the adoption of this Agreement.

#### **Article 17**

##### **Transparency**

1. The Parties shall notify to the JWGRPQ a list of all existing regulated professions, specifying the activities covered by each profession, and a list of regulated education and training, and training with a special structure, no later than 18 months after the adoption of this Agreement. Any change to those lists shall also be notified to the JWGRPQ without undue delay. The CEFTA and RCC Secretariats shall set up and maintain a publicly available database of regulated professions, including a general description of activities covered by each profession.

2. The Parties shall examine whether requirements under their legal system restricting the access to a profession or its pursuit to the holders of a specific professional qualification, including the use of professional titles and the professional activities allowed under such title, referred to in this Article as 'requirements' are compatible with the following principles:

- a) requirements must be neither directly nor indirectly discriminatory;
- b) requirements must be justified by overriding reasons of general interest;
- c) requirements must be suitable for securing the attainment of the objective pursued and must not go beyond what is necessary to attain that objective;
- d) Parties shall inform the JWGRPQ about findings thereof.

## **Article 18**

### **Principles of administrative cooperation**

1. The Parties shall work in close collaboration and shall provide mutual assistance in order to facilitate implementation and application of this Agreement. They shall ensure the confidentiality of the information which they exchange.

2. Through the JWGRPQ, the Parties shall exchange information which they deem necessary for the pursuit of activities under this Agreement. In so doing, they shall respect personal data protection rules provided for in the relevant legislation of the Parties.

3. Each Party shall exchange information with other Parties through the JWGRPQ on processes by which they will award or receive evidence of formal qualifications and other documents or information, and receive applications and take the decisions referred to in this Agreement.

4. Through the JWGRPQ, each Party shall provide to the other Parties, the name of a contact person for each regulated profession, who will provide all relevant information and support cooperation between the Parties in relation to that specific regulated profession.

## **CHAPTER VI**

## **FINAL PROVISIONS**

### **Article 19**

#### **Transposition**

The Parties shall bring into force the laws, regulations, and administrative provisions necessary to comply with this Agreement at the latest eighteen months from the entry into force of this Agreement according to its Article 21. The Parties shall inform the JWGRPQ thereof.

### **Article 20**

#### **Annexes**

1. All Annexes form an integral part of this Agreement.
2. The information that must be provided by the Parties in Annex I, Annex II, Annex III, and Annex IV, shall be provided by the competent authorities and shall be submitted to the JWGRPQ no later than 18 months after this Agreement has entered into force according to its Article 21.
3. The Parties shall ensure that the information provided in Annex I, Annex II, Annex III, and Annex IV is maintained up to date and amended as necessary by the JWGRPQ in accordance with Article 6(1)(2) of this Agreement.

### **Article 21**

#### **Entry into Force**

1. This Agreement is subject to ratification, acceptance, or approval in accordance with the relevant requirements. The formal notice of ratification, acceptance, or approval shall be deposited with the Depositary.
2. This Agreement shall enter into force on the thirtieth day upon the deposition of the third formal notice of ratification, acceptance, or approval for the Parties that have deposited their instrument of ratification, acceptance, or approval.
3. For each Party depositing its formal notice of ratification, acceptance, or approval after the date of the deposit of the third formal notice of ratification, acceptance or approval, this Agreement shall enter into force on the thirtieth day after the day on which that Party deposits its formal notice of ratification, acceptance, or approval.
4. North Macedonia shall act as Depositary and shall notify all Parties to this Agreement of any notification received in accordance with this Article and any other act or notification relating to this Agreement.

### **Article 22**

#### **Amendments**

1. Each Party may propose amendments to the Agreement by sending a written notification to the Depositary. The Depositary shall refer this notification to the JWGRPQ referred to in Article 16 of this Agreement.

2. Proposals of amendments shall be adopted by consensus of all members of the JWGRPQ. These proposals shall be referred to CEFTA body responsible for Trade in Services.

3. When adopted, the amendments shall be submitted to the Parties for ratification or approval.

4. Amendments shall enter into force in accordance with the rules and procedure set out in Article 21.

## **Article 23**

### **Duration and denunciation**

1. This Agreement is concluded for an indefinite period of time.

2. Each Party may, at any time, denounce the Agreement by making a written notification to the Depository, who shall notify the other Parties of this denunciation.

3. Such denunciation shall take effect six months after the date on which the depository received the notification.

## **Article 24**

All disputes arising from this Agreement will be resolved through the CEFTA 2006 Dispute Settlement Mechanism.

## **Article 25**

### **Accession by CEFTA Parties**

The Parties acknowledge the rights of any CEFTA Party to accede to this Agreement.

The Agreement is drawn up in the English language, in, one original version, which will remain in the possession of the Depository. Each party will receive one verified copy of the Agreement.

**Done at Tirana, on 16 October 2023.**

Dritan Abazović

Edi Rama

Ana Brnabić

Dimitar Kovačevski

Aljbin Kurti

Borjana Kristo

## **Recognition on the basis of coordination of the minimum training conditions**

### **ANNEX I**

#### **NURSES RESPONSIBLE FOR GENERAL CARE**

*All of the provisions in Annex I are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by EU Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### **Article 1. Training of nurses responsible for general care**

1. Admission to training for nurses responsible for general care shall be contingent upon possession of qualification or certificate providing access, for the studies in question, to universities, higher education institutions of a level recognised as equivalent or at vocational schools or through vocational training programmes for nursing.

2. Training of nurses responsible for general care shall be given on a full-time basis and shall include at least the programme described in Article 3 of Annex I.

3. The training of nurses responsible for general care shall comprise a total of at least three years of study, which may in addition be expressed with the equivalent ECTS credits, and shall consist of at least 4 600 hours of theoretical and clinical training, the duration of the theoretical training representing at least one third and the duration of the clinical training at least one half of the minimum duration of the training. Parties may grant partial exemptions to professionals who have received part of their training on courses which are of at least an equivalent level.

The Parties shall ensure that institutions providing nursing training are responsible for the coordination of theoretical and clinical training throughout the entire study programme.

4. Theoretical education is that part of nurse training from which trainee nurses acquire the professional knowledge, skills and competences required under paragraphs 6 and 7. The training shall be given by teachers of nursing care and by other competent persons, at universities, higher education institutions of a level recognised as equivalent or at vocational schools or through vocational training programmes for nursing.

5. Clinical training is that part of nurse training in which trainee nurses learn, as part of a team and in direct contact with a healthy or sick individual and/or community, to organise, dispense and evaluate the required comprehensive nursing care, on the basis of the knowledge, skills and competences which they have acquired. The trainee nurse shall learn not only how to work in a team, but also how to lead a team and organise overall nursing care, including health education for individuals and small groups, within health institutes or in the community.

6. Training for nurses responsible for general care shall provide an assurance that the professional in question has acquired the following knowledge and skills:

(a) comprehensive knowledge of the sciences on which general nursing is based, including sufficient understanding of the structure, physiological functions and

behaviour of healthy and sick persons, and of the relationship between the state of health and the physical and social environment of the human being;

(b) knowledge of the nature and ethics of the profession and of the general principles of health and nursing;

(c) adequate clinical experience; such experience, which should be selected for its training value, should be gained under the supervision of qualified nursing staff and in places where the number of qualified staff and equipment are appropriate for the nursing care of the patient;

(d) the ability to participate in the practical training of health personnel and experience of working with such personnel;

(e) experience of working together with members of other professions in the health sector.

7. Formal qualifications as a nurse responsible for general care shall provide evidence that the professional in question is able to apply at least the following competences regardless of whether the training took place at universities, higher education institutions of a level recognised as equivalent or at vocational schools or through vocational training programmes for nursing:

(a) competence to independently diagnose the nursing care required using current theoretical and clinical knowledge and to plan, organise and implement nursing care when treating patients on the basis of the knowledge and skills acquired in accordance with points (a), (b) and (c) of paragraph 4 in order to improve professional practice;

(b) competence to work together effectively with other actors in the health sector, including participation in the practical training of health personnel on the basis of the knowledge and skills acquired in accordance with points (d) and (e) of paragraph 4;

(c) competence to empower individuals, families and groups towards healthy lifestyles and self-care on the basis of the knowledge and skills acquired in accordance with points (a) and (b) of paragraph 4;

(d) competence to independently initiate life-preserving immediate measures and to carry out measures in crises and disaster situations;

(e) competence to independently give advice to, instruct and support persons needing care and their attachment figures;

(f) competence to independently assure the quality of, and to evaluate, nursing care;

(g) competence to comprehensively communicate professionally and to cooperate with members of other professions in the health sector;

(h) competence to analyse the care quality to improve his own professional practice as a nurse responsible for general care.

## **Article 2. Pursuit of the professional activities of nurses responsible for general care**

For the purposes of this Agreement, the professional activities of nurses responsible for general care are the activities pursued on a professional basis and referred to in Article 3 of Annex I.

Parties may provide, in relevant legislation, for partial exemptions from parts of the training programme for nurses responsible for general care listed in Article 3 of Annex I, to be applied on a case-by-case basis provided that that part of the training has been

followed already during another specialist training course listed in Article 3 of Annex I, for which the professional has already obtained the professional qualification in a Party. Parties shall ensure that the granted exemption equates to not more than half of the minimum duration of the training course in question.

Each Party shall notify the Joint Working Group and the other Parties of its legislation concerned for any such partial exemptions.

The Parties shall make the issuance of evidence of specialist medical training contingent upon possession of evidence of basic medical training referred to in Article 3 of Annex I.

### **Article 3. Training programme for nurses responsible for general care**

1. The training leading to the award of a formal qualification of nurses responsible for general care shall consist of the following two parts.

#### A. Theoretical instruction

##### a. Nursing:

- Nature and ethics of the profession
- General principles of health and nursing
- Nursing principles in relation to:
  - general and specialist medicine
  - general and specialist surgery
  - child care and pediatrics'
  - maternity care
  - mental health and psychiatry
  - care of the old and geriatrics

##### b. Basic sciences:

- Anatomy and physiology
- Pathology
- Bacteriology, virology and parasitology
- Biophysics, biochemistry and radiology
- Dietetics
- Hygiene:
  - preventive medicine
  - health education
- Pharmacology

##### c. Social sciences:

- Sociology
- Psychology

- Principles of administration
- Principles of teaching
- Social and health legislation
- Legal aspects of nursing

**B. Clinical instruction**

- Nursing in relation to:
  - general and specialist medicine
  - general and specialist surgery
  - child care and paediatrics
  - maternity care
  - mental health and psychiatry
  - care of the old and geriatrics
- home nursing

2. One or more of these subjects may be taught in the context of the other disciplines or in conjunction therewith.

3. The theoretical instruction must be weighted and coordinated with the clinical instruction in such a way that the knowledge and skills referred to in this Annex can be acquired in an adequate fashion.

**Article 4. Evidence of formal qualifications of nurses responsible for general care**

| <b>Party</b> | <b>Evidence of formal qualifications</b> | <b>Body awarding the qualifications</b> | <b>Professional Title</b> | <b>Reference date</b> |
|--------------|--|---|---------------------------|-----------------------|
|              |  |   |                           |                       |



## **ANNEX II**

### **VETERINARY SURGEONS**

*All of the provisions in Annex II are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### **Article 1. Training of veterinary surgeons**

1. The training of veterinary surgeons shall comprise a total of at least five years of full-time theoretical and practical study, which may in addition be expressed with the equivalent ECTS credits, at a university or at a higher institute providing training recognized as being of an equivalent level, or under the supervision of a university, covering at least the study programme referred to Article 3 of Annex II.

2. Admission to veterinary training shall be contingent upon possession of a diploma or certificate entitling the holder to enter, for the studies in question, university or higher education institutions recognised to be of an equivalent level for the purpose of the relevant study.

3. Training as a veterinary surgeon shall provide an assurance that the professional in question has acquired the following knowledge and skills:

(a) adequate knowledge of the sciences on which the activities of a veterinary surgeon are based and of the respective Party law relating to those activities;

(b) adequate knowledge of the structure, functions, behaviour and physiological needs of animals, as well as the skills and competences needed for their husbandry, feeding, welfare, reproduction and hygiene in general;

(c) the clinical, epidemiological and analytical skills and competences required for the prevention, diagnosis and treatment of the diseases of animals, including anaesthesia, aseptic surgery and painless death, whether considered individually or in groups, including specific knowledge of the diseases which may be transmitted to humans;

(d) adequate knowledge, skills and competences for preventive medicine, including competences relating to inquiries and certification;

(e) adequate knowledge of the hygiene and technology involved in the production, manufacture and putting into circulation of animal feedstuffs or foodstuffs of animal origin intended for human consumption, including the skills and competences required to understand and explain good practice in this regard;

(f) the knowledge, skills and competences required for the responsible and sensible use of veterinary medicinal products, in order to treat the animals and to ensure the safety of the food chain and the protection of the environment.

## **Article 2. Acquired rights specific to veterinary surgeons**

For the purposes of this Agreement, the evidence of formal qualifications as a veterinary surgeon are the activities pursued on a professional basis and referred to in Article 3 of Annex II.

Parties may provide, in relevant legislation, for partial exemptions from parts of the programme studies leading to the evidence of formal qualifications in veterinary medicine listed in Article 3 of Annex II, to be applied on a case-by-case basis provided that that part of the training has been followed already during another specialist training course listed in Article 3 of Annex II, for which the professional has already obtained the professional qualification in a Party. Parties shall ensure that the granted exemption equates to not more than half of the minimum duration of the training course in question.

Each Party shall notify the Joint Working Group and the other Parties of its legislation concerned for any such partial exemptions.

The Parties shall make the issuance of evidence of veterinary medical training contingent upon possession of evidence of basic medical training referred to in Article 3 of Annex II.

## **Article 3. Study programme for veterinary surgeons**

The programme of studies leading to the evidence of formal qualifications in veterinary medicine shall include at least the subjects listed below.

Instruction in one or more of these subjects may be given as part of, or in association with, other courses.

### **A. Basic subjects**

- Physics
- Chemistry
- Animal biology
- Plant biology
- Biomathematics

### **B. Specific subjects**

#### **a. Basic sciences:**

- Anatomy (including histology and embryology)
- Physiology
- 1. Biochemistry
  - Genetics
  - Pharmacology

- Pharmacy
- Toxicology
- Microbiology
- Immunology
- Epidemiology
- Professional ethics
- b. Clinical sciences:
  - Obstetrics
  - Pathology (including pathological anatomy)
  - Parasitology
  - Clinical medicine and surgery (including anaesthetics)
  - Clinical lectures on the various domestic animals, poultry and other animal species
  - Preventive medicine
  - Radiology
  - Reproduction and reproductive disorders
  - Veterinary public medicine and public health
  - Veterinary legislation and forensic medicine
  - Therapeutics
  - Propaedeutics
- c. Animal production
  - Animal production
  - Animal nutrition
  - Agronomy
  - Rural economics
  - Animal husbandry
  - Veterinary hygiene
  - Animal ethology and protection
- d. Food hygiene
  - Inspection and control of animal foodstuffs or foodstuffs of animal origin
  - Food hygiene and technology

— Practical work (including practical work in places where slaughtering and processing of foodstuffs takes place)

Practical training may be in the form of a training period, provided that such training is full-time and under the direct control of the competent authority, and does not exceed six months within the aggregate training period of five years study.

The distribution of the theoretical and practical training among the various groups of subjects shall be balanced and coordinated in such a way that the knowledge and experience may be acquired in a manner which will enable veterinary surgeons to perform all their duties.

#### **Article 4. Evidence of formal qualifications of veterinary surgeons**

| <b>Party</b> | <b>Evidence of formal qualifications</b> | <b>Body awarding the evidence of qualifications</b> | <b>Certificate accompanying the evidence of qualifications</b> | <b>Reference date</b> |
|--------------|--|---|--|-----------------------|
|              |  |   |  |                       |

## **ANNEX III**

### **MIDWIVES**

*All of the provisions in Annex III are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### **Article 1. Training of midwives**

1. The training of midwives shall comprise a total of at least:

(a) specific full-time training as a midwife comprising at least three years of theoretical and practical study (route I) comprising at least the programme described in Article 4 of Annex III, or

(b) specific full-time training as a midwife of 18 months' duration (route II), comprising at least the study programme described in Article 4 of Annex III, which was not the subject of equivalent training of nurses responsible for general care.

The Parties shall ensure that institutions providing midwife training are responsible for coordinating theory and practice throughout the programme of study.

2. Admission to training as a midwife shall be contingent upon one of the following conditions:

(a) possession of qualification or certificate providing access, for the studies in question, for admission to a midwifery school for route I;

(b) possession of evidence of formal qualifications as a nurse responsible for general care referred to Article 4 of Annex III for route II.

3. Training as a midwife shall provide an assurance that the professional in question has acquired the following knowledge and skills:

(a) detailed knowledge of the sciences on which the activities of midwives are based, particularly midwifery, obstetrics and gynecology;

(b) adequate knowledge of the ethics of the profession and the legislation relevant for the practice of the profession;

(c) adequate knowledge of general medical knowledge (biological functions, anatomy and physiology) and of pharmacology in the field of obstetrics and of the newly born, and also knowledge of the relationship between the state of health and the physical and social environment of the human being, and of his behaviour;

(d) adequate clinical experience gained in approved institutions allowing the midwife to be able, independently and under his own responsibility, to the extent necessary and excluding pathological situations, to manage the antenatal care, to conduct the delivery and its consequences in approved institutions, and to supervise labour and birth, postnatal care and neonatal resuscitation while awaiting a medical practitioner;

(e) adequate understanding of the training of health personnel and experience of working with such personnel.

## **Article 2. Procedures for the recognition of evidence of formal qualifications as a midwife**

1. The evidence of formal qualifications as a midwife referred to Article 4 in Annex III shall be subject to automatic recognition so far as they satisfy one of the following criteria:

(a) full-time training of at least three years as a midwife, which may in addition be expressed with the equivalent ECTS credits, consisting of at least 4 600 hours of theoretical and practical training, with at least one third of the minimum duration representing clinical training;

(b) full-time training as a midwife of at least two years, which may in addition be expressed with the equivalent ECTS credits, consisting of at least 3 600 hours, contingent upon possession of evidence of formal qualifications as a nurse responsible for general care referred to Article 4 in Annex III;

(c) full-time training as a midwife of at least 18 months, which may in addition be expressed with the equivalent ECTS credits, consisting of at least 3 000 hours, contingent upon possession of evidence of formal qualifications as a nurse responsible for general care referred to Article 4 in Annex III, and followed by one year's professional practice for which a certificate has been issued in accordance with paragraph 2.

2. The certificate referred to in paragraph 1 shall be issued by the competent authorities in the Parties. It shall certify that the holder, after obtaining evidence of formal qualifications as a midwife, has satisfactorily pursued all the activities of a midwife for a corresponding period in a hospital or a health care establishment approved for that purpose.

## **Article 3. Pursuit of the professional activities of a midwife**

1. The provisions of this section shall apply to the activities of midwives as defined by each Party, without prejudice to paragraph 2, and pursued under the professional titles set out in Article 4 of Annex III.

2. The Parties shall ensure that midwives are able to gain access to and pursue at least the following activities:

(a) provision of sound family planning information and advice;

(b) diagnosis of pregnancies and monitoring normal pregnancies; carrying out the examinations necessary for the monitoring of the development of normal pregnancies;

- (c) prescribing or advising on the examinations necessary for the earliest possible diagnosis of pregnancies at risk;
- (d) provision of programmes of parenthood preparation and complete preparation for childbirth including advice on hygiene and nutrition;
- (e) caring for and assisting the mother during labour and monitoring the condition of the fetus in utero by the appropriate clinical and technical means;
- (f) conducting spontaneous deliveries including where required episiotomies and in urgent cases breech deliveries;
- (g) recognising the warning signs of abnormality in the mother or infant which necessitate referral to a doctor and assisting the latter where appropriate; taking the necessary emergency measures in the doctor's absence, in particular the manual removal of the placenta, possibly followed by manual examination of the uterus;
- (h) examining and caring for the new-born infant; taking all initiatives which are necessary in case of need and carrying out where necessary immediate resuscitation;
- (i) caring for and monitoring the progress of the mother in the post-natal period and giving all necessary advice to the mother on infant care to enable her to ensure the optimum progress of the new-born infant;
- (j) carrying out treatment prescribed by doctors;
- (k) drawing up the necessary written reports.

3. Parties may provide, in relevant legislation, for partial exemptions from parts of the training programme for midwives listed in Article 4 of Annex III, to be applied on a case-by-case basis provided that that part of the training has been followed already during another specialist training course listed in Article 4 of Annex III, for which the professional has already obtained the professional qualification in a Party. Parties shall ensure that the granted exemption equates to not more than half of the minimum duration of the training course in question.

Each Party shall notify the Joint Working Group and the other Parties of its legislation concerned for any such partial exemptions.

The Parties shall make the issuance of evidence of specialist medical training contingent upon possession of evidence of basic medical training referred to in Article 5 of Annex III.

#### **Article 4. Training programme for midwives (Training types I and II)**

The training programme for obtaining evidence of formal qualifications in midwifery consists of the following two parts:

A. Theoretical and technical instruction

a. General subjects

- Basic anatomy and physiology
- Basic pathology
- Basic bacteriology, virology and parasitology
- Basic biophysics, biochemistry and radiology
- Paediatrics, with particular reference to new-born infants
- Hygiene, health education, preventive medicine, early diagnosis of diseases
- Nutrition and dietetics, with particular reference to women, new-born and young babies
- Basic sociology and socio-medical questions
- Basic pharmacology
- Psychology
- Principles and methods of teaching
- Health and social legislation and health organisation
- Professional ethics and professional legislation
- Sex education and family planning
- Legal protection of mother and infant

b. Subjects specific to the activities of midwives

- Anatomy and physiology
- Embryology and development of the foetus
- Pregnancy, childbirth and puerperium
- Gynaecological and obstetrical pathology
- Preparation for childbirth and parenthood, including psychological aspects
- Preparation for delivery (including knowledge and use of technical equipment in obstetrics)
- Analgesia, anaesthesia and resuscitation
- Physiology and pathology of the new-born infant
- Care and supervision of the new-born infant
- Psychological and social factors

B. Practical and clinical training

This training is to be dispensed under appropriate supervision:

- Advising of pregnant women, involving at least 100 pre-natal examinations.



- Supervision and care of at least 40 pregnant women.
- Conduct by the student of at least 40 deliveries; where this number cannot be reached owing to the lack of available women in labour, it may be reduced to a minimum of 30, provided that the student assists with 20 further deliveries.
- Active participation with breech deliveries. Where this is not possible because of lack of breech deliveries, practice may be in a simulated situation.
- Performance of episiotomy and initiation into suturing. Initiation shall include theoretical instruction and clinical practice. The practice of suturing includes suturing of the wound following an episiotomy and a simple perineal laceration. This may be in a simulated situation if absolutely necessary.
- Supervision and care of 40 women at risk in pregnancy, or labour or post-natal period.
- Supervision and care (including examination) of at least 100 post-natal women and healthy new-born infants.
- Observation and care of the new-born requiring special care, including those born pre-term, post-term, underweight or ill.
- Care of women with pathological conditions in the fields of gynaecology and obstetrics.
- Initiation into care in the field of medicine and surgery. Initiation shall include theoretical instruction and clinical practice.

The theoretical and technical training (Part A of the training programme) shall be balanced and coordinated with the clinical training (Part B of the same programme) in such a way that the knowledge and experience listed in this Annex may be acquired in an adequate manner.

Clinical instruction shall take the form of supervised in-service training in hospital departments or other health services approved by the competent authorities or bodies. As part of this training, student midwives shall participate in the activities of the departments concerned in so far as those activities contribute to their training. They shall be taught the responsibilities involved in the activities of midwives.

#### **Article 5. Evidence of formal qualifications of midwives**

| <b>Party</b> | <b>Evidence of formal qualifications</b> | <b>Body awarding the evidence of qualifications</b> | <b>Professional Title</b> | <b>Reference</b> |
|--------------|--|---|---------------------------|------------------|
|              |  |   |                           |                  |

## **ANNEX IV**

### **PHARMACISTS**

*All of the provisions in Annex IV are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### **Article 1. Training as a pharmacist**

1. Admission to a course of training as a pharmacist shall be contingent upon possession of qualification or certificate providing access, for the studies in question, to universities, higher education institutions of a level recognised as equivalent or an institution under the supervision of a university.

2. Evidence of formal qualifications as a pharmacist shall attest to training of at least five years' duration, which may in addition be expressed with the equivalent ECTS credits, comprising at least:

(a) four years of full-time theoretical and practical training at a university or at a higher education institution of a level recognised as equivalent, or at an institution under the supervision of a university;

(b) during or at the end of the theoretical and practical training, six-month traineeship in a pharmacy which is open to the public or in a hospital under the supervision of that hospital's pharmaceutical department.

The training cycle referred to in this paragraph shall include at least the programme described in Article 3 of Annex IV.

3. Training for pharmacists shall provide an assurance that the person concerned has acquired the following knowledge and skills:

(a) adequate knowledge of medicines and the substances used in the manufacture of medicines;

(b) adequate knowledge of pharmaceutical technology and the physical, chemical, biological and microbiological testing of medicinal products;

(c) adequate knowledge of the metabolism and the effects of medicinal products and of the action of toxic substances, and of the use of medicinal products;

(d) adequate knowledge to evaluate scientific data concerning medicines in order to be able to supply appropriate information on the basis of this knowledge;

(e) adequate knowledge of the legal and other requirements associated with the pursuit of pharmacy.

#### **Article 2. Pursuit of the professional activities of a pharmacist**

1. For the purposes of this Agreement, the activities of a pharmacist are those, access to which and pursuit of which are contingent upon professional qualifications and which are open to holders of evidence of formal qualifications of the types listed in Article 4 of Annex IV.

2. The Parties shall ensure that the holders of evidence of formal qualifications in pharmacy at university level or a level recognised as equivalent, which satisfies the requirements of Article 1 of Annex IV, are able to gain access to and pursue at least the following activities, subject to the requirement, where appropriate, of supplementary professional experience:

- (a) preparation of the pharmaceutical form of medicinal products;
- (b) manufacture and testing of medicinal products;
- (c) testing of medicinal products in a laboratory for the testing of medicinal products;
- (d) storage, preservation and distribution of medicinal products at the wholesale stage;
- (e) supply, preparation, testing, storage, distribution and dispensing of safe and efficacious medicinal products of the required quality in pharmacies open to the public;
- (f) preparation, testing, storage and dispensing of safe and efficacious medicinal products of the required quality in hospitals;
- (g) provision of information and advice on medicinal products as such, including on their appropriate use;
- (h) reporting of adverse reactions of pharmaceutical products to the competent authorities;
- (i) personalised support for patients who administer their medication;
- (j) contribution to local or domestic public health campaigns.

3. If a Party makes access to or pursuit of one of the activities of a pharmacist contingent upon supplementary professional experience, in addition to possession of evidence of formal qualifications referred to Article 3 in Annex IV, that Party shall recognise as sufficient proof in this regard a certificate issued by the competent authorities in the issuing Party stating that the person concerned has been engaged in those activities in the issuing Party for a similar period.

### **Article 3. Course of training for pharmacists**

- Plant and animal biology
- Physics
- General and inorganic chemistry
- Organic chemistry
- Analytical chemistry
- Pharmaceutical chemistry, including analysis of medicinal products
- General and applied biochemistry (medical)
- Anatomy and physiology; medical terminology

- Microbiology
- Pharmacology and pharmacotherapy
- Pharmaceutical technology
- Toxicology
- Pharmacognosy
- Legislation and, where appropriate, professional ethics.

The balance between theoretical and practical training shall, in respect of each subject, give sufficient importance to theory to maintain the university character of the training.

**Article 4. Evidence of formal qualifications of pharmacist**

| <b>Party</b> | <b>Evidence of formal qualifications</b> | <b>Body awarding the evidence of qualifications</b> | <b>Certificate accompanying the evidence of qualifications</b> | <b>Reference</b> |
|--------------|--|---|--|------------------|
|--------------|--|---|--|------------------|

## **SPORAZUM O PRIZNAVANJU PROFESIONALNIH KVALIFIKACIJA MEDICINSKIH SESTARA OPŠTE NJEGE, DOKTORA VETERINARSKJE MEDICINE, FARMACEUTA I BABICA U KONTEKSTU CENTRALNOEVROPSKOG SPORAZUMA O SLOBODNOJ TRGOVINI**

Predstavnici Albanije, Bosne i Hercegovine, Kosova\*, Crne Gore, Sjeverne Makedonije i Srbije (u daljem tekstu: „Strane“)

*U kontekstu* ekonomske integracije, u skladu sa **Centralnoevropskim sporazumom o slobodnoj trgovini** ("CEFTA") iz 2006. godine, u skladu sa članom V Opšteg sporazuma o trgovini uslugama i u svrhu unaprjeđenja liberalizacije trgovine uslugama;

*Imajući u vidu* ciljeve i prioritete utvrđene Akcionim planom za zajedničko regionalno tržište 2021-2024 ("CRM") usmjerene na uklanjanje prepreka za priznavanje profesionalnih kvalifikacija, usvajanjem i sprovođenjem "okvira Evropske unije za automatsko priznavanje profesionalnih kvalifikacija za 7 profesija i EU sistema automatskog priznavanja", zasnovanog na usklađivanju minimalnih uslova osposobljavanja;

*Konstatujući* da nijedna odredba ovog Sporazuma ne može biti interpretirana kao izuzeće Strana od njihovih prava i obaveza iz postojećih međunarodnih ugovora;

*U cilju* podsticanja mobilnosti profesionalaca, boljeg usklađivanja vještina sa potrebama tržišta rada i povećane produktivnosti;

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\* Ovo određenje ne prejudicira stavove o statusu u skladu sa Rezolucijom Savjeta bezbjednosti UN 1244/99 i Mišljenjem Međunarodnog suda pravde o Deklaraciji o nezavisnosti Kosova.

*Naglašavajući* ciljeve unaprjeđenja usklađivanja regulative i usaglašavanja zakona i propisa Strana sa zakonodavstvom EU; naročito nastojeći da se omogući slobodno kretanje profesionalaca transponovanjem u regionalni okvir Direktive 2005/36/EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. godine o priznavanju profesionalnih kvalifikacija, sa izmjenama i dopunama *Direktivom 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013;*

*U namjeri da se uspostavi automatsko priznavanje profesionalnih kvalifikacija zasnovanih na minimalnim uslovima osposobljavanja i da se primijeni na sve 4 profesije navedene u ovom Sporazumu i pomenutoj Direktivi i da se odrede profesije koje ispunjavaju primjenu minimalnih uslova osposobljavanja u okviru Aneksa u roku od najviše 2 godine, (uz ostale tri profesije koje su navedene u *Sporazumu o priznavanju profesionalnih kvalifikacija za doktore medicine, doktore stomatologije i arhitekte u kontekstu Sporazuma o slobodnoj trgovini u Centralnoj Evropi, zaključenog 3.11.2022. godine*);*

*Dogovorili su se kako slijedi:*

## **POGLAVLJE I OPŠTE ODREDBE**

### **Član 1 Svrha**

1. Ovim Sporazumom utvrđuju se pravila o automatskom priznavanju dokaza o formalnim kvalifikacijama zasnovanog na minimumu uslova osposobljavanja na teritoriji Strana za pristup regulisanoj profesiji i njeno obavljanje kao i usaglašeni minimum uslova osposobljavanja u jednoj ili više drugih Strana a što omogućava nosiocima pomenutih kvalifikacija (u daljem tekstu: profesionalci) da se bave istom profesijom, u Strani (u daljem tekstu: Strana domaćin) koja nije strana u kojoj su stekli svoje profesionalne kvalifikacije (u daljem tekstu: matična strana).

### **Član 2 Obuhvat**

1. Ovaj Sporazum se primjenjuje na fizička lica, definisana u Aneksu I Dodatnog protokola 6, kao profesionalce matične strane koji žele da obavljaju regulisanu profesiju u strani domaćinu, zavisno od ispunjenosti usaglašenog minimuma uslova osposobljavanja, bilo u svojstvu samozaposlenog ili zaposlenog lica. Svaka Strana će omogućiti profesionalcu matične strane, koji posjeduje dokaze o profesionalnim i formalnim kvalifikacijama u smislu člana 3 stav (1) alineja (b) koje nijesu stečene u Strani domaćinu, da se bavi regulisanom profesijom u smislu člana 3 stav (1) alineja (a) na teritoriji takve strane, u skladu sa njenim pravilima i relevantnim

zakonodavstvom. Pri ovom priznavanju moraju se poštovati minimalni uslovi osposobljavanja utvrđeni ovim Sporazumom. Ako dokazi o formalnim kvalifikacijama nijesu u skladu sa minimalnim uslovima osposobljavanja utvrđenim ovim Sporazumom, priznavanje profesionalne kvalifikacije podliježe Opštem sistemu priznavanja.

2. Ovaj Sporazum primjenjuje se na sljedeće profesionalce: medicinske sestre opšte njege, doktore veterinarske medicine, babice i farmaceute, kako je definisano i navedeno u Aneksu I, Aneksu II, Aneksu III i Aneksu IV.

3. Svaka strana dužna je da Zajedničkoj radnoj grupi za priznavanje profesionalnih kvalifikacija dostavi zakone, propise i administrativne odredbe koje donosi u vezi sa izdavanjem dokaza o formalnim kvalifikacijama u profesijama koje su obuhvaćene ovim Sporazumom.

4. Za potrebe sprovođenja i primjene ovog Sporazuma, institucije visokog obrazovanja dužne su da akredituju i/ili licenciraju studijske programe koji su usaglašeni sa minimalnim uslovima osposobljavanja, predviđenim Aneksima ovog Sporazuma.

### **Član 3**

#### **Definicije**

Za potrebe ovog Sporazuma primjenjuju se sljedeće definicije:

(a) 'regulisana profesija': profesionalna djelatnost ili grupa profesionalnih djelatnosti kojima je pristup i čije je obavljanje ili jedan od načina obavljanja na osnovu zakonskih, regulatornih ili administrativnih propisa, neposredno ili posredno uslovljeno posjedovanjem određenih profesionalnih kvalifikacija; posebno, korišćenje profesionalnog naziva koji je zakonskim, regulatornim ili administrativnim propisima ograničen na nosilac određenih profesionalnih kvalifikacija, predstavlja jedan od načina obavljanja djelatnosti;

(b) 'profesionalne kvalifikacije': kvalifikacije koje se potvrđuju dokazom o formalnim kvalifikacijama, potvrdom o kompetentnosti koju izdaje nadležni organ u Strani određen u skladu sa zakonskim, regulatornim ili administrativnim propisima te Strane, bilo na osnovu programa osposobljavanja ili određenog ispita,

i/ili profesionalnog iskustva;

(c) 'dokazi o formalnim kvalifikacijama': diplome, svjedočanstva i drugi dokazi koje je izdao nadležni organ Strane određen u skladu sa zakonskim, regulatornim ili administrativnim propisima te Strane i kojima se potvrđuje uspješno završeno profesionalno osposobljavanje koje je većim dijelom stečeno u Strani;

(d) 'nadležni organ': svaki organ ili tijelo kojeg je Strana posebno ovlastila da izdaje ili prima diplome o osposobljavanju i druge dokumente ili informacije i da prima zahtjeve i donosi odluke iz ovog Sporazuma;

(e) 'regulisano obrazovanje i osposobljavanje': svako osposobljavanje koje je posebno usmjereno na obavljanje određene profesije i koje obuhvata jedan ili više programa koji su, kada je to prikladno, dopunjeni odgovarajućim stručnim osposobljavanjem odnosno probnom ili stručnom praksom.

(f) Struktura i nivo profesionalnog osposobljavanja, probne ili stručne prakse utvrđuje se zakonima, propisima ili administrativnim odredbama predmetne Strane, ili ih nadgleda ili odobrava organ određen u tu svrhu;

(g) 'profesionalno iskustvo': stvarno i zakonito puno radno vrijeme ili ekvivalentno nepuno radno vrijeme bavljenja predmetnom profesijom u Strani;

(h) 'profesionalno osposobljavanje': period profesionalne prakse koja se obavlja pod nadzorom pod uslovom da predstavlja uslov za pristup regulisanoj profesiji i koji se može odvijati tokom ili nakon završetka obrazovanja koje vodi ka kvalifikaciji;

(i) 'fizičko lice' kako je definisano u okviru CEFTA;

(j) 'Evropski sistem prenosa i akumulacije bodova ili ECTS bodovi': kreditni sistem za visoko obrazovanje koji se koristi u Evropskom visokoškolskom području;

(k) Zajednička radna grupa za priznanje profesionalnih kvalifikacija (JWGRPQ);

(l) 'CEFTA'. Centralnoevropski sporazum o slobodnoj trgovini;

(m) 'RCC': Savjet za regionalnu saradnju;

## **Član 4**

### **Posljedice priznavanja**

Priznavanjem profesionalnih kvalifikacija od strane Strane domaćina omogućava se fizičkom licu pristup profesiji za koju je kvalifikovan u matičnoj Strani, kao i obavljanje te profesije u Strani domaćinu pod uslovima koji nijesu nepovoljniji od uslova koji važe za njena fizička lica.



## **POGLAVLJE II**

### **PRINCIPI PRIZNAVANJA**

#### **Član 5**

##### **Pravila profesionalne, zakonske ili administrativne prirode**

Kada se profesionalac kreće, na njega se primjenjuju profesionalna pravila stručne, zakonske ili administrativne prirode koja su neposredno povezana sa profesionalnim kvalifikacijama, odnosno sa definicijom profesije, korišćenjem naziva i sa težom povredom pravila struke koja je direktno i posebno povezana sa zaštitom potrošača i bezbjednošću, kao i sa disciplinskim odredbama koje se primjenjuju u Strani domaćinu na profesionalce koji obavljaju istu profesiju u Strani domaćinu.

#### **Član 6**

##### **Principi automatskog priznavanja**

1. Svaka Strana dužna je da prizna dokaze o formalnim kvalifikacijama za medicinske sestre odgovorne za opštu njegu, doktore veterinarske medicine, babice i farmaceute, navedene u Aneksu I, Aneksu II, Aneksu III i Aneksu IV, ponaosob, koji zadovoljavaju minimalne uslove osposobljavanja navedene u Aneksu I, Aneksu II, Aneksu III i Aneksu IV, ponaosob, i da u svrhu pristupa profesionalnim djelatnostima i njihovog obavljanja prizna jednaku snagu tih dokaza kao dokazima o formalnim kvalifikacijama koje sama izdaje.

Takve dokaze o formalnim kvalifikacijama moraju izdati nadležni organi matičnih strana i uz njih treba priložiti, gdje je to prikladno, potvrde navedene u Aneksu I, Aneksu II, Aneksu III i Aneksu IV, ponaosob.

2. Takva ažuriranja u Stranama ne smiju da imaju za posljedicu izmjene njenih postojećih suštinskih zakonskih načela u vezi sa strukturom profesija koja se odnose na osposobljavanje i uslove pristupa za fizička lica. Takvim ažuriranjima uvažava se odgovornost Strana za organizaciju obrazovnih sistema.

#### **Član 7**

##### **Zajedničke odredbe o osposobljavanju**

U skladu sa postupcima koji su specifični za svaku Stranu, Strane su dužne da obezbijede, podsticanjem stalnog profesionalnog razvoja, da profesionalci čija je profesionalna kvalifikacija obuhvaćena ovim Sporazumom budu u mogućnosti da

ažuriraju svoja znanja, vještine i kompetencije kako bi održali sigurnu i djelotvornu praksu i bili u toku sa profesionalnim dostignućima.

## **Član 8**

### **Stečena prava**

Ne dovodeći u pitanje stečena prava specifična za određene profesije, u slučajevima kada dokazi o formalnim kvalifikacijama za medicinske sestre odgovorne za opštu njegu, doktore veterinarske medicine, babice i farmaceute Strana ne zadovoljavaju sve uslove osposobljavanja iz ovog Sporazuma, svaka Strana je dužna da kao dovoljan dokaz o formalnim kvalifikacijama prizna onaj kojeg su izdale te Strane u mjeri u kojoj takvi dokazi svjedoče o uspješnom završetku osposobljavanja koje je započeto na datume koje će predložiti Zajednička radna grupa i uz koje je priložena potvrda u kojoj se navodi da su imenovani djelotvorno i zakonito bili uključeni u predmetne aktivnosti najmanje tri uzastopne godine tokom pet godina koje su prethodile dodjeli svjedočanstva.

## **POGLAVLJE III**

### **POSTUPAK PRIZNAVANJA PROFESIONALNIH KVALIFIKACIJA**

## **Član 9**

### **Zajednički postupak priznavanja profesionalnih kvalifikacija**

1. Strana domaćin dužna je da potvrdi prijem zahtjeva u roku od 30 dana od prijema i obavijesti podnosioca o dokumentima koji eventualno nedostaju. Ako podnosilac ne dostavi dopunjenu dokumentaciju, nadležno tijelo će odbaciti zahtjev kao nepotpun, osim ako kandidat pruži opravdane razloge za propuštanje roka.
2. Postupak ispitivanja zahtjeva za dobijanje ovlašćenja za bavljenje regulisanom profesijom mora se okončati što je prije moguće i dovesti do propisno obrazloženog rješenja nadležnog organa u Strani domaćinu u svakom slučaju u roku od tri mjeseca od dana kada je podnjet kompletan zahtjev, a u tim slučajevima, razlozi se obrazlažu u rješenju o priznavanju kvalifikacija.
3. Rješenje ili propuštanje da se rješenje donese u roku podliježe žalbi u skladu sa opštim pravilima svake Strane.

## **Član 10**

### **Pravna zaštita**

Priznavanje profesionalnih kvalifikacija podrazumijeva mogućnost podnosioca zahtjeva da koristi djelotvoran mehanizam pravne zaštite. U slučaju odbijanja zahtjeva za priznavanje, podnosilac zahtjeva mora imati pravnu zaštitu pred organom koji je drugačije sastavljen od onoga koji je odbio zahtjev. Takav organ će u razumnom roku donijeti rješenje po žalbi nakon što podnosiocu zahtjeva pruži priliku da bude saslušan.

## **Član 11**

### **Dokumenti i svjedočanstva koji mogu biti traženi od podnosioca zahtjeva u skladu sa ovim Sporazumom**

#### **1. Dokumenti**

- (a) Dokaz da je predmetno lice fizičko lice Strane.
- (b) Dokazi o formalnim kvalifikacijama koji omogućavaju pristup predmetnoj profesiji iz Aneksa I, Aneksa II, Aneksa III i Aneksa IV, ponaosob.
- (c) Dokazi o profesionalnoj kvalifikaciji u smislu člana 3 stav (1) alineja (b) uz potvrdu nadležnog organa u kojoj se navodi da je profesionalac djelotvorno i zakonito bio uključen u predmetne aktivnosti najmanje tri uzastopne godine tokom pet godina koje su prethodile dodjeli potvrde.
- (d) Ukoliko nadležno tijelo Strane domaćina od lica koja žele da se bave regulisanom profesijom traži dokaz o njegovom dobrom karakteru, ugledu ili o tome da nijesu proglasili bankrot, odnosno ukoliko mu prekida ili zabranjuje obavljanje te profesije u slučaju teže povrede pravila profesije ili krivičnog djela, ta Strana domaćin dužna je da prihvati kao dovoljan dokaz za podnosioca zahtjeva koji žele da se bave tom profesijom, dostavljanje dokumenata koje je izdao nadležni organ matične Strane, koji pokazuju da su ovi zahtjevi ispunjeni. Ti organi moraju obezbijediti traženu dokumentaciju u roku od dva mjeseca.
- (e) Ako nadležni organi matične Strane ne izdaju dokumente navedene u prvoj tački, takvi dokumenti se zamjenjuju izjavom pod zakletvom - ili, u Stranama gdje nije predviđena izjava pod zakletvom, svečanom izjavom - koju je predmetno fizičko lice dalo pred nadležnim sudskim ili upravnim organom, ili kada je to primjereno - odnosno kvalifikovanim stručnim tijelom matične Strane; takav organ izdaje potvrdu o vjerodostojnosti izjave pod zakletvom ili svečane izjave.
- (f) Ako Strana domaćin od svojih profesionalaca koji žele da počnu da obavljaju regulisanu profesiju traži dokument o njihovom fizičkom ili mentalnom zdravlju, ta Strana dužna je da kao dovoljan dokaz prihvati stavljanje na uvid dokumenta koji se zahtijeva u matičnoj Strani. Ukoliko matična Strana ne izdaje takav dokument, Strana domaćin dužna je da prihvati potvrdu koju izdaje nadležni organ u toj Strani.

U tom slučaju, nadležni organi matične Strane moraju izdati traženi dokument u roku od jednog mjeseca.

(g) Kada Strana domaćin od profesionalaca koji žele da stupe u regulisanu profesiju traži

- dokaz o imovinskom stanju podnosioca zahtjeva,

- dokaz da je podnosilac osiguran od finansijskih rizika koji proizilaze iz njihove profesionalne odgovornosti u skladu sa važećim zakonima i propisima Strane domaćina u vezi sa uslovima i obimom pokrivenosti osiguranjem, ta Strana prihvata kao dovoljan dokaz potvrdu od banke i osiguravajućeg društva druge Strane.

Kada Strana to zahtijeva za profesionalce, dostavlja se potvrda o nepostojanju privremene ili stalne zabrane bavljenja profesijom ili krivičnih osuda.

## **2. Ostale potvrde**

Kako bi se olakšala primjena Sporazuma, pored dokaza o formalnim kvalifikacijama, Strane mogu propisati da fizička lica koja ispunjavaju postavljene uslove osposobljavanja moraju dostaviti i potvrdu od nadležnih organa svoje i bilo koje druge matične Strane u kojem se navodi da taj dokaz o formalnoj osposobljenosti ispunjava uslove navedene u ovom Sporazumu.

## **3. Format i jezik**

Sva dokumenta i potvrde navedene u ovom članu nadležni organ Strane domaćina dužan je da prihvati u formatu i na jeziku koji je određen zakonodavstvom matične Strane. Strana domaćin zadržava pravo da od podnosioca zahtjeva zahtijeva prevod dokumenata i potvrda na jedan od svojih službenih jezika.

## **Član 12**

### **Korišćenje profesionalnih naziva**

1. Ako je u Strani domaćinu regulisano korišćenje profesionalnih naziva za neku od djelatnosti unutar predmetne profesije, podnosioci zahtjeva iz druge Strane koji su ovlašćeni da obavljaju regulisanu profesiju dužni su da koriste profesionalne nazive Strane domaćina koji odgovaraju toj profesiji u toj Strani, kao i odgovarajuće skraćenice povezane sa tim nazivom.

2. Ako je u Strani domaćinu određenu profesiju regulisalo neko udruženje ili organizacija, podnosioci zahtjeva iz Strana ne smiju da koriste profesionalni naziv koji izdaje ta organizacija ili udruženje, kao ni njenu skraćenicu, osim ako podnesu dokaze da su članovi tog udruženja ili organizacije.

3. Ako neko udruženje ili organizacija članstvo uslovljava određenim kvalifikacijama, ona to može da uradi za podnosiocima zahtjeva iz drugih Strana koji posjeduju profesionalne kvalifikacije samo pod uslovima utvrđenim ovim Sporazumom.

### **Član 13**

#### **Korišćenje akademskih naziva**

Strana domaćin dužna je da obezbijedi da se predmetnim fizičkim licima dodijeli pravo na korišćenje akademskih naziva koji su im dodijeljeni u matičnoj Strani, i njihovih skraćenica, na jeziku matične Strane. Strana domaćin može da zahtijeva da iza tog naziva slijedi naziv i adresa ustanove ili ispitne komisije koja ga je dodijelila. Ako je akademski naziv matične Strane takav da može doći do toga da se pomiješa u Strani domaćinu sa akademskim nazivom Strane domaćina, za koji se u toj Strani zahtijeva dodatno osposobljavanje koje lice nije steklo, Strana domaćin može da zahtijeva od tog lica da koristi akademski naziv matične Strane u odgovarajućem obliku koji odredi Strana domaćin.

### **POGLAVLJE IV**

#### **DETALJNA PRAVILA ZA OBAVLJANJE PROFESIJE**

### **Član 14**

#### **Poznavanje jezika**

1. Ako to smatra potrebnim, Strana zahtijeva od pružaoca usluga koji koristi priznavanje profesionalnih kvalifikacija da posjeduje dovoljno znanje jezika, neophodnih za obavljanje profesije u Strani domaćinu.
2. Strana obezbjeđuje da provjere koje se sprovode radi kontrole ispunjenosti obaveze iz stava 1 budu ograničene na dovoljno znanje jednog službenog jezika te Strane.
3. Svaka provjera znanja jezika mora biti srazmjerna potrebi djelatnosti koja se obavlja. Predmetni profesionalci imaju pravo žalbe na takve provjere u skladu sa zakonodavstvom Strane domaćina.

### **POGLAVLJE V**

#### **ADMINISTRATIVNA SARADNJA**

### **Član 15**

#### **Centralni pristup informacijama**

1. Strane su dužne da obezbijede da sljedeće informacije budu javno dostupne na engleskom jeziku i preko kontakt tačaka za usluge:
  - (a) lista svih regulisanih profesija u Strani, uključujući detalje kontakt osoba za svaku regulisanu profesiju u skladu sa članom 18 stav (4);
  - (b) uslove i postupke za sve regulisane profesije u Strani, uključujući sve odgovarajuće naknade koje plaćaju fizička lica i dokumente koje podnose fizička lica;
  - (c) detalje o tome kako se podnosi žalba po zakonima, propisima i administrativnim odredbama na rješenja Strana koja se donose u vezi sa ovim Sporazumom.
2. Strane su dužne da obezbijede da se informacije iz stava 1 pružaju na jasan i razumljiv način i da su lako dostupne na daljinu i putem elektronskih sredstava i da su ažurne.
3. Strane su dužne da obezbijede da se na svaki zahtjev za informacijama upućen kontakt tačkama za usluge odgovori što je prije moguće.

## **Član 16**

### **Zajednička radna grupa za priznavanje profesionalnih kvalifikacija**

1. Zajednička radna grupa za priznavanje profesionalnih kvalifikacija (JWGRPQ) olakšava i nadzire sprovođenje i primjenu ovog Sporazuma.
2. Članovi JWGRPQ zadužuju se, između ostalog, da pružaju informacije i pomoć po potrebi u vezi sa priznavanjem profesionalnih kvalifikacija, predviđenog ovim Sporazumom, kao što su informacije o zakonodavstvu, propisima i administrativnim odredbama kojima se reguliše priznavanje profesionalnih kvalifikacija.
3. Projektni zadatak JWGRPQ usvaja se najkasnije godinu dana nakon usvajanja ovog Sporazuma.

## **Član 17**

### **Transparentnost**

1. Strane obavještavaju JWGRPQ o listi svih postojećih regulisanih profesija, navodeći djelatnosti koje svaka profesija pokriva, i listu regulisanog obrazovanja i osposobljavanja sa posebnom strukturom, najkasnije 18 mjeseci nakon usvajanja ovog Sporazuma. O svakoj izmjeni ovih lista takođe se obavještava JWGRPQ bez nepotrebnog odlaganja. Sekretarijati CEFTA i RCC uspostavljaju i održavaju javno dostupnu bazu podataka regulisanih profesija, uključujući generalni opis svih djelatnosti koje pokriva svaka profesija.

2. Strane su dužne da ispituju jesu li uslovi po njihovom pravnom sistemu, kojima se ograničava pristup profesiji ili njenom obavljanju nosiocima konkretnih profesionalnih kvalifikacija, uključujući korišćenje profesionalnih naziva i profesionalne djelatnosti dozvoljene pod takvim nazivom, označeni u ovom članu kao "uslovi", u skladu sa sljedećim principima:
- (a) uslovi ne smiju biti ni neposredno ni posredno diskriminatorni;
  - (b) uslovi moraju biti opravdani preovlađujućim razlozima opšteg interesa;
  - (c) uslovi moraju biti pogodni za obezbjeđenje ostvarivanja ciljeva kojima se teži i ne smiju biti van onoga što je neophodno da se taj cilj ostvari;
  - (d) Strane su dužne da obavijeste JWGRPQ o nalazima ispitivanja.

## **Član 18**

### **Principi administrativne saradnje**

1. Strane su dužne da tijesno sarađuju i da jedna drugoj pružaju pomoć kako bi se olakšalo sprovođenje i primjena ovog Sporazuma. One su dužne da obezbijede povjerljivost informacija koje razmjenjuju.
2. Preko JWGRPQ, Strane su dužne da razmjenjuju informacije koje smatraju potrebnim za obavljanje djelatnosti po ovom Sporazumu. Pri tome, dužne su da poštuju pravila o zaštiti podataka o ličnosti koja su predviđena relevantnim zakonodavstvom Strana.
3. Svaka Strana dužna je da razmjenjuje informacije sa drugim Stranama preko JWGRPQ o procesima po kojima dodjeljuju ili primaju dokaze o formalnim kvalifikacijama i druge dokumente ili informacije, i primaju zahtjeve i donose rješenja navedena u ovom Sporazumu.
4. Preko JWGRPQ, svaka Strana je dužna da drugim Stranama dostavi ime kontakt osobe za svaku regulisanu profesiju, koja će pružiti sve relevantne informacije i podržati saradnju između Strana u vezi sa tom konkretnom regulisanom profesijom.

## **POGLAVLJE VI**

### **ZAVRŠNE ODREDBE**

## **Član 19**

### **Transponovanje**

Strane su dužne da usvoje zakone, propise i administrativne odredbe potrebne za usklađivanje sa ovim sporazumom najkasnije 18 mjeseci od stupanja na snagu ovog Sporazuma u skladu sa njegovim članom 21. Strane su dužne da o tome obavijeste JWGRPQ.

## **Član 20**

### **Aneksi**

1. Svi Aneksi čine sastavni dio ovog Sporazuma.
2. Informacije koje Strane moraju dostaviti u Aneksu I, Aneksu II, Aneksu III i Aneksu IV, nadležni organi dužni su da dostave JWGRPQ najkasnije 18 mjeseci od stupanja na snagu ovog Sporazuma u skladu sa njegovim članom 21.
3. Strane su dužne da obezbijede da informacije navedene u Aneksu I, Aneksu II, Aneksu III i Aneksu IV budu ažurirane i da se po potrebi mijenjaju i dopunjuju od strane JWGRPQ u skladu sa članom 6 stav (l) tačka (2) ovog Sporazuma.

## **Član 21**

### **Stupanje na snagu**

1. Ovaj Sporazum podliježe potvrđivanju, prihvatanju ili odobravanju u skladu sa relevantnim uslovima. Instrumenti potvrđivanja, prihvatanja ili odobravanja deponuju se kod Depozitara.
2. Ovaj Sporazum stupa na snagu tridesetog dana nakon deponovanja trećeg formalnog instrumenta o potvrđivanju, prihvatanju ili odobrenju za Strane koje su deponovale svoje instrumente o potvrđivanju, prihvatanju ili odobrenju.
3. Za svaku Stranu koja deponuje svoj instrument potvrđivanja, prihvatanja ili odobrenja nakon datuma deponovanja trećeg formalnog instrumenta o potvrđivanju, prihvatanju ili odobrenju, ovaj Sporazum stupa na snagu tridesetog dana nakon dana na koji ta Strana deponuje svoj instrument potvrđivanja, prihvatanja ili odobrenja.
4. Sjeverna Makedonija postupa kao Depozitar i obavještava sve Strane ovog Sporazuma o svakom obavještenju primljenom u skladu sa ovim članom i o bilo kom drugom aktu ili obavještenju u vezi sa ovim Sporazumom.

## **Član 22**

### **Izmjene i dopune**

1. Svaka Strana može predložiti izmjene i dopune Sporazuma slanjem pisanog



obavještenja Depozitaru. Depozitar upućuje ovo obavještenje JWGRPQ iz člana 16 ovog Sporazuma.

2. Prijedlozi izmjena i dopuna usvajaju se konsenzusom svih članova JWGRPQ. Ovi predlozi dostavljaju se tijelu CEFTA nadležnom za trgovinu uslugama.
3. Kada se usvoje, izmjene i dopune se dostavljaju Stranama na potvrđivanje ili odobrenje.
4. Izmjene i dopune stupaju na snagu u skladu sa pravilima i postupkom utvrđenim u članu 21.

### **Član 23**

#### **Trajanje i otkazivanje**

1. Ovaj Sporazum se zaključuje na neodređeno vrijeme.
2. Svaka Strana može u bilo kom trenutku otkazati sporazum pisanim obavještenjem Depozitaru, koji obavještava ostale Strane o ovom otkazivanju.
3. Takvo otkazivanje stupa na snagu šest mjeseci nakon datuma na koji je depozitar primio obavještenje.

### **Član 24**

Svi sporovi koji nastanu iz ovog Sporazuma biće rješavani kroz Mehanizam za rješavanje sporova CEFTA 2006.

### **Član 25**

#### **Pristupanje Strana potpisnica CEFTA**

Strane priznaju pravo bilo koje od Strana potpisnica CEFTA da pristupi ovom sporazumu.

Sporazum je sačinjen na engleskom jeziku u jednom originalnom primjerku, koji će ostati u posjedu Depozitara. Svaka strana dobiće jedan ovjereni primjerak Sporazuma.

**Sačinjeno u Tirani, dana 16. oktobra 2023.**

Dritan Abazović

Edi Rama

Ana Brnabić

Dimitar Kovačevski

Aljbin Kurti

Borjana Kristo

# PRIZNAVANJE NA OSNOVU USKLAĐIVANJA MINIMALNIH USLOVA OSPOSBLJAVANJA

## ANEKS I

### MEDICINSKE SESTRE ODGOVORNE ZA OPŠTU NJEGU

*Sve odredbe u Aneksu I su preuzete iz Direktive EU 2005/36/EC o priznavanju profesionalnih kvalifikacija izmijenjene Direktivom EU 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine.*

#### **Član 1. Osposobljavanje medicinskih sestara odgovornih za opštu njegu**

1. Prijem medicinskih sestara odgovornih za opštu njegu na osposobljavanje će zavisiti od posjedovanja kvalifikacije ili svjedočanstva koja omogućava pristup, za predmetne studije, univerzitetima, visokoškolskim ustanovama na nivou koji je priznat kao ekvivalentan ili stručnim školama ili kroz programe stručnog osposobljavanja za zdravstvenu njegu.
2. Osposobljavanje medicinskih sestara odgovornih za opštu njegu sprovodi se na osnovu punog radnog vremena i obuhvata najmanje program koji je opisan u članu 3 Aneksa I.
3. Osposobljavanje medicinskih sestara odgovornih za opštu njegu uključuje ukupno najmanje tri godine studija, što se dodatno može izraziti i ekvivalentnim ECTS bodovima, i sastoji se od najmanje 4 600 sati teorijskog i kliničkog osposobljavanja, pri čemu trajanje teorijskog osposobljavanja predstavlja najmanje jednu trećinu, a trajanje kliničkog osposobljavanja najmanje jednu polovinu minimalnog trajanja osposobljavanja. Strane mogu odobriti djelimična izuzeća profesionalcima koji su prošli dio osposobljavanja na kursevima koji su najmanje ekvivalentnog nivoa.

Strane će osigurati da institucije koje obezbjeđuju osposobljavanje za medicinske sestre budu odgovorne za usklađivanje teorijskog i kliničkog osposobljavanja tokom čitavog studijskog programa.

4. Teorijsko obrazovanje je onaj dio osposobljavanja medicinskih sestara iz kojeg medicinske sestre pripravnice stiču stručna znanja, vještine i kompetencije iz stavova 6. i 7. Osposobljavanje vrše predavači iz oblasti zdravstvene njege koju pružaju medicinske sestre i druga kompetentna lica, na univerzitetima, ustanovama za visoko obrazovanje na nivou priznatom kao ekvivalentan ili u stručnim školama ili kroz programe stručnog osposobljavanja za zdravstvenu njegu.

5. Kliničko usavršavanje je dio obuke medicinskih sestara u kojem polaznice stiču znanja, da su kao dio tima u u direktnom kontaktu sa zdravom ili bolesnom osobom i/ili zajednicom, te da organizuju, pruže i procjene sveobuhvatnu njegu na osnovu znanja, vještina i sposobnosti koje su stekle. Polaznica stiče znanje da radi u timu, kao i da upravlja timom i organizuje cjelokupnu zdravstvenu njegu, uključujući zdravstvenu edukaciju za pojedince i male grupe, unutar zdravstvenih ustanova ili u zajednici.

6. Usavršavanje medicinskih sestara opšte njege pruža sigurnost da je lice steklo sljedeća znanja i vještine:

(a) sveobuhvatno poznavanje nauka na kojima se temelji opšta zdravstvena njega, uključujući dovoljno razumijevanje strukture, fizioloških funkcija i ponašanja zdravih i bolesnih lica, te odnosa između zdravstvenog stanja čovjeka i njegovog fizičkog i društvenog okruženja;

(b) odgovarajuće poznavanje prirode i etike profesije i opštih načela zdravlja i zdravstvene njege;

(c) odgovarajuće kliničko iskustvo; takvo iskustvo, koje treba odabrati zbog vrijednosti samog usavršavanja i koje treba steći pod nadzorom kvalifikovanog medicinskog osoblja i na mjestima gdje je broj kvalifikovanog osoblja i opreme odgovarajući za njegu pacijenta;

(d) sposobnost učešća u praktičnoj obuci zdravstvenog osoblja i iskustvo u radu sa tim osobljem;

(e) iskustvo u zajedničkom radu sa pripadnicima drugih profesija u zdravstvenom sektoru.

7. Formalna osposobljenost medicinskih sestara opšte njege pružiće dokaz da je taj profesionalac sposoban da primjeni najmanje sljedeća znanja bez obzira na to da li se osposobljavanje odvija na univerzitetima, visokoškolskim ustanovama na nivou priznatom kao ekvivalentnom ili stručnom školama ili kroz programe stručnog osposobljavanja za medicinske sestre:

- (a) osposobljenost da samostalno dijagnostikuje potrebnu zdravstvenu njegu koristeći trenutna teorijska i klinička znanja i da planira, organizuje i primjeni zdravstvenu njegu prilikom liječenja pacijenata na osnovu znanja i vještina stečenih u skladu sa tačkama (a), (b) i (c) stava 4 u cilju poboljšanja profesionalne prakse;
- (b) osposobljenost za efikasan zajednički rad sa drugim akterima u zdravstvenom sektoru, uključujući učešće u praktičnoj obuci medicinskog osoblja na osnovu znanja i vještina stečenih u skladu sa tačkama (d) i (e) stava 4;
- (c) osposobljenost za osnaživanje pojedinaca, porodica i grupa za zdrave stilove života i brigu o sebi na osnovu znanja i vještina stečenih u skladu sa tačkama (a) i (b) stava 4;
- (d) osposobljenost za samostalno pokretanje hitnih mjera za očuvanje života i sprovođenje mjera u situacijama krize i katastrofe;
- (e) osposobljenost samostalnog davanja savjeta, instrukcija i podrške osobama kojima je potrebna njega i njima bliskim osobama;
- (f) osposobljenost za nezavisno osiguranje kvaliteta i procjene zdravstvene nege;
- (g) osposobljenost za sveobuhvatnu profesionalnu komunikaciju i saradnju sa pripadnicima drugih profesija u zdravstvenom sektoru;
- (h) osposobljenost za analizu kvalitet njege u cilju unaprijeđenja sopstvene profesionalne prakse kao medicinske sestre opšte njege.

## **Član 2. Obavljanje profesionalnih zaduženja medicinskih sestara opšte njege**

Za potrebe ovog Sporazuma, profesionalna zaduženja medicinskih sestara opšte njege su zaduženja koje se obavljaju na profesionalnoj osnovi kako je i propisano članom 3 Aneksa I.

Strane mogu relevantnim zakonodavstvom predvidjeti djelimično izuzeće od dijela programa usavršavanja za medicinske sestre opšte njege navedenih iz člana 3 Aneksa I, koje se primjenjuje od slučaja do slučaja, pod uslovom da taj dio usavršavanja već odrađen tokom drugog specijalističkog kursa obuke navedenog u članu 3 Aneksa I, za koje je profesionalac već stekao profesionalnu kvalifikaciju u Strani. Strane obezbjeđuju da odobreno izuzeće ne prelazi više od polovine minimalnog trajanja datog programa specijalističkog usavršavanja.

Svaka Strana je dužna da obavijesti Zajedničku radnu grupu i ostale Strane o svom relevantnim propisima za svako takvo djelimično izuzeće.

Strane su dužne da uslove izdavanje dokaza o specijalističkom usavršavanju posjedovanjem dokaza o osposobljenosti za doktora medicine iz člana 3 Aneksa I.

### **Član 3. Program osposobljavanja medicinskih sestara opšte njege**

1. Osposobljavanje na osnovu kojeg se stiče dokaz o formalnoj osposobljenosti medicinskih sestara opšte njege, sastoji se od sljedeća dva dijela.

#### A. Teorijska nastava

##### a. Zdravstvena njega:

- Priroda i etika struke
- Opšti principi zdravlja i njege
- Načela zdravstvene njege u odnosu na:
  - opštu i specijalističku medicinu
  - opštu i specijalističku hirurgiju
  - brigu o djeci i pedijatriju
  - njegu porodilja
  - mentalno zdravlje i psihijatriju
  - njegu starih i gerijatriju

##### b. Osnovne nauke:

- Anatomija i fiziologija
- Patologija
- Bakteriologija, virologija i parazitologija
- Biofizika, biohemija i radiologija
- Dijetetika
- Higijena:
  - preventivne medicine
  - zdravstveno obrazovanje

##### — Farmakologija

##### c. Društvene nauke:

- Sociologija
- Psihologija
- Principi administracije
- Principi nastave
- Socijalno i zdravstveno zakonodavstvo
- Pravni aspekti zdravstvene njege

#### B. Kliničke instrukcije

- Zdravstvena njega u odnosu na:

- opštu i specijalističku medicinu
- opštu i specijalističku hirurgiju
- njegu djece i pedijatriju
- njegu porodilja
- mentalno zdravlje i psihijatriju
- njegu starih i gerijatriju
- njegu u kući

4. Jedan ili više ovih predmeta može se predavati u kontekstu drugih disciplina ili u vezi s istim.
5. Teorijska nastava mora biti ponderisana i usklađena sa kliničkom nastavom na takav način da se znanja i vještine iz ovog Aneksa mogu steći na adekvatan način.

#### **Član 4. Dokaz o formalnim kvalifikacijam medicinskih sestara opšte njege**

| <b>Strana</b> | <b>Dokazi o formalnim kvalifikacijama</b> | <b>Tijelo koje dodjeljuje kvalifikacije</b> | <b>Potvrda koja se prilaže uz dokaz o kvalifikaciji</b> | <b>Referentni datum</b> |
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## **ANEKS II**

### **DOKTORI VETERINARSKJE MEDICINE**

*Sve odredbe u Aneksu II preuzete su iz Direktive EU 2005/36/EC o priznavanju profesionalnih kvalifikacija sa izmjenama i dopunama u Direktivi 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine.*

#### **Član 1. Osposobljavanje doktora veterinarske medicine**

1. Osposobljavanje za doktora veterinarske medicine obuhvata ukupno najmanje pet godina redovnih teorijskih i praktičnih studija, koje dodatno može biti izraženo istovjetnim ECTS bodovima koji pokriva najmanje studijski program iz člana 3 Aneksa II, a koji se održava na univerzitetu ili na visokoškolskoj ustanovi koja pruža osposobljavanje kojoj je priznat istovjetan stepen ili koja je pod nadzorom univerziteta.

2. Prijem na osposobljavanje iz oblasti veterine uslovljeno je posjedovanjem diplome ili potvrde koja daju pravo nosiocu kvalifikacija pristup predmetnim studijama na univerzitet ili visokoškolskoj ustanovi koje su priznate da imaju istojevtan stepen za potrebe relevantnog programa.

3. Osposobljavanje za doktora veterinarske medicine daje garanciju da je lice steklo sljedeća znanja i vještine:

(a) sveobuhvatno poznavanje nauka na kojima se temelje aktivnosti doktora veterinarske medicine i odgovarajućeg zakona Strana koji se odnose na predmetne aktivnosti;

(b) adekvatno poznavanje strukture, funkcija, ponašanja i fizioloških potreba životinja, kao i vještina i znanja potrebnih za njihov uzgoj, ishranu, dobrobit, reprodukciju i opštu higijenu;

(c) kliničke, epidemiološke i analitičke vještine i znanja potrebna za prevenciju, dijagnozu i liječenje bolesti životinja, uključujući anesteziju, aseptičku hirurgiju i bezbolnu smrt, bilo da se razmatraju pojedinačno ili u grupama, uključujući specifično znanje o bolestima koje se mogu prenijeti na ljude;

(d) sveobuhvatno znanje, vještine i znanja za preventivnu medicinu, uključujući znanja koje se odnose na upite i izdavanje potvrda;

(e) sveobuhvatno poznavanje higijene i tehnologije uključene u proizvodnju, proizvodnju i stavljanje u promet stočne hrane ili hrane životinjskog porijekla

namijenjene za ishranu ljudi, uključujući vještine i znanja potrebna za razumijevanje i razjašnjene dobre prakse u tom pogledu;

(f) znanje, vještine i kompetencije potrebne za odgovornu i razumnu upotrebu veterinarsko-medicinskih proizvoda, u cilju liječenja životinja i osiguravanja sigurnosti lanca ishrane i zaštite životne sredine.

## **Član 2. Stečena prava doktora veterinarske medicine**

Za potrebe ovog Sporazuma, dokazi o formalnoj osposobljenosti doktora veterinarske medicine su zaduženja koje se obavljaju na profesionalnoj osnovi kako je i propisano članom 3 Aneksa II.

Strane mogu relevantnim zakonodavstvom predvidjeti djelimično izuzeće od dijela programa osposobljavanja doktora veterinarske medicine navedenih iz člana 3 Aneksa II, koje se primjenjuje od slučaja do slučaja, pod uslovom da taj dio osposobljavanja već odrađen u tokom drugog specijalističkog kursa obuke navedenog u članu 3 Aneksa II, za koje je profesionalac već stekao profesionalnu kvalifikaciju u Strani. Strane obezbjeđuju da odobreno izuzeće ne prelazi više od polovine minimalnog trajanja datog programa specijalističkog usavršavanja.

Svaka Strana je dužna da obavijesti Zajedničku radnu grupu i ostale Strane o relevantnim propisima za svako takvo djelimično izuzeće.

Strane su dužne da uslove izdavanje dokaza o veterinarskom medicinskom usavršavanju posjedovanjem dokaza o osposobljenosti za doktora medicine iz člana 3 Aneksa II.

## **Član 3. Studijski program doktora veterinarske medicine**

Program studija na osnovu kojeg se stiče dokaz o formalnoj osposobljenosti doktora veterinarske medicine mora uključivati najmanje dolje navedene predmete.

Nastava iz jednog ili više ovih predmeta može se održavati kao dio ili u vezi sa drugim programima.

A. Osnovni predmeti

— Fizika

— Hemija

— Biologija životinja



— Biologija biljaka

— Biomatematika

## B. Specifični predmeti

### a. Osnovne nauke:

— Anatomija (uključujući histologiju i embriologiju)

— Fiziologija

#### 1. Biohemija

— Genetika

— Farmakologija

— Apoteka

— Toksikologija

— Mikrobiologija

— Imunologija

— Epidemiologija

— Profesionalna etika

### b. Kliničke nauke:

— Akušerstvo

— Patologija (uključujući patološku anatomiju)

— Parazitologija

— Klinička medicina i hirurgija (uključujući anestetike)

— Klinička predavanja o raznim domaćim životinjama, peradi i drugim životinjskim vrstama

— Preventivna medicina

— Radiologija

— Reprodukcijska i reproduktivni poremećaji

— Veterinarska javna medicina i javno zdravlje

— Veterinarski propisi i sudska medicina

— Terapeutika

— Propedeutika

### c. Životinjska proizvodnja

— Stočarska proizvodnja

— Ishrana životinja

— Agronomija

— Ruralna ekonomija

— Stočarstvo

— Veterinarska higijena

— Etologija i zaštita životinja

#### d. Higijena hrane

- Inspekcija i kontrola hrane za životinje ili namirnica životinjskog porijekla
- Higijena i tehnologija hrane
- Praktični rad (uključujući praktičan rad na mjestima gdje se vrši klanje i prerada namirnica)

Praktično usavršavanje može biti u obliku perioda pripravničkog staža, pod uslovom da je to osposobljavanje redovno i pod direktnom kontrolom nadležnog organa i ne prelazi šest mjeseci u ukupnom periodu obuke od pet godina studiranja.

Raspodjela teorijske i praktične obuke među različitim grupama subjekata mora biti uravnotežena i koordinirana na način da se znanje i iskustvo steknu na način koji će omogućiti veterinarima da obavljaju sve svoje dužnosti.

#### **Član 4.      Dokaz o formalnim kvalifikacijama doktora veterinarske medicine**

| <b>Strana</b> | <b>Dokazi o formalnim kvalifikacijama</b> | <b>Tijelo koje dodjeljuje kvalifikacije</b> | <b>Potvrda koja se prilaže uz dokaz o kvalifikaciji</b> | <b>Referentni datum</b> |
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## **ANEKS III**

### **BABICE**

*Sve odredbe u Aneksu II preuzete su iz Direktive EU 2005/36/EC o priznavanju profesionalnih kvalifikacija sa izmijenama i dopunama u Direktivi 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine.*

#### **Član 1. Osposobljavanje babica**

1. Osposobljavanje babica uključuje najmanje:

(a) redovno posebno osposobljavanje babica koja se sastoji od najmanje tri godine teoretskih i praktičnih studija (put I) koje uključuje najmanje program opisan u članu 4 Aneksa III, ili

(b) redovno posebno osposobljavanje babica u trajanju od 18 mjeseci (put II), koja uključuje najmanje studijski program opisan u članu 4 Aneksa III, koji nije bio predmet istovjetnog usavršavanja za medicinske sestre opšte njege.

Strane će osigurati da institucije koje pružaju obuku babica budu odgovorne za koordinaciju teorije i prakse tokom studijskog programa.

6. Prijem za osposobljavanje babica zavisi od jednog od sljedećih uslova:

(a) posjedovanje kvalifikacija ili potvrda koje omogućavaju pristup predmetnim studijama za prijem u školu za babice za put I;

(b) posjedovanje dokaza o formalnoj ospoboljenosti medicinske sestre opšte njege koji je propisan članom 4 Aneksa III za put II.

3. Osposobljavanje babica pruža garanciju da je taj profesionalac stekao sljedeća znanja i vještine:

(a) detaljno poznavanje nauka na kojima se zasnivaju zaduženja babica, u naročitom ona koje se odnose na babice, akušerstvo i ginekologiju;

(b) sveobuhvatno poznavanje etike profesije i zakonodavstva relevantnog za obavljanje profesije;

(c) sveobuhvatno poznavanje opšteg medicinskog znanja (biološke funkcije, anatomija i fiziologija) i farmakologije iz oblasti akušerstva i novorođenčadi, kao i poznavanje odnosa između zdravstvenog stanja i fizičkog i društvenog okruženja čovjeka, kao i ponašanja istog;

(d) sveobuhvatno kliničko iskustvo stečeno u odobrenim ustanovama koje omogućava babici da samostalno i pod vlastitom odgovornošću, u mjeri u kojoj je to potrebno i isključujući patološke situacije, vodi antenatalnu njegu, porođaj i stanja nakon istog u odobrenim ustanovama, i da nadzire porođaj i rođenje, postnatalnu njegu i reanimaciju novorođenčeta do dolaska ljekara;

(e) sveobuhvatno razumijevanje obuke zdravstvenog osoblja i iskustvo u radu sa tim osobljem.

## **Član 2. Procedure za priznavanje dokaza o formalnoj osposobljenosti babica**

1. Dokazi o formalnoj osposobljenosti babice iz član 4 u Aneksu III podliježu automatskom priznavanju ukoliko ispunjavaju jedan od sljedećih kriterija:

(a) redovno osposobljavanje babica u trajanju od najmanje tri godine, koje se dodatno može izraziti istovjetnim ECTS bodovima, a koje se sastoji od najmanje 4 600 sati teorijske i praktične obuke, uz najmanje jednu trećinu minimalnog trajanja kliničkog osposobljavanja;

(b) redovno osposobljavanje babica u trajanju od najmanje dvije godine, koje se dodatno može izraziti istovjetnim bodovima ECTS, a koje se sastoji od najmanje 3 600 sati, u zavisnosti od posjedovanja dokaza o formalnoj osposobljenosti medicinske sestre opte njege iz člana 4 Aneksa III;

(c) redovno osposobljavanje babica u trajanju od najmanje 18 mjeseci, koje se dodatno može izraziti istovjetnim ECTS bodovima, koje se sastoji od najmanje 3 000 sati, u zavisnosti od posjedovanju dokaza o formalnoj osposobljenosti medicinske sestre opšte kako je propisano članom 4 Aneksa III, a nakon toga jednogodišnju stručnu praksu za koju je izdato uvjerenje u skladu sa stavom 2.

2. Potvrdu iz stava 1 izdaju nadležni organi u Stranama. Njime se potvrđuje da je nosilac iste, nakon pribavljanja dokaza o formalnoj osposobljenosti babica, na zadovoljavajući način obavljao sva zaduženja babice u odgovarajućem periodu u bolnici ili zdravstvenoj ustanovi odobrenoju za tu svrhu.

## **Član 3. Obavljanje stručnih zaduženja babica**

1. Odredbe ovog odjeljka primjenjuju se na zaduženja babica kako ih definiše svaka Strana, ne dovodeći u pitanje stav 2, a koje se obavljaju prema stručnim nazivima navedenim u članu 4 Aneksa III.

2. Strane će osigurati da babice mogu dobiti pristup i obavljati najmanje sljedeće aktivnosti:

- a) pružanje temeljnih informacija i savjeta o planiranju porodice;
- b) dijagnostikovanje praćenje normalnih trudnoća; obavljanje pregleda neophodnih za praćenje razvoja normalne trudnoće;
- c) propisivanje ili savjetovanje o pregledima neophodnim za što ranu dijagnozu rizičnih trudnoća;
- d) obezbjeđivanje programa pripreme za roditeljstvo i kompletne pripreme za porođaj uključujući savjete o higijeni i ishrani;
- e) pružanje njege i pomoći majci tokom porođaja i praćenje stanja fetusa u materici odgovarajućim kliničkim i tehničkim sredstvima;
- f) obavljanje spontanih porođaja, uključujući, gdje je potrebno, epiziotomije i u hitnim slučajevima karličnih porođaja;
- g) prepoznavanje upozoravajućih znakova abnormalnosti kod majke ili odojčeta koji zahtijevaju upućivanje ljekaru i pružanje pomoći djetetu gdje je to potrebno; preduzimanje potrebnih hitnih mjera u odsustvu ljekara, posebno ručno uklanjanje posteljice, nakon čega je moguće izvršiti ginekološki pregled;
- h) pregled i njega novorođenčeta; preduzimanje svih inicijativa koje su neophodne u slučaju potrebe i sprovođenje hitne reanimacije po potrebi;
- i) zbrinjavanje i praćenje napretka majke u postporođajnom periodu i davanje svih potrebnih savjeta majci o njezi odojčeta kako bi se osigurao optimalan napredak novorođenčeta;
- j) sprovođenje liječenja koje su propisali ljekari;
- k) sastavljanje potrebnih pisanih izvještaja.

3. Strane mogu relevantnim zakonodavstvom predvidjeti djelimično izuzeće od dijela programa usavršavanja babica navedenih iz člana 4 Aneksa III, koje se primjenjuje od slučaja do slučaja, pod uslovom da taj dio usavršavanja već odrađen u tokom drugog specijalističkog kursa obuke navedenog u članu 4 Aneksa III za koje je profesionalac već stekao profesionalnu kvalifikaciju u Strani. Strane obezbjeđuju da odobreno izuzeće ne prelazi više od polovine minimalnog trajanja datog programa specijalističkog usavršavanja.

Svaka Strana je dužna da obavijesti Zajedničku radnu grupu i ostale Strane o svojim relevantnim propisima za svako takvo djelimično izuzeće.

Strane su dužne da uslove izdavanje dokaza o specijalističkom usavršavanju

posjedovanjem dokaza o osnovnoj medicinskoj osposobljenosti iz člana 5 Aneksa III.

#### **Član 4. Program osposobljavanja babica (Tipovi obuke I i II)**

Program osposobljavanja za sticanje dokaza o formalnim kvalifikacijama za babice sastoji se iz sljedeća dva dijela:

##### A. Teorijska i tehnička nastava

###### a. Opšti predmeti

- Osnovna anatomija i fiziologija
- Osnovna patologija
- Osnovna bakteriologija, virologija i parazitologija
- Osnovne biofizike, biohemije i radiologije
- Pedijatrija, s posebnim osvrtom na novorođenčad
- Higijena, zdravstveni odgoj, preventivna medicina, rano otkrivanje bolesti
- Ishrana i dijetetika, s posebnim osvrtom na žene, novorođenčad i mlade bebe
- Osnovna sociologija i socio-medicinska pitanja
- Osnovna farmakologija
- Psihologija
- Principi i metode nastave
- Zdravstveno i socijalno zakonodavstvo i zdravstvena organizacija
- Profesionalna etika i profesionalno zakonodavstvo
- Seksualno obrazovanje i planiranje porodice
- Pravna zaštita majke i odojčeta

###### b. Predmeti specifični za aktivnosti babica

- Anatomija i fiziologija
- Embriologija i razvoj fetusa
- Trudnoća, porođaj i puerperijum
- Ginekološka i akušerska patologija
- Priprema za porođaj i roditeljstvo, uključujući psihološke aspekte
- Priprema za porođaj (uključujući poznavanje i upotrebu tehničke opreme u akušerstvu)
- Analgezija, anestezija i reanimacija
- Fiziologija i patologija novorođenčeta
- Briga i nadzor novorođenčeta
- Psihološki i društveni faktori

##### B. Praktična i klinička obuka

Ova obuka se sprovodi pod odgovarajućim nadzorom:

— Savjetovanje trudnica, koje uključuje najmanje 100 prenatalnih pregleda.  
— Nadzor i njega najmanje 40 trudnica.  
— Sprovođenje najmanje 40 porođaja od strane studenta; pri čemu tamo gdje se ovaj broj ne može dostići zbog nedostatka raspoloživih porođaja, isti se može smanjiti na minimalno 30, pod uslovom da student pomaže u 20 sljedećih porođaja.

— Aktivno učešće u karličnim porođajima. Tamo gdje isto nije moguće zbog nedostatka karličnih porođaja, praksa se može obavljati u simuliranoj situaciji.

— Izvođenje epiziotomije i početak šivenja. Početak rada uključuje teorijsku nastavu i kliničku praksu. Praksa šivenja uključuje šivenje rane nakon epiziotomije i jednostavnog reza međice. Ovo može biti u simuliranoj situaciji ako je apsolutno neophodno.

— Nadzor i njega 40 žena u rizičnim trudnoćama, porođaju ili postporođajnom periodu.

— Nadzor i njega (uključujući pregled) najmanje 100 postnatalnih žena i zdrave novorođenčadi.

— Posmatranje i njega novorođenčadi koja zahtijevaju posebnu njegu, uključujući one rođene prije termina, rođene nakon termina, nedovoljno tjelesne težine ili bolesne.

— Zbrinjavanje žena sa patološkim stanjima u oblastima ginekologije i akušerstva.

— Uvođenje u njegu u oblasti medicine i hirurgije. Početak rada uključuje teorijsku nastavu i kliničku praksu.

Teorijska i tehnička obuka (Dio A programa obuke) moraju biti uravnotežene i usklađene sa kliničkom obukom (Dio B istog programa) na način da se znanje i iskustvo navedeno u ovom Aneksu mogu steći na odgovarajući način.

Klinička nastava će biti u vidu kontrolisane obuke u bolničkim odjeljenjima ili drugim zdravstvenim ustanovama koje su odobrili nadležni organi ili tijela. U okviru ove obuke, polaznici obuke za babice učestvuju u aktivnostima pomenutih odjeljenja u mjeri u kojoj te aktivnosti doprinose njihovoj obuci. Isti će biti naučeni odgovornostima uključenim u aktivnosti babica.

**Član 5. Dokaz o formalnim kvalifikacijama babica**

| <b>Strana</b> | <b>Dokazi o formalnim kvalifikacijama</b> | <b>Tijelo koje dodjeljuje kvalifikacije</b> | <b>Potvrda koja se prilaže uz dokaz o kvalifikaciji</b> | <b>Referentni datum</b> |
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## ANEKS IV

### FARMACEUTI

*Sve odredbe u Aneksu II preuzete su iz Direktive EU 2005/36/EC o priznavanju profesionalnih kvalifikacija sa izmijenama i dopunama u Direktivi 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine.*

#### **Član 1. Osposobljavanje farmaceuta**

1. Prijem za osposobljavanje farmaceuta uslovljeno je posjedovanja diplome ili potvrde koje daju pravo nosiocu kvalifikacija pristup predmetnim studijama na univerzitet ili visokoškolsku ustanovu koja pruža osposobljavanje, a kojoj je priznat istovjetan stepen ili koja je pod nadzorom univerziteta.

2. Dokaz o formalnoj osposobljenosti farmaceuta potvrđuje osposobljavanje u trajanju od najmanje pet godina, koje dodatno može biti izraženo istovjetnim ECTS bodovima, koji uključuju najmanje:

(a) četiri godine teorijskog i praktičnog osposobljavanja na univerzitetu ili visokoškolskoj ustanovi koja pruža osposobljavanje, kojoj je priznat istovjetan stepen ili koja je pod nadzorom univerziteta.

(b) tokom ili na kraju teorijskog i praktičnog osposobljavanja, šestomjesečni pripravnički staž u apoteci koja je otvorena za javnost ili u bolnici pod nadzorom farmaceutskog odjeljenja te bolnice.

Ciklus osposobljavanja iz ovog stava uključuje najmanje program opisan u članu 3 Aneksa IV.

3. Osposobljavanje farmaceuta daje garanciju da je predmetno lice steklo sljedeća znanja i vještine:

(a) sveobuhvatno poznavanje lijekova i supstanci koje se koriste u proizvodnji lijekova;

(b) sveobuhvatno poznavanje farmaceutske tehnologije i fizičkog, hemijskog, biološkog i mikrobiološkog ispitivanja medicinskih proizvoda;

(c) sveobuhvatno poznavanje metabolizma i efekata medicinskih proizvoda i delovanja toksičnih supstanci i upotrebe medicinskih proizvoda;

(d) sveobuhvatno znanje za procjenu naučnih podataka u vezi s lijekovima kako bi se na osnovu ovih saznanja mogle pružiti odgovarajuće informacije;

(e) sveobuhvatno poznavanje zakonskih i drugih zahtjeva povezanih sa bavljenjem farmacijom.

## **Član 2. Obavljanje stručnih zaduženja farmaceuta**

1. Za potrebe ovog Sporazuma, zaduženja farmaceuta su ona, kojima pristup i praćenje zavise od profesionalne osposobljenosti i koja su raspoloživa za nosioce dokaza o formalnoj osposobljenosti tipova obuke navedenih u članu 4 Aneksa IV.

2. Strane su dužne da osiguraju da nosioci dokaza o formalnoj osposobljenosti iz oblasti farmacije stečenom na univerzitetskom nivou ili nivou priznatom kao istovjetnom, koji zadovoljava zahtjeve iz člana 1 Aneksa IV, mogu dobiti pristup i obavljati najmanje sljedeće aktivnosti, tj. da shodno zahtjevu, gdje je primjenljivo, mogu steći dodatno profesionalno iskustva, odnosno da lice može da:

- a) priprema farmaceutski oblika medicinskih proizvoda;
- b) proizvodi i ispituje medicinske proizvode;
- c) ispituje medicinske proizvode u laboratoriji za ispitivanje medicinskih proizvoda;
- d) skladišti, čuva i distribuira medicinske proizvode na nivou veletrgovlja;
- e) nabavlja, priprema, testira, skladišti, distribuira i izdaje bezbjedne i efikasne medicinske proizvode traženog kvaliteta u apotekama otvorenim za javnost;
- f) priprema, testira, skladišti i izdaje bezbjedne i efikasne medicinske proizvode traženog kvaliteta u bolnicama;
- g) pruža informacije i savjete o medicinskim proizvodima kao takvim, uključujući njihovu odgovarajuću upotrebu;
- h) prijavljuje neželjene reakcije farmaceutskih proizvoda nadležnim organima;
- i) personalizuje podršku pacijentima kojima izdaje lijekove;
- j) daje doprinos doprinos lokalnim ili domaćim kampanjama javnog zdravlja.

3. Ukoliko Strana ima pristup ili obavlja neka od zaduženja farmaceuta koja su uslovljena dodatnim stručnim iskustvom, pored posjedovanja dokaza o formalnoj osposobljenosti iz člana 3 Aneksa IV, ta Strana priznaje da kao dovoljan dokaz uzima u obzir potvrdu izdatu od strane nadležnih organa u Strani koja izdaje potvrdu u kojoj se navodi da je predmetno lice bilo angažovano na tim zadacima u Strani na određen period.

### **Član 3. Program osposobljavanja farmaceuta**

- Biologija biljaka i životinja
- Fizika
- Opšta i neorganska hemija
- Organska hemija
- Analitička hemija
- Farmaceutska hemija, uključujući analizu medicinskih proizvoda
- Opšta i primijenjena biohemija (medicinska)
- Anatomija i fiziologija; medicinska terminologija
- Mikrobiologija
- Farmakologija i farmakoterapija
- Farmaceutska tehnologija
- Toksikologija
- Farmakognozija
- Zakonodavstvo i, gdje je prikladno, profesionalna etika.

Ravnoteža između teorijske i praktične obuke, u pogledu svakog predmeta, daje dovoljan značaj teoriji kako bi se održao univerzitetski karakter obuke.

### **Član 4. Dokaz o formalnim kvalifikacijama farmaceuta**

| <b>Strana</b> | <b>Dokazi o formalnim kvalifikacijama</b> | <b>Tijelo koje dodjeljuje kvalifikacije</b> | <b>Potvrda koja se prilaže uz dokaz o kvalifikaciji</b> | <b>Referentni datum</b> |
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### **Član 3**

Ovaj zakon stupa na snagu danom objavljivanja u „Službenom listu Crne Gore - Međunarodni ugovori”.



# O B R A Z L O Ž E N J E

## I. USTAVNI OSNOV ZA DONOŠENJE ZAKONA

Ustavni osnov za donošenje Zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini sadržan je u članu 16 stav 1 tačka 5 Ustava Crne Gore ("Službeni list CG", br. 1/07 i 38/13), kojim je propisano da se zakonom, u skladu sa Ustavom, uređuju druga pitanja od interesa za Crnu Goru, kao i u članu 82 stav 1 tačka 17 Ustava Crne Gore, kojim je propisano da Skupština Crne Gore potvrđuje međunarodne ugovore.

## II. OCJENA STANJA MEĐUNARODNIH ODNOSA I CILJ DONOŠENJA ZAKONA

Pregovori o zaključivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica su vođeni još od 8. oktobra 2018. godine, kada je održan prvi neformalni sastanak glavnih pregovarača u Briselu pod pokroviteljstvom Savjeta za regionalnu saradnju (RCC).

Međutim, u junu 2019. godine, obustavljeni su pregovori zbog neusaglašenih stavova oko pravnog okvira pod kojim će se isti nastaviti.

U okviru Berlinskog procesa, a u skladu sa Akcionim planom za Zajedničko regionalno tržište 2021-2024 koji je usvojen od strane predsjednika vlada šest zemalja Zapadnog Balkana 10. novembra 2020. godine, na Samitu u Sofiji u okviru Komponente II - Sloboda pružanja usluga, jedna od obaveza Crne Gore je zaključivanje Sporazuma o međusobnom priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica između šest zemalja Zapadnog Balkana (Crna Gora, Srbija, Bosna i Hercegovina, Albanija, Kosovo i Sjeverna Makedonija).

Vlada Crne Gore je na sjednici od 13. maja 2021. godine utvrdila Osnovu za vođenje pregovora o zaključivanju Sporazuma o međusobnom priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, kojom je definisan pregovarački tim i dat mandat za pregovore.

U nastojanju da se omogući slobodno pružanje usluga i da se uspostavi automatsko priznavanje profesionalnih kvalifikacija, zasnovano na minimalnim uslovima osposobljavanja, u procesu pridruživanja zemalja Zapadnog Balkana Evropskoj uniji, Sporazum o međusobnom priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, bazira se na Direktivi 2005/36 EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. godine o priznavanju stručnih kvalifikacija i Direktivi 2013/55 EZ o izmjeni Direktive 2005/36 EZ.

Cilj i svrha zaključivanja Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, su uspostavljanje zajedničkih pravila za pojednostavljeno priznavanje profesionalnih kvalifikacija podnosiocima zahtjeva koji su te kvalifikacije stekli u jednoj od šest zemalja Zapadnog Balkana, kako bi se licima sa tim kvalifikacijama omogućio pristup i bavljenje regulisanom profesijom u drugoj zemlji Zapadnog Balkana, radi podsticanja mobilnosti

profesionalaca, boljeg usklađivanja vještina sa potrebama tržišta rada i povećane produktivnosti.

Predmet pregovora bio je Nacrt Sporazuma o međusobnom priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, uz prateće anekse koji se odnose na minimalne uslove osposobljavanja medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica.

Pregovori oko usaglašavanja teksta Nacrta Sporazuma o međusobnom priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini otpočeli su 8. aprila 2021. godine, kada je održan prvi sastanak pregovaračke grupe pod pokroviteljstvom Savjeta za regionalnu saradnju (RCC), online putem Webex platforme, a zaključeni su na osmom sastanku koji je održan 1. oktobra 2021. godine. Na ovom sastanku prisustvovali su predstavnici glavnih pregovarača zemalja zapadnog Balkana, predstavnici CEFTA -e i DG NEAR.

Tekst Sporazuma je finalizovan i potpisan na sastanku održanom 3. novembra 2022. godine, u Berlinu.

Sporazum su potpisali: predsjednik Vlade Crne Gore, predsjednica Vlade Republike Srbije, predsjednik Vlade Bosne i Hercegovine, predsjednik Vlade Sjeverne Makedonije, predsjednik Vlade Albanije i predsjednik Vlade Kosovo.

Potpisivanjem ovog sporazuma potvrđena je posvećenost Crne Gore unaprijeđenju regionalne saradnje sa zemljama Zapadnog Balkana, što je od značaja i za dalji napredak u pregovorima sa Evropskom unijom u okviru Poglavlja - 3 „Pravo osnivanja preduzeća i sloboda pružanja usluga.“

### **III. OSNOVNA PITANJA KOJA SE UREĐUJU MEĐUNARODNIM UGOVOROM**

Sporazum o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini omogućava pojednostavljene procedure za automatsko priznavanje profesionalnih kvalifikacija licima koja su te kvalifikacije stekla u jednoj od šest zemalja Zapadnog Balkana, kako bi im se omogućio pristup i bavljenje regulisanom profesijom u drugoj zemlji Zapadnog Balkana, a sve u cilju podsticanja veće mobilnosti profesionalaca, boljeg usklađivanja vještina sa potrebama tržišta rada i povećane produktivnosti.

U članu 2 stav 4 Sporazuma propisano je da su institucije visokog obrazovanja dužne da akredituju i/ili licenciraju studijske programe koji su usaglašeni sa minimalnim uslovima osposobljavanja, predviđenim aneksima ovog sporazuma.

Osnovni tekst Sporazuma sastoji se od 25 članova, u kojima su inkorporirane odredbe iz Direktive 2005/36 EZ i izmjene Direktive 2013/55 EU o priznavanju stručnih kvalifikacija, kao što su: svrha, obuhvat, definicije, posljedice priznavanja, pravila profesionalne i administrativne prirode, principi automatskog priznavanja, zajedničke odredbe o osposobljavanju, stečena prava, zajednički postupak priznavanja profesionalnih kvalifikacija, pravna zaštita, dokumenti, korišćenje profesionalnih naziva, korišćenje akademskih naziva, poznavanje jezika, centralni pristup informacijama, zajednička radna grupa za priznavanje profesionalnih kvalifikacija, transparentnost, principi administrativne saradnje, transpozicija, aneksi, stupanje na snagu zakona, izmjene i dopune, trajanje i otkazivanje, mehanizam za rješavanje sporova i pristupanje strana potpisnica CEFTA.

Pored osnovnog teksta, Sporazum sadrži i sljedeće anekse koji čine njegov sastavni dio, i to:

Aneks I – Medicinske sestre opšte njege,  
Aneks II - Doktori veterinarske medicine,  
Aneks III – Babice,  
Aneks IV – Farmaceuti.

Priznavanje profesionalnih kvalifikacija vrši se na osnovu usklađivanja minimalnih uslova osposobljavanja, utvrđenih u aneksima I, II, III i IV.

## **V. PROCJENA FINANSIJSKIH SREDSTAVA ZA SPROVOĐENJE ZAKONA**

Za sprovođenje ovog zakona nije potrebno obezbjeđivanje dodatnih sredstava u Budžetu Crne Gore.

## **VI. POTREBA USAGLAŠAVANJA UNUTRAŠNJIH PROPISA**

Zakonom o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini propisano je da su strane dužne da usvoje propise potrebne za usklađivanje sa ovim sporazumom najkasnije 18 mjeseci od stupanja na snagu ovog Sporazuma. Strane su dužne da o tome obavijeste Zajedničku radnu grupu za priznavanje profesionalnih kvalifikacija.

Imajući u vidu navedeno, nadležna ministarstva su u obavezi da usklade posebne propise iz ove oblasti sa Direktivom 2005/36 EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. godine o priznavanju stručnih kvalifikacija i Direktivom 2013/55 EZ o izmjeni Direktive 2005/36 EZ, a u cilju primjene ovog zakona, i to Zakon o zdravstvenoj zaštiti, Zakon o zdravstvenoj njezi pacijenata i Zakon o priznavanju profesionalnih kvalifikacija za obavljanje regulisanih profesija.

## **VII. RAZLOZI ZA DONOŠENJE ZAKONA PO HITNOM POSTUPKU**

Razlog donošenja Zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini po hitnom postupku, shodno članu 151 Poslovnika Skupštine Crne Gore, ogleda se prevashodno u nastojanju Crne Gore da obezbijedi poštovanje potpisanih međunarodnih ugovora.

Donošenjem ovog zakona po hitnom postupku omogućiće se pojednostavljenje procedura za automatsko priznavanje profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica, za lica koja su te kvalifikacije stekla u jednoj od šest zemalja Zapadnog Balkana, kako bi im se omogućio pristup i bavljenje regulisanom profesijom u drugoj zemlji Zapadnog Balkana. Cilj je podsticanje mobilnosti profesionalaca, bolje usklađivanje vještina sa potrebama tržišta rada i povećana produktivnost.

## **VIII. RAZLOZI ZA STUPANJE NA SNAGU DANOM OBJAVLJIVANJA**

Razlog za stupanje na snagu Zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini danom objavljivanja u „Službenom listu Crne Gore - Međunarodni ugovori” sadržan je u razlozima za njegovo donošenje po hitnom postupku. Naime, interes zemalja potpisnica Sporazuma, pa i Crne Gore je da njegova primjena počne što prije i da se omogućí pojednostavljenje procedura za automatsko priznavanje profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica, za lica koja su te kvalifikacije stekla u jednoj od ovih zemalja Zapadnog Balkana.



Crna Gora

Ministarstvo vanjskih poslova

Generalni direktorat za međunarodno pravne poslove

Adresa: Stanka Dragojevića 2

81000 Podgorica, Crna Gora

tel: +382 416 312

fax: +382 225 702

Br:13/1-053/23-632-3

Podgorica, 13. decembar 2023. godine

Pisarnica Ministarstvo zdravlja

MINISTARSTVO ZDRAVLJA  
Kabinet ministra

| Primijeno: 13. 12. 2023 |                 |            |        |            |
|-------------------------|-----------------|------------|--------|------------|
| Org. jed.               | Jed. klas. znak | Redni broj | Prilog | Vrijednost |
| 1-500/23-               |                 | 1608/17    |        |            |

**Predmet: Dostavljanje ovjerene kopije Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Sporazuma o slobodnoj trgovini u Centralnoj Evropi**

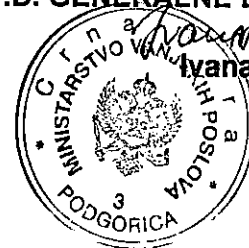
Ministarstvo vanjskih poslova Republike Sjeverne Makedonije je u svojstvu depozitara Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Sporazuma o slobodnoj trgovini u Centralnoj Evropi dostavilo Ministarstvu vanjskih poslova ovjerenu kopiju ovog Sporazuma.

S tim u vezi, u prilogu dostavljamo kopiju gore pomenutog Sporazuma (zaveden u MVP-u pod br: 13/1-053/23-632-2 od 13.12.2023. godine) na engleskom jeziku, potpisanog 16. oktobra u Tirani.

**Prilog: kao u tekstu**

**CC: GDB, GDM, GDE**

V.D. GENERALNE DIREKTORICE



Ivana Šikmanović

Obradila: Lidija Knežević

Direkcija za međunarodne ugovore, 020 416 313



|                          |                 |            |        |            |
|--------------------------|-----------------|------------|--------|------------|
| Primljeno: 13. 12. 2023. |                 |            |        |            |
| Org. jed.                | Jed. klas. znak | Redni broj | Prilog | Vrijednost |
| 13/1-053/23-632-2        |                 |            |        |            |

**AGREEMENT ON THE RECOGNITION OF PROFESSIONAL QUALIFICATIONS  
OF NURSES, VETERINARY SURGEONS, PHARMACISTS, AND MIDWIVES IN  
THE CENTRAL EUROPEAN FREE TRADE AGREEMENT CONTEXT**

The representatives of Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, North Macedonia and Serbia (hereinafter referred to as "Parties")

*In the context of economic integration, pursuant to the Central European Free Trade Agreement ("CEFTA 2006"), in line with Article V of the General Agreement on Trade in Services and for purposes of furthering the liberalisation of trade in services within the CEFTA.*

*Having in mind the goals and priorities stipulated by the Common Regional Market Action Plan 2021-2024 ("CRM") aimed at removing obstacles to the recognition of professional qualifications, by adopting and implementing a "European Union (EU) framework for automatic recognition of professional qualifications for 7 professions and the EU system of automatic recognition" based on the coordination of minimum training conditions;*

*Noting that no provision of this Agreement may be interpreted as to exempt the Parties from their respective rights and obligations under existing treaties;*

*Aiming to encourage the mobility of professionals, better matching of skills with labour market needs and increased productivity;*

*Underlining the objectives of promoting regulatory harmonisation and approximating the laws and regulations of the Parties with European Union (EU) law; in particular seeking to enable free movement of professionals by transposing into the regional framework Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualification, as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013*

\*This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

*Intending to establish the automatic recognition of professional qualifications based on minimum training requirements and to apply it to all 4 professions laid down in this Agreement and the aforementioned Directive and to appoint the professions which satisfy the appliance of the minimum training requirements within the Annexes in not more than 2-year time (in addition to the other three professions listed in the Agreement on the recognition of professional qualifications of doctors of medicine, doctors of dental medicine and architects in the Central European Free Trade Agreement context, done on 3.11.2022 ).*

*Have agreed as follows:*

## **CHAPTER I GENERAL PROVISIONS**

### **Article 1**

#### **Purpose**

1. This Agreement establishes the rules on automatic recognition of evidence of formal qualifications based on minimum training conditions within Parties for access to and performance of the regulated profession, as well as harmonized minimum training conditions in one or more other Parties, and which allow the holders of said qualification (hereinafter: professionals) to pursue the same profession in a Party (hereinafter: receiving Party) other than the Party in which they obtained their professional qualifications (hereinafter: referred to as the issuing Party).

### **Article 2**

#### **Scope**

1. This Agreement shall apply to natural persons, as defined in Annex I of the Additional Protocol 6, as professionals of the issuing Party wishing to pursue a regulated profession in a receiving Party contingent upon the harmonized minimum training conditions, on either a self-employed or employed basis. Each Party will allow a professional of the issuing Party, in possession of evidence of professional and formal qualifications within the meaning of Article 3(1)(b) which are not obtained in the receiving Party to pursue a regulated profession within the meaning of Article 3 (1)(a) within such a Party in accordance with its rules and relevant legislation. This recognition shall respect the minimum training conditions laid down in this Agreement. If evidence of formal qualification is not in line with the minimum training conditions, as laid down in this Agreement, the recognition of professional qualification shall be subject to a General system of recognition.

2. This Agreement applies to the following professionals: nurses, veterinary surgeons, midwives, and pharmacists, as defined and listed in Annex I, Annex II, Annex III, and Annex IV, respectively.

3. Each Party shall submit to the Joint Working Group on Recognition of Professional Qualifications the laws, regulations and administrative provisions, which it adopts with regard to the issuing of evidence of formal qualifications in the professions covered by this Agreement.

4. For the purpose of implementation and application of this Agreement, higher education institutions shall have accredited study programmes and/or licensed study programmes harmonized with the minimum training requirements laid down in the Annexes of this Agreement.

### Article 3 Definitions

1. For the purposes of the present Agreement, the following definitions apply:

- a) 'regulated profession': a professional activity or group of professional activities, access to which, the pursuit of which, or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative, regulatory or administrative provisions to the possession of specific professional qualifications; in particular, the use of a professional title limited by legislative, regulatory, or administrative provisions to holders of a given professional qualification shall constitute a mode of pursuit;
- b) 'professional qualifications': qualifications attested by evidence of formal qualifications, an attestation of competence issued by a competent authority in the Party designated pursuant to legislative, regulatory or administrative provisions of that Party, on the basis of either a training course or a specific examination, and/or professional experience;
- c) 'evidence of formal qualifications': diplomas, certificates and other evidence issued by an authority of a Party designated pursuant to legislative, regulatory or administrative provisions of that Party and certifying successful completion of professional training obtained mainly in a Party;
- d) 'competent authority': any authority or body empowered by a Party specifically to issue or receive training diplomas and other documents or information and to receive the applications, and take the decisions, referred to in this Agreement;

- e) 'regulated education and training': any training which is specifically geared to the pursuit of a given profession and which comprises a course or courses complemented, where appropriate, by professional training, or probationary or professional practice.
- f) The structure and level of the professional training, probationary or professional practice shall be determined by the laws, regulations or administrative provisions of the Party concerned or monitored or approved by the authority designated for that purpose;
- g) 'professional experience': the actual and lawful full-time or equivalent part-time pursuit of the profession concerned in a Party;
- h) 'professional traineeship': a period of professional practice carried out under supervision provided it constitutes a condition for access to a regulated profession, and which can take place either during or after completion of an education leading to a qualification;
- i) 'natural person' as defined in the CEFTA framework
- j) 'European Credit Transfer and Accumulation System or ECTS credits': the credit system for higher education used in the European Higher Education Area;
- k) The Joint Working Group on for the Recognition of Professional Qualifications (JWGRPQ);
- l) 'CEFTA': Central European Free Trade Agreement;
- m) 'RCC': Regional Cooperation Council;

#### Article 4

#### Effects of the Recognition

The recognition of professional qualifications by the receiving Party shall allow natural persons to gain access in that Party to the same profession as that for which they are qualified in the issuing Party and to pursue it in the receiving Party under no less favourable conditions as its natural persons.

### CHAPTER II

### PRINCIPLES OF RECOGNITION

#### Article 5

#### Rules related to professional, statutory or administrative nature

Where a professional moves, the professional shall be subject to professional rules of a professional, statutory or administrative nature which are directly linked to professional qualifications, such as the definition of the profession, the use of titles and serious professional malpractice which is directly and specifically linked to consumer protection and safety, as well as disciplinary provisions which are applicable in the receiving Party to professionals who pursue the same profession in receiving Party.

## **Article 6**

### **Principles of automatic recognition**

1. Each Party shall recognize evidence of formal qualifications as nurse responsible for general care, as veterinary surgeon, as midwife, and as pharmacist, listed in Annex I, Annex II, Annex III, and Annex IV, respectively, which satisfy the minimum training conditions referred to in Annex I, Annex II, Annex III, and Annex IV, respectively, and shall, for the purposes of access to and pursuit of the professional activities, give such evidence the same effect, as the evidence of formal qualifications, which it itself issues.

Such evidence of formal qualifications must be issued by the competent bodies in the issuing parties and accompanied, where appropriate, by the certificates listed in Annex I, Annex II, Annex III, and Annex IV, respectively.

2. Such updates shall not entail an amendment of existing essential legislative principles in Parties regarding the structure of professions as regards training and conditions of access by natural persons. Such updates shall respect the responsibility of the Parties for the organisation of education systems.

## **Article 7**

### **Common provisions on training**

The Parties shall, in accordance with the procedures specific to each Party, ensure, by encouraging continuous professional development, that professionals, whose professional qualification is covered by this Agreement, are able to update their knowledge, skills and competences in order to maintain a safe and effective practice and keep abreast of professional developments.

## **Article 8**

### **Acquired rights**

Without prejudice to the acquired rights specific to the professions concerned, in cases where the evidence of formal qualifications as nurse responsible for general care, as veterinary

surgeon, as midwife, and as pharmacist of the Parties, does not satisfy all the training requirements referred to in this Agreement, each Party shall recognise as sufficient proof evidence of formal qualifications issued by those Parties insofar as such evidence attests successful completion of training, which began at dates to be proposed by the Joint Working Group and is accompanied by a certificate stating that the holders have been effectively and lawfully engaged in the activities in question for at least three consecutive years during the five years preceding the award of the certificate.

### **CHAPTER III**

#### **PROCEDURE FOR THE RECOGNITION OF PROFESSIONAL QUALIFICATIONS**

##### **Article 9**

###### **Common procedure for the recognition of professional qualifications**

1. The receiving Party shall acknowledge the receipt of the application within 30 days of receipt and inform the applicant of any missing document. If the applicant does not submit the supplement to the documentation, the competent body will reject the application as incomplete, unless the candidate justifies the reasons for missing the deadline.
2. The procedure for examining an application for authorization to practice a regulated profession must be completed as quickly as possible and lead to a duly substantiated decision by the competent authority in the receiving Party in any case within three months after the date on which the applicant's complete file was submitted, and in these events, reasons shall be explained in the recognition decision.
3. The decision, or failure to reach a decision within the deadline, shall be subject to appeal according to the general rules of each Party.

##### **Article 10**

###### **Recourse**

The recognition of professional qualifications shall encompass the possibility to resort to an effective recourse mechanism for the applicant. In the case that the recognition is not granted, the applicant must have recourse to an authority, which is differently composed to the one having refused the demand. That authority will decide the appeal after having given the applicant the possibility to be heard within a reasonable period of time.

## Article 11

### Documents and certificates which may be required of the applicant in accordance with this Agreement

#### 1. Documents

- a) Proof that a person concerned is a natural person of a Party.
- b) Evidence of formal qualifications giving access to the regulated profession in question, as listed in Annex I, Annex II, Annex III, and Annex IV, respectively.
- c) Evidence of professional qualification within the meaning of Article 3(1)(b), accompanied with the certificate of the competent authority stating that the professional has been effectively and lawfully engaged in the activities in question for at least three consecutive years during the five years preceding the award of the certificate.
- d) Where the competent authority of a receiving Party requires of persons wishing to take up a regulated profession proof that they are of good character or repute or that they have not been declared bankrupt, or suspends or prohibits the pursuit of that profession in the event of serious professional misconduct or a criminal offence, that receiving Party shall accept as sufficient evidence, in respect of applicants from Parties wishing to pursue that profession, the production of documents issued by competent authorities in the issuing Party, showing that those requirements are met. Those authorities must provide the documents within a period of two months.
- e) Where the competent authorities of the issuing Party do not issue the documents referred to in the first subparagraph, such documents shall be replaced by a declaration on oath - or, in Parties where there is no provision for declaration on oath, by a solemn declaration - made by the natural person concerned before a competent judicial or administrative authority or, where appropriate, - or qualified professional body of the issuing Party; such authority - shall issue a certificate attesting the authenticity of the declaration on oath or solemn declaration.
- f) Where a receiving Party requires of its own professional wishing to take up a regulated profession, a document relating to the physical or mental health of the applicant, that Party shall accept as sufficient evidence thereof the presentation of the document required in the issuing Party. Where the issuing Party does not issue such a document, the receiving Party shall accept a certificate issued by a competent authority in that Party. In that case, the competent authorities of the issuing Party must provide the document required within a period of one month.
- g) Where a receiving Party requires professionals to take up a regulated profession, the  
— proof of the applicant's financial standing,  
— proof that the applicant is insured against the financial risks arising from the professionals' professional liability in accordance with the laws and regulations in force in the receiving Party

regarding the terms and extent of cover, that Party shall accept as sufficient evidence an attestation to that effect issued by the banks and insurance undertakings of another Party.

Where a Party so requires for professionals, an attestation confirming the absence of temporary or final suspensions from exercising the profession or of criminal convictions shall be provided.

## **2. Other Certificates**

To facilitate the application of the present Agreement, the Parties may prescribe that, in addition to evidence of formal qualifications, the natural person, who satisfies the conditions of training required, must provide a certificate from the competent authorities of his or hers and any other issuing Party stating that this evidence of formal qualifications is that covered by the requirements laid down in this Agreement

## **3. Format and language**

All documents and certificates referred to in this article shall be accepted by the competent authority of the receiving Party in the format and language determined by the legislation of the issuing Party. The receiving Party maintains the right to request translation of documents and certificates in one of its official languages by the applicant.

## **Article 12**

### **Use of professional titles**

1. If, in a receiving Party, the use of a professional title relating to one of the activities of the profession in question is regulated, applicants from the other Party, who are authorised to practise a regulated profession, shall use the professional title of the receiving Party, which corresponds to that profession in that Party, and make use of any associated initials.
2. Where a profession is regulated in the receiving Party by an association or organisation, applicants from Parties shall not be authorised to use the professional title issued by that organisation or association, or its abbreviated form, unless they furnish proof that they are members of that association or organisation.
3. If the association or organisation makes membership contingent upon certain qualifications, it may do so, only under the conditions laid down in this Agreement, in respect of applicants from other Parties, who possess professional qualifications.

## **Article 13**

### **Use of Academic Titles**



The receiving Party shall ensure that the right shall be conferred on the natural persons concerned to use academic titles conferred on them in the issuing Party, and an abbreviated form thereof, in the language of the issuing Party. The receiving Party may require a title to be followed by the name and address of the establishment or examining board it was awarded by. Where an academic title of the issuing Party is liable to be confused in the receiving Party with a title which, in the latter Party, requires supplementary training not acquired by the beneficiary, the receiving Party may require the beneficiary to use the academic title of the issuing Party in an appropriate form, to be laid down by the receiving Party.

#### **CHAPTER IV**

##### **DETAILED RULES FOR PURSUING THE PROFESSION**

###### **Article 14**

###### **Knowledge of languages**

1. A Party shall, if deemed necessary require from the service provider benefiting from the recognition of the professional qualifications to have sufficient knowledge of languages necessary for practicing the profession in the receiving Party.
2. A Party shall ensure that any controls carried out for controlling compliance with the obligation under paragraph 1 shall be limited to sufficient knowledge of one official language of that Party.
3. Any language controls shall be proportionate to the activity to be pursued. The professional concerned shall be allowed to appeal such controls under the law of the receiving Party.

#### **CHAPTER V**

##### **ADMINISTRATIVE COOPERATION**

###### **Article 15**

###### **Central access to information**

1. The Parties shall ensure that the following information is publicly available in English language and through the contact points for services:
  - a) a list of all regulated professions in the Party including contact details of the contact persons for each regulated profession according to Article 18(4);
  - b) the requirements and procedures for all professions regulated in the Party, including all related fees to be paid by natural persons and documents to be submitted by natural persons;

- e) details on how to appeal, under the laws, regulations and administrative provisions, decisions of Parties adopted in relation to this Agreement.
2. The Parties shall ensure that the information referred to in paragraph 1 is provided in a clear and comprehensive way and that it is easily accessible remotely and by electronic means and that it is kept up to date.
3. The Parties shall ensure that any request for information addressed to the contact points for services is replied to as soon as possible.

#### **Article 16**

##### **Joint Working Group on Recognition of Professional Qualifications**

1. The Joint Working Group on Recognition of Professional Qualifications (JWGRPQ) shall facilitate and supervise the implementation and application of this Agreement.
2. Members of the JWGRPQ shall be, inter alia, tasked with provision of information and assistance as is necessary concerning the recognition of professional qualifications provided for in this Agreement, such as information on the legislation, regulations and administrative provisions governing the recognition of professional qualifications.
3. Terms of Reference of the JWGRPQ shall be adopted no later than one year after the adoption of this Agreement.

#### **Article 17**

##### **Transparency**

1. The Parties shall notify to the JWGRPQ a list of all existing regulated professions, specifying the activities covered by each profession, and a list of regulated education and training, and training with a special structure, no later than 18 months after the adoption of this Agreement. Any change to those lists shall also be notified to the JWGRPQ without undue delay. The CEFTA and RCC Secretariats shall set up and maintain a publicly available database of regulated professions, including a general description of activities covered by each profession.
2. The Parties shall examine whether requirements under their legal system restricting the access to a profession or its pursuit to the holders of a specific professional qualification, including the use of professional titles and the professional activities allowed under such title, referred to in this Article as 'requirements' are compatible with the following principles:
  - a) requirements must be neither directly nor indirectly discriminatory;
  - b) requirements must be justified by overriding reasons of general interest;
  - c) requirements must be suitable for securing the attainment of the objective pursued and must not go beyond what is necessary to attain that objective;

d) Parties shall inform the JWGRPQ about findings thereof.

## Article 18

### Principles of administrative cooperation

1. The Parties shall work in close collaboration and shall provide mutual assistance in order to facilitate implementation and application of this Agreement. They shall ensure the confidentiality of the information which they exchange.
2. Through the JWGRPQ, the Parties shall exchange information which they deem necessary for the pursuit of activities under this Agreement. In so doing, they shall respect personal data protection rules provided for in the relevant legislation of the Parties.
3. Each Party shall exchange information with other Parties through the JWGRPQ on processes by which they will award or receive evidence of formal qualifications and other documents or information, and receive applications and take the decisions referred to in this Agreement.
4. Through the JWGRPQ, each Party shall provide to the other Parties, the name of a contact person for each regulated profession, who will provide all relevant information and support cooperation between the Parties in relation to that specific regulated profession.

## CHAPTER VI

### FINAL PROVISIONS

## Article 19

### Transposition

The Parties shall bring into force the laws, regulations, and administrative provisions necessary to comply with this Agreement at the latest eighteen months from the entry into force of this Agreement according to its Article 21. The Parties shall inform the JWGRPQ thereof.

## Article 20

### Annexes

1. All Annexes form an integral part of this Agreement.
2. The information that must be provided by the Parties in Annex I, Annex II, Annex III, and Annex IV, shall be provided by the competent authorities and shall be submitted to the

JWGRPQ no later than 18 months after this Agreement has entered into force according to its Article 21.

3. The Parties shall ensure that the information provided in Annex I, Annex II, Annex III, and Annex IV is maintained up to date and amended as necessary by the JWGRPQ in accordance with Article 6(1)(2) of this Agreement.

#### **Article 21**

##### **Entry into Force**

1. This Agreement is subject to ratification, acceptance, or approval in accordance with the relevant requirements. The formal notice of ratification, acceptance, or approval shall be deposited with the Depository.

2. This Agreement shall enter into force on the thirtieth day upon the deposition of the third formal notice of ratification, acceptance, or approval for the Parties that have deposited their instrument of ratification, acceptance, or approval.

3. For each Party depositing its formal notice of ratification, acceptance, or approval after the date of the deposit of the third formal notice of ratification, acceptance or approval, this Agreement shall enter into force on the thirtieth day after the day on which that Party deposits its formal notice of ratification, acceptance, or approval.

4. North Macedonia shall act as Depository and shall notify all Parties to this Agreement of any notification received in accordance with this Article and any other act or notification relating to this Agreement.

#### **Article 22**

##### **Amendments**

1. Each Party may propose amendments to the Agreement by sending a written notification to the Depository. The Depository shall refer this notification to the JWGRPQ referred to in Article 16 of this Agreement.

2. Proposals of amendments shall be adopted by consensus of all members of the JWGRPQ. These proposals shall be referred to CEFTA body responsible for Trade in Services.

3. When adopted, the amendments shall be submitted to the Parties for ratification or approval.

4. Amendments shall enter into force in accordance with the rules and procedure set out in Article 21.

#### **Article 23**

##### **Duration and denunciation**

1. This Agreement is concluded for an indefinite period of time.

2. Each Party may, at any time, denounce the Agreement by making a written notification to the Depository, who shall notify the other Parties of this denunciation.

3. Such denunciation shall take effect six months after the date on which the depository received the notification.

#### Article 24

All disputes arising from this Agreement will be resolved through the CEFTA 2006 Dispute Settlement Mechanism.

#### Article 25

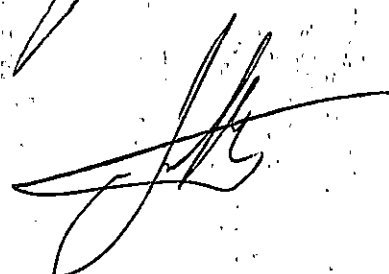
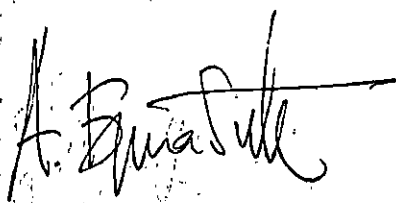
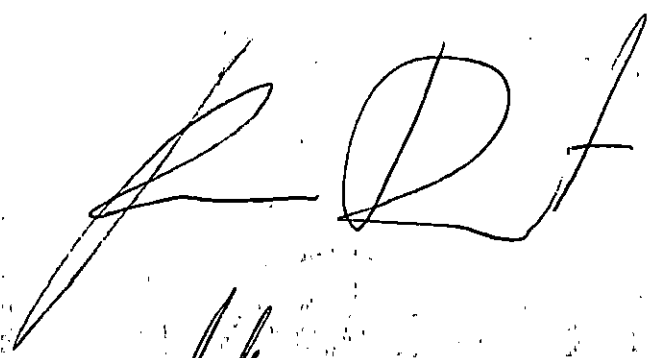
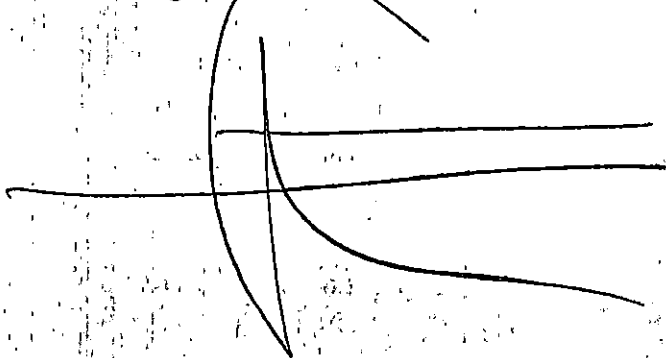
##### Accession by CEFTA Parties

The Parties acknowledge the rights of any CEFTA Party to accede to this Agreement.

The Agreement is drawn up in the English language, in, one original version, which will remain in the possession of the Depository. Each party will receive one verified copy of the Agreement.

Done at....., on .....2023

Tirana, 16.10.2023



# RECOGNITION ON THE BASIS OF COORDINATION OF THE MINIMUM TRAINING CONDITIONS

## ANNEX I

### NURSES RESPONSIBLE FOR GENERAL CARE

*All of the provisions in Annex I are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by EU Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### Article 1. Training of nurses responsible for general care

1. Admission to training for nurses responsible for general care shall be contingent upon possession of qualification or certificate providing access, for the studies in question, to universities, higher education institutions of a level recognised as equivalent or at vocational schools or through vocational training programmes for nursing.
  2. Training of nurses responsible for general care shall be given on a full-time basis and shall include at least the programme described in Article 3 of Annex I.
  3. The training of nurses responsible for general care shall comprise a total of at least three years of study, which may in addition be expressed with the equivalent ECTS credits, and shall consist of at least 4 600 hours of theoretical and clinical training, the duration of the theoretical training representing at least one third and the duration of the clinical training at least one half of the minimum duration of the training. Parties may grant partial exemptions to professionals who have received part of their training on courses which are of at least an equivalent level.
- The Parties shall ensure that institutions providing nursing training are responsible for the coordination of theoretical and clinical training throughout the entire study programme.
4. Theoretical education is that part of nurse training from which trainee nurses acquire the professional knowledge, skills and competences required under paragraphs 6 and 7. The training shall be given by teachers of nursing care and by other competent persons, at universities, higher education institutions of a level recognised as equivalent or at vocational schools or through vocational training programmes for nursing.
  5. Clinical training is that part of nurse training in which trainee nurses learn, as part of a team and in direct contact with a healthy or sick individual and/or community, to organise, dispense and evaluate the required comprehensive nursing care, on the basis of the knowledge, skills and competences which they have acquired. The trainee nurse shall learn not only how to work in a team, but also how to lead a team and organise overall nursing care, including health education for individuals and small groups, within health institutes or in the community.
  6. Training for nurses responsible for general care shall provide an assurance that the professional in question has acquired the following knowledge and skills:
    - (a) comprehensive knowledge of the sciences on which general nursing is based, including sufficient understanding of the structure, physiological functions and behaviour of healthy and sick persons, and of the relationship between the state of health and the physical and social environment of the human being;
    - (b) knowledge of the nature and ethics of the profession and of the general principles of health and nursing;

- (c) adequate clinical experience; such experience, which should be selected for its training value, should be gained under the supervision of qualified nursing staff and in places where the number of qualified staff and equipment are appropriate for the nursing care of the patient;
- (d) the ability to participate in the practical training of health personnel and experience of working with such personnel;
- (e) experience of working together with members of other professions in the health sector.

7. Formal qualifications as a nurse responsible for general care shall provide evidence that the professional in question is able to apply at least the following competences regardless of whether the training took place at universities, higher education institutions of a level recognised as equivalent or at vocational schools or through vocational training programmes for nursing:

- (a) competence to independently diagnose the nursing care required using current theoretical and clinical knowledge and to plan, organise and implement nursing care when treating patients on the basis of the knowledge and skills acquired in accordance with points (a), (b) and (c) of paragraph 4 in order to improve professional practice;
- (b) competence to work together effectively with other actors in the health sector, including participation in the practical training of health personnel on the basis of the knowledge and skills acquired in accordance with points (d) and (e) of paragraph 4;
- (c) competence to empower individuals, families and groups towards healthy lifestyles and self-care on the basis of the knowledge and skills acquired in accordance with points (a) and (b) of paragraph 4;
- (d) competence to independently initiate life-preserving immediate measures and to carry out measures in crises and disaster situations;
- (e) competence to independently give advice to, instruct and support persons needing care and their attachment figures;
- (f) competence to independently assure the quality of, and to evaluate, nursing care;
- (g) competence to comprehensively communicate professionally and to cooperate with members of other professions in the health sector;
- (h) competence to analyse the care quality to improve his own professional practice as a nurse responsible for general care.

## **Article 2. Pursuit of the professional activities of nurses responsible for general care**

For the purposes of this Agreement, the professional activities of nurses responsible for general care are the activities pursued on a professional basis and referred to in Article 3 of Annex I.

Parties may provide, in relevant legislation, for partial exemptions from parts of the training programme for nurses responsible for general care listed in Article 3 of Annex I, to be applied on a case-by-case basis provided that that part of the training has been followed already during another specialist training course listed in Article 3 of Annex I, for which the professional has already obtained the professional qualification in a Party. Parties shall ensure that the granted exemption equates to not more than half of the minimum duration of the training course in question.

Each Party shall notify the Joint Working Group and the other Parties of its legislation concerned for any such partial exemptions.

The Parties shall make the issuance of evidence of specialist medical training contingent upon possession of evidence of basic medical training referred to in Article 3 of Annex I.

## **Article 3. Training programme for nurses responsible for general care**

1. The training leading to the award of a formal qualification of nurses responsible for general care shall consist of the following two parts.

## **A. Theoretical instruction**

### **a. Nursing:**

- Nature and ethics of the profession
- General principles of health and nursing
- Nursing principles in relation to:
  - general and specialist medicine
  - general and specialist surgery
  - child care and pediatrics
  - maternity care
  - mental health and psychiatry
  - care of the old and geriatrics

### **b. Basic sciences:**

- Anatomy and physiology
- Pathology
- Bacteriology, virology and parasitology
- Biophysics, biochemistry and radiology
- Dietetics
- Hygiene:
  - preventive medicine
  - health education

### — Pharmacology

### **c. Social sciences:**

- Sociology
- Psychology
- Principles of administration
- Principles of teaching
- Social and health legislation
- Legal aspects of nursing

## **B. Clinical instruction**

- Nursing in relation to:
  - general and specialist medicine
  - general and specialist surgery
  - child care and paediatrics
  - maternity care
  - mental health and psychiatry
  - care of the old and geriatrics
  - home nursing



2. One or more of these subjects may be taught in the context of the other disciplines or in conjunction therewith.
3. The theoretical instruction must be weighted and coordinated with the clinical instruction in such a way that the knowledge and skills referred to in this Annex can be acquired in an adequate fashion.

**Article 4. Evidence of formal qualifications of nurses responsible for general care**

| Party | Evidence of formal qualifications | Body awarding the qualifications | Professional Title | Reference date |
|-------|-----------------------------------|----------------------------------|--------------------|----------------|
|       |                                   |                                  |                    |                |

## **ANNEX II**

### **VETERINARY SURGEONS**

*All of the provisions in Annex II are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### **Article 1. Training of veterinary surgeons**

1. The training of veterinary surgeons shall comprise a total of at least five years of full-time theoretical and practical study, which may in addition be expressed with the equivalent ECTS credits, at a university or at a higher institute providing training recognized as being of an equivalent level, or under the supervision of a university, covering at least the study programme referred to Article 3 of Annex II.
2. Admission to veterinary training shall be contingent upon possession of a diploma or certificate entitling the holder to enter, for the studies in question, university or higher education institutions recognised to be of an equivalent level for the purpose of the relevant study.
3. Training as a veterinary surgeon shall provide an assurance that the professional in question has acquired the following knowledge and skills:
  - (a) adequate knowledge of the sciences on which the activities of a veterinary surgeon are based and of the respective Party law relating to those activities;
  - (b) adequate knowledge of the structure, functions, behaviour and physiological needs of animals, as well as the skills and competences needed for their husbandry, feeding, welfare, reproduction and hygiene in general;
  - (c) the clinical, epidemiological and analytical skills and competences required for the prevention, diagnosis and treatment of the diseases of animals, including anaesthesia, aseptic surgery and painless death, whether considered individually or in groups, including specific knowledge of the diseases which may be transmitted to humans;
  - (d) adequate knowledge, skills and competences for preventive medicine, including competences relating to inquiries and certification;
  - (e) adequate knowledge of the hygiene and technology involved in the production, manufacture and putting into circulation of animal feedstuffs or foodstuffs of animal origin intended for human consumption, including the skills and competences required to understand and explain good practice in this regard;
  - (f) the knowledge, skills and competences required for the responsible and sensible use of veterinary medicinal products, in order to treat the animals and to ensure the safety of the food chain and the protection of the environment.

#### **Article 2. Acquired rights specific to veterinary surgeons**

For the purposes of this Agreement, the evidence of formal qualifications as a veterinary surgeon are the activities pursued on a professional basis and referred to in Article 3 of Annex II.

Parties may provide, in relevant legislation, for partial exemptions from parts of the programme studies leading to the evidence of formal qualifications in veterinary medicine listed in Article 3 of Annex II, to be applied on a case-by-case basis provided that that part of the training has been followed already during another specialist training course listed in Article 3 of Annex II, for which the professional has already obtained the professional qualification in a Party. Parties shall ensure that the granted exemption equates to not more than half of the minimum duration of the training course in question.

Each Party shall notify the Joint Working Group and the other Parties of its legislation concerned for any such partial exemptions.

The Parties shall make the issuance of evidence of veterinary medical training contingent upon possession of evidence of basic medical training referred to in Article 3 of Annex II.

### Article 3. Study programme for veterinary surgeons

The programme of studies leading to the evidence of formal qualifications in veterinary medicine shall include at least the subjects listed below.

Instruction in one or more of these subjects may be given as part of, or in association with, other courses.

#### A. Basic subjects

- Physics
- Chemistry
- Animal biology
- Plant biology
- Biomathematics

#### B. Specific subjects

##### a. Basic sciences:

- Anatomy (including histology and embryology)
- Physiology
- 1. Biochemistry
- Genetics
- Pharmacology
- Pharmacy
- Toxicology
- Microbiology
- Immunology
- Epidemiology

##### b. Clinical sciences:

- Obstetrics
- Pathology (including pathological anatomy)
- Parasitology
- Clinical medicine and surgery (including anaesthetics)
- Clinical lectures on the various domestic animals, poultry and other animal species
- Preventive medicine
- Radiology
- Reproduction and reproductive disorders
- Veterinary public medicine and public health
- Veterinary legislation and forensic medicine

— Therapeutics

— Propaedeutics

c. Animal production

— Animal production

— Animal nutrition

— Agronomy

— Rural economics

— Animal husbandry

— Veterinary hygiene

— Animal ethology and protection

d. Food hygiene

— Inspection and control of animal foodstuffs or foodstuffs of animal origin

— Food hygiene and technology

— Practical work (including practical work in places where slaughtering and processing of foodstuffs takes place)

Practical training may be in the form of a training period, provided that such training is full-time and under the direct control of the competent authority, and does not exceed six months within the aggregate training period of five years study.

The distribution of the theoretical and practical training among the various groups of subjects shall be balanced and coordinated in such a way that the knowledge and experience may be acquired in a manner which will enable veterinary surgeons to perform all their duties.

#### Article 4. Evidence of formal qualifications of veterinary surgeons

| Party | Evidence of formal qualifications | Body awarding the evidence of qualifications | Certificate accompanying the evidence of qualifications | Reference date |
|-------|-----------------------------------|--|---|----------------|
|       |                                   |  |   |                |

## **ANNEX III**

### **MIDWIVES**

*All of the provisions in Annex III are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### **Article 1. Training of midwives**

1. The training of midwives shall comprise a total of at least:

- (a) specific full-time training as a midwife comprising at least three years of theoretical and practical study (route I) comprising at least the programme described in Article 4 of Annex III, or
- (b) specific full-time training as a midwife of 18 months' duration (route II), comprising at least the study programme described in Article 4 of Annex III, which was not the subject of equivalent training of nurses responsible for general care.

The Parties shall ensure that institutions providing midwife training are responsible for coordinating theory and practice throughout the programme of study.

2. Admission to training as a midwife shall be contingent upon one of the following conditions:

- (a) possession of qualification or certificate providing access, for the studies in question, for admission to a midwifery school for route I;
- (b) possession of evidence of formal qualifications as a nurse responsible for general care referred to Article 4 of Annex III for route II.

3. Training as a midwife shall provide an assurance that the professional in question has acquired the following knowledge and skills:

- (a) detailed knowledge of the sciences on which the activities of midwives are based, particularly midwifery, obstetrics and gynecology;
- (b) adequate knowledge of the ethics of the profession and the legislation relevant for the practice of the profession;
- (c) adequate knowledge of general medical knowledge (biological functions, anatomy and physiology) and of pharmacology in the field of obstetrics and of the newly born, and also knowledge of the relationship between the state of health and the physical and social environment of the human being, and of his behaviour;
- (d) adequate clinical experience gained in approved institutions allowing the midwife to be able, independently and under his own responsibility, to the extent necessary and excluding pathological situations, to manage the antenatal care, to conduct the delivery and its consequences in approved institutions, and to supervise labour and birth, postnatal care and neonatal resuscitation while awaiting a medical practitioner;
- (e) adequate understanding of the training of health personnel and experience of working with such personnel.

#### **Article 2. Procedures for the recognition of evidence of formal qualifications as a midwife**

1. The evidence of formal qualifications as a midwife referred to Article 4 in Annex III shall be subject to automatic recognition so far as they satisfy one of the following criteria:

(a) full-time training of at least three years as a midwife, which may in addition be expressed with the equivalent ECTS credits, consisting of at least 4 600 hours of theoretical and practical training, with at least one-third of the minimum duration representing clinical training;

(b) full-time training as a midwife of at least two years, which may in addition be expressed with the equivalent ECTS credits, consisting of at least 3 600 hours, contingent upon possession of evidence of formal qualifications as a nurse responsible for general care referred to Article 4 in Annex III;

(c) full-time training as a midwife of at least 18 months, which may in addition be expressed with the equivalent ECTS credits, consisting of at least 3 000 hours, contingent upon possession of evidence of formal qualifications as a nurse responsible for general care referred to Article 4 in Annex III, and followed by one year's professional practice for which a certificate has been issued in accordance with paragraph 2.

2. The certificate referred to in paragraph 1 shall be issued by the competent authorities in the Parties. It shall certify that the holder, after obtaining evidence of formal qualifications as a midwife, has satisfactorily pursued all the activities of a midwife for a corresponding period in a hospital or a health care establishment approved for that purpose.

### **Article 3. Pursuit of the professional activities of a midwife**

1. The provisions of this section shall apply to the activities of midwives as defined by each Party, without prejudice to paragraph 2, and pursued under the professional titles set out in Article 4 of Annex III.

2. The Parties shall ensure that midwives are able to gain access to and pursue at least the following activities:

(a) provision of sound family planning information and advice;

(b) diagnosis of pregnancies and monitoring normal pregnancies; carrying out the examinations necessary for the monitoring of the development of normal pregnancies;

(c) prescribing or advising on the examinations necessary for the earliest possible diagnosis of pregnancies at risk;

(d) provision of programmes of parenthood preparation and complete preparation for childbirth including advice on hygiene and nutrition;

(e) caring for and assisting the mother during labour and monitoring the condition of the fetus in utero by the appropriate clinical and technical means;

(f) conducting spontaneous deliveries including where required episiotomies and in urgent cases breech deliveries;

(g) recognising the warning signs of abnormality in the mother or infant which necessitate referral to a doctor and assisting the latter where appropriate; taking the necessary emergency measures in the doctor's absence, in particular the manual removal of the placenta, possibly followed by manual examination of the uterus;

(h) examining and caring for the new-born infant; taking all initiatives which are necessary in case of need and carrying out where necessary immediate resuscitation;

(i) caring for and monitoring the progress of the mother in the post-natal period and giving all necessary advice to the mother on infant care to enable her to ensure the optimum progress of the new-born infant;

- (j) carrying out treatment prescribed by doctors;
- (k) drawing up the necessary written reports.

3. Parties may provide, in relevant legislation, for partial exemptions from parts of the training programme for midwives listed in Article 4 of Annex III, to be applied on a case-by-case basis provided that that part of the training has been followed already during another specialist training course listed in Article 4 of Annex III, for which the professional has already obtained the professional qualification in a Party. Parties shall ensure that the granted exemption equates to not more than half of the minimum duration of the training course in question.

Each Party shall notify the Joint Working Group and the other Parties of its legislation concerned for any such partial exemptions.

The Parties shall make the issuance of evidence of specialist medical training contingent upon possession of evidence of basic medical training referred to in Article 5 of Annex III.

#### **Article 4. Training programme for midwives (Training types I and II)**

The training programme for obtaining evidence of formal qualifications in midwifery consists of the following two parts:

##### **A. Theoretical and technical instruction**

##### **a. General subjects**

- Basic anatomy and physiology
- Basic pathology
- Basic bacteriology, virology and parasitology
- Basic biophysics, biochemistry and radiology
- Paediatrics, with particular reference to new-born infants
- Hygiene, health education, preventive medicine, early diagnosis of diseases
- Nutrition and dietetics, with particular reference to women, new-born and young babies
- Basic sociology and socio-medical questions
- Basic pharmacology
- Psychology
- Principles and methods of teaching
- Health and social legislation and health organisation
- Professional ethics and professional legislation
- Sex education and family planning
- Legal protection of mother and infant

##### **b. Subjects specific to the activities of midwives**

— Anatomy and physiology

— Embryology and development of the foetus

— Pregnancy, childbirth and puerperium

— Gynaecological and obstetrical pathology

— Preparation for childbirth and parenthood, including psychological aspects

— Preparation for delivery (including knowledge and use of technical equipment in obstetrics)

— Analgesia, anaesthesia and resuscitation

— Physiology and pathology of the new-born infant

— Care and supervision of the new-born infant

— Psychological and social factors

B. Practical and clinical training

This training is to be dispensed under appropriate supervision:

— Advising of pregnant women, involving at least 100 pre-natal examinations.

— Supervision and care of at least 40 pregnant women.

— Conduct by the student of at least 40 deliveries; where this number cannot be reached owing to the lack of available women in labour, it may be reduced to a minimum of 30, provided that the student assists with 20 further deliveries.

— Active participation with breech deliveries. Where this is not possible because of lack of breech deliveries, practice may be in a simulated situation.

— Performance of episiotomy and initiation into suturing. Initiation shall include theoretical instruction and clinical practice. The practice of suturing includes suturing of the wound following an episiotomy and a simple perineal laceration. This may be in a simulated situation if absolutely necessary.

— Supervision and care of 40 women at risk in pregnancy, or labour or post-natal period.

— Supervision and care (including examination) of at least 100 post-natal women and healthy new-born infants.

— Observation and care of the new-born requiring special care, including those born pre-term, post-term, underweight or ill.

— Care of women with pathological conditions in the fields of gynaecology and obstetrics.

— Initiation into care in the field of medicine and surgery. Initiation shall include theoretical instruction and clinical practice.

The theoretical and technical training (Part A of the training programme) shall be balanced and coordinated with the clinical training (Part B of the same programme) in such a way that the knowledge and experience listed in this Annex may be acquired in an adequate manner.



Clinical instruction shall take the form of supervised in-service training in hospital departments or other health services approved by the competent authorities or bodies. As part of this training, student midwives shall participate in the activities of the departments concerned in so far as those activities contribute to their training. They shall be taught the responsibilities involved in the activities of midwives.

**Article 5. Evidence of formal qualifications of midwives**

| <b>Party</b> | <b>Evidence of formal qualifications</b> | <b>Body awarding the evidence of qualifications</b> | <b>Professional Title</b> | <b>Reference</b> |
|--------------|--|---|---------------------------|------------------|
|--------------|--|---|---------------------------|------------------|

## ANNEX IV

### PHARMACISTS

*All of the provisions in Annex IV are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### Article 1. Training as a pharmacist

1. Admission to a course of training as a pharmacist shall be contingent upon possession of qualification or certificate providing access, for the studies in question, to universities, higher education institutions of a level recognised as equivalent or an institution under the supervision of a university.
2. Evidence of formal qualifications as a pharmacist shall attest to training of at least five years' duration, which may in addition be expressed with the equivalent ECTS credits, comprising at least:
  - (a) four years of full-time theoretical and practical training at a university or at a higher education institution of a level recognised as equivalent, or at an institution under the supervision of a university;
  - (b) during or at the end of the theoretical and practical training, six-month traineeship in a pharmacy which is open to the public or in a hospital under the supervision of that hospital's pharmaceutical department.

The training cycle referred to in this paragraph shall include at least the programme described in Article 3 of Annex IV.

3. Training for pharmacists shall provide an assurance that the person concerned has acquired the following knowledge and skills:

- (a) adequate knowledge of medicines and the substances used in the manufacture of medicines;
- (b) adequate knowledge of pharmaceutical technology and the physical, chemical, biological and microbiological testing of medicinal products;
- (c) adequate knowledge of the metabolism and the effects of medicinal products and of the action of toxic substances, and of the use of medicinal products;
- (d) adequate knowledge to evaluate scientific data concerning medicines in order to be able to supply appropriate information on the basis of this knowledge;
- (e) adequate knowledge of the legal and other requirements associated with the pursuit of pharmacy.

#### Article 2. Pursuit of the professional activities of a pharmacist

1. For the purposes of this Agreement, the activities of a pharmacist are those, access to which and pursuit of which are contingent upon professional qualifications and which are open to holders of evidence of formal qualifications of the types listed in Article 4 of Annex IV.
2. The Parties shall ensure that the holders of evidence of formal qualifications in pharmacy at university level or a level recognised as equivalent, which satisfies the requirements of Article 1

of Annex IV, are able to gain access to and pursue at least the following activities, subject to the requirement, where appropriate, of supplementary professional experience:

- (a) preparation of the pharmaceutical form of medicinal products;
- (b) manufacture and testing of medicinal products;
- (c) testing of medicinal products in a laboratory for the testing of medicinal products;
- (d) storage, preservation and distribution of medicinal products at the wholesale stage;
- (e) supply, preparation, testing, storage, distribution and dispensing of safe and efficacious medicinal products of the required quality in pharmacies open to the public;
- (f) preparation, testing, storage and dispensing of safe and efficacious medicinal products of the required quality in hospitals;
- (g) provision of information and advice on medicinal products as such, including on their appropriate use;
- (h) reporting of adverse reactions of pharmaceutical products to the competent authorities;
- (i) personalised support for patients who administer their medication;
- (j) contribution to local or domestic public health campaigns.

3. If a Party makes access to or pursuit of one of the activities of a pharmacist contingent upon supplementary professional experience, in addition to possession of evidence of formal qualifications referred to Article 3 in Annex IV, that Party shall recognise as sufficient proof in this regard a certificate issued by the competent authorities in the issuing Party stating that the person concerned has been engaged in those activities in the issuing Party for a similar period.

**Article 3. Course of training for pharmacists**

- Plant and animal biology
- Physics
- General and inorganic chemistry
- Organic chemistry
- Analytical chemistry
- Pharmaceutical chemistry, including analysis of medicinal products
- General and applied biochemistry (medical)
- Anatomy and physiology; medical terminology
- Microbiology
- Pharmacology and pharmacotherapy
- Pharmaceutical technology
- Toxicology
- Pharmacognosy
- Legislation and, where appropriate, professional ethics.

The balance between theoretical and practical training shall, in respect of each subject, give sufficient importance to theory to maintain the university character of the training.

**Article 4. Evidence of formal qualifications of pharmacist**

| Party | Evidence of formal qualifications | Body awarding the evidence of qualifications | Certificate accompanying the evidence of qualifications | Reference |
|-------|-----------------------------------|--|---|-----------|
|-------|-----------------------------------|--|---|-----------|

The preceding text is a certified true copy of the original of the Agreement on the Recognition of Professional Qualifications of Nurses, Veterinary Surgeons, Pharmacists and Midwives in the Central European Free Trade Agreement Context, done at Tirana, on 16 October 2023, deposited in the archives of the International Law Department of the Ministry of Foreign Affairs of the Republic of North Macedonia.

Skopje, 27 November 2023

Natasha Deskoska,

Natasha Deskoska  
Deputy Director  
International Law Department  
Ministry of Foreign Affairs of the  
Republic of the North Macedonia



# Pisarnica Ministarstvo zdravlja

|                       |                 |            |        |            |
|-----------------------|-----------------|------------|--------|------------|
| Primijeno: 14.12.2023 |                 |            |        |            |
| Org. jed.             | Jed. klas. znak | Redni broj | Prilog | Vrijednost |
| 1-                    | 500/23          | 2608/14    |        |            |



Crna Gora

Ministarstvo vanjskih poslova

Generalni direktorat za međunarodno pravne poslove

Adresa: Stanka Dragojevića 2

81000 Podgorica, Crna Gora

tel: +382 416 312

[www.mvp.gov.me](http://www.mvp.gov.me)

Broj: 13/1-053/23-636 - 2

Podgorica, 14. decembar 2023. godine

**MINISTARSTVO ZDRAVLJA**  
Kabinet ministra

**Veza: Vaš dopis broj: 1-500/23-2608/14 od 13. decembra 2023. godine**

**Predmet: Mišljenje na Predlog zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini**

U vezi sa Vašim dopisom (broj: 1-500/23-2608/14 od 13. decembra 2023. godine) kojim tražite mišljenje na Predlog zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, obavještavamo da Ministarstvo vanjskih poslova, sa stanovišta primjene Zakona o zaključivanju i izvršavanju međunarodnih ugovora („Službeni list Crne Gore“, broj:77/08), nema primjedbi na gorepomenuti Predlog zakona.

Napominjemo, da su sugestije nadležnog Generalnog direktorata Ministarstva vanjskih poslova inkorporirane u tekst Predloga zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini u direktnoj komunikaciji sa predstavnicima Ministarstva zdravlja.

V.D. GENERALNE DIREKTORICE  
*Ivana Šikmanović*  
Ivana Šikmanović



Crna Gora

Ministarstvo evropskih poslova

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Br: 04/4-907/23-4229/2

12. decembar 2023.

Pisarnica Ministarstvo zdravlja

Za: MINISTARSTVO ZDRAVLJA

ministru dr Vojislavu Šimunoviću

Veza: Dopis br: 1-500/23-2608/12

| Primijeno: 12.12.2023 |                 |            |        |            |
|-----------------------|-----------------|------------|--------|------------|
| Red. jed.             | Jed. klas. znak | Redni broj | Prilog | Vrijednost |
| 1                     | 500/23          | 2608/13    |        |            |


**Predmet:** Mišljenje o usklađenosti Predloga zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini s pravnom tekovinom EU

Poštovani,

Dopisom broj 1-500/23-2608/12 od 12. decembra 2023. godine tražili ste mišljenje o usklađenosti Predloga zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini s pravnom tekovinom Evropske unije.

Nakon upoznavanja sa sadržinom predloga propisa, a u skladu sa nadležnostima definisanim članom 20 Uredbe o organizaciji i načinu rada državne uprave („Sl. list CG“, br. 98/23 i 102/23) Ministarstvo evropskih poslova je saglasno sa navodima u obrascu usklađenosti predloga propisa s pravnom tekovinom Evropske unije.

S poštovanjem,

  
Maida Gorčević  
MINISTARKA EVROPSKIH POSLOVA

Prilog:

- Izjava i tabela usklađenosti Predloga zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini s pravnom tekovinom EU

Dostavljeno:

- Ministarstvu zdravlja;
- a/a

me4.eu  
eu4.me

Ja za Evropu, Evropa za mene

**IZJAVA O USKLAĐENOSTI NACRTA/PREDLOGA PROPISA CRNE GORE S PRAVNOM TEKOVINOM  
EVROPSKE UNIJE**

| Identifikacioni broj izjave  |   | MZD-IU/PZ/23/03 |
|--|---|-----------------|
| <b>1. Naziv nacrt/predloga propisa</b>   |   |                 |
| - na crnogorskom jeziku  | Predlog zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini  |                 |
| - na engleskom jeziku  | Proposal for the Law on Ratification of the Agreement on the recognition of professional qualifications of nurses, vetererinary surgeons, pharmacists and midwives in the Central European Free Trade Agreement context   |                 |
| <b>2. Podaci o obrađivaču propisa</b>  |   |                 |
| a) Organ državne uprave koji priprema propis   |   |                 |
| Organ državne uprave   | Ministarstvo zdravlja   |                 |
| - Sektor/odsjek  | Direktorat za zdravstvenu zaštitu, farmaceutiku i regulisane profesije  |                 |
| - odgovorno lice (ime, prezime, telefon, e-mail)   | Mirjana Vlahović Andrijašević, državna sekretarka<br><a href="mailto:mirjana.andrijasevic@mzd.gov.me">mirjana.andrijasevic@mzd.gov.me</a>   |                 |
| - kontakt osoba (ime, prezime, telefon, e-mail)  | Ljiljana Vujsić, t. 069 012 340;<br><a href="mailto:ljiljana.vujsic@mzd.gov.me">ljiljana.vujsic@mzd.gov.me</a>  |                 |
| b) Pravno lice s javnim ovlaštenjem za pripremu i sprovođenje propisa  |   |                 |
| - Naziv pravnog lica   | /   |                 |
| - odgovorno lice (ime, prezime, telefon, e-mail)   | /   |                 |
| - kontakt osoba (ime, prezime, telefon, e-mail)  | /   |                 |
| <b>3. Organi državne uprave koji primjenjuju/sprovode propis</b>   |   |                 |
| - Organ državne uprave   | Ministarstvo zdravlja i Ministarstvo poljoprivrede, šumarstva i vodoprivrede  |                 |
| <b>4. Usklađenost nacrt/predloga propisa s odredbama Sporazuma o stabilizaciji i pridruživanju između Evropske unije i njenih država članica, s jedne strane i Crne Gore, s druge strane (SSP)</b> |   |                 |
| a) Odredbe SSPa s kojima se usklađuje propis   |   |                 |
| Glava VIII, Politike saradnje, član 102, Obrazovanje i obuka   |   |                 |
| b) Stepen ispunjenosti obaveza koje proizilaze iz navedenih odredbi SSPa   |   |                 |
| <input checked="" type="checkbox"/>  | ispunjava u potpunosti  |                 |
| <input type="checkbox"/>   | djelimično ispunjava  |                 |
| <input type="checkbox"/>   | ne ispunjava  |                 |
| c) Razlozi za djelimično ispunjenje, odnosno neispunjenje obaveza koje proizilaze iz navedenih odredbi SSPa  |   |                 |
| /  |   |                 |
| <b>5. Veza nacrt/predloga propisa s Programom pristupanja Crne Gore Evropskoj uniji (PPCG)</b>   |   |                 |
| - PPCG za period   | 2023-2024   |                 |
| - Poglavlje, potpoglavlje  | /   |                 |
| - Rok za donošenje propisa   | /   |                 |
| - Napomena   | Donošenje Zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, kojim se pojednostavljaju procedure za automatsko priznavanje profesionalnih kvalifikacija između zemalja Zapadnog Balkana nije predviđeno Programom pristupanja Crne Gore Evropskoj uniji. |                 |
| <b>6. Usklađenost nacrt/predloga propisa s pravnom tekovinom Evropske unije</b>  |   |                 |
| a) Usklađenost s primarnim izvorima prava Evropske unije   |   |                 |

UFEU, Dio treći, Politika i unutrašnje mjere Unije, Glava XII, Obrazovanje, stručno osposobljavanje, omladina i sport, član 165 i 166 / TFEU, Part Three, Union policies and internal actions, Title XII, Education, vocational training, youth and sport, Articles 165 and 166  
**Potpuno usklađeno / Fully harmonized**

b) Usklađenost sa sekundarnim izvorima prava Evropske unije

**32005L0036**

Direktiva 2005/36/EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. o priznavanju stručnih kvalifikacija / Directive 2005/36/EC of European Parliament and of the Council of 7 September 2005 on the recognition qualifications, OJ L 255, 30.09.2005.

**Potpuno usklađeno / Fully harmonized**

**32013L0055**

Direktiva 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. o izmjenama i dopunama Direktive 2005/36/EZ o priznavanju stručnih kvalifikacija i Regulative (EU) br. 1024/2012 o administrativnoj saradnji Informacionog sistema unutrašnjeg tržišta (Regulativa IMI) / Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EZ on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ( 'the IMI Regulation' ), OJ L 354, 28.12.2013.

**Potpuno usklađeno / Fully harmonized**

c) Usklađenost s ostalim izvorima prava Evropske unije

Ne postoje ostali izvori prava Evropske unije sa kojima bi se predlog propisa mogao uporediti radi dobijanja stepena njegove usklađenosti.

**6.1. Razlozi za djelimičnu usklađenost ili neusklađenost nacrt/predloga propisa Crne Gore s pravnom tekovinom Evropske unije i rok u kojem je predviđeno postizanje potpune usklađenosti**

/

**7. Ukoliko ne postoje odgovarajući propisi Evropske unije s kojima je potrebno obezbijediti usklađenost konstatovati tu činjenicu**

/

**8. Navesti pravne akte Savjeta Evrope i ostale izvore međunarodnog prava korišćene pri izradi nacrt/predloga propisa**

Centralnoevropski sporazum o slobodnoj trgovini

Central European Free Trade Agreement

**9. Navesti da li su navedeni izvori prava Evropske unije, Savjeta Evrope i ostali izvori međunarodnog prava prevedeni na crnogorski jezik (prevode dostaviti u prilogu)**

Navedeni izvori prava EU, kao i izvor međunarodnog prava prevedeni su na crnogorski jezik.

**10. Navesti da li je nacrt/predlog propisa iz tačke 1 Izjave o usklađenosti preveden na engleski jezik (prevod dostaviti u prilogu)**

Predlog zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija za medicinske sestre opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini je preveden na engleski jezik.

**11. Učešće konsultanata u izradi nacrt/predloga propisa i njihovo mišljenje o usklađenosti**

U izradi Predloga zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija za doktore medicine, doktore stomatologije i arhitekte u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini nije bilo učešća konsultanata.

Potpis / ovlašteno lice obrađivača propisa

Potpis / ministarka evropskih poslova

Datum:

Datum:

Prilog obrasca:

1. Prevodi propisa Evropske unije
2. Prevod nacrt/predloga propisa na engleskom jeziku (ukoliko postoji)



## TABELA USKLAĐENOSTI

|  |  |   |  |  |
|--|--|---|--|--|
| 1. Identifikacioni broj (IB) nacrt/predloga propisa  |  | 1.1 Identifikacioni broj izjave o usklađenosti i datum utvrđivanja nacrt/predloga propisa na Vladi  |  |  |
| MZD-TU/PZ/23/03  |  | MZD-IU/PZ/23/03   |  |  |
| 2. Naziv izvora prava Evropske unije i CELEX oznaka  |  |   |  |  |
| Direktiva 2005/36/EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. o priznavanju stručnih kvalifikacija - <b>32005L0036</b>   |  |   |  |  |
| Direktiva Evropskog parlamenta i Savjeta 2013/55/EU od 20 novembra 2013. o izmjenama i dopunama Direktive 2005/36/EZ o priznavanju stručnih kvalifikacija i Regulative (EU) br. 1024/2012 o administrativnoj saradnji Informacionog sistema unutrašnjeg tržišta (Regulativa IMI) - <b>32013L0055</b>   |  |   |  |  |
| 3. Naziv nacrt/predloga propisa Crne Gore  |  |   |  |  |
| Na crnogorskom jeziku  |  | Na engleskom jeziku   |  |  |
| Predlog zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija za medicinske sestre opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini  |  | Proposal for the Law on Ratification of the Agreement on the recognition of professional qualifications of nurses, vetererinary surgeons, pharmacists and midwives in the Central European Free Trade Agreement context |  |  |
| 4. Usklađenost nacrt/predloga propisa s izvorima prava Evropske unije  |  |   |  |  |
| a)   | b)   | c)  | d)   | e)                                     |
| Odredba i tekst odredbe izvora prava Evropske unije (član, stav, tačka)  | Odredba i tekst odredbe nacrt/predloga propisa Crne Gore (član, stav, tačka) | Usklađenost odredbe nacrt/predloga propisa Crne Gore s odredbom izvora prava Evropske unije   | Razlog za djelimičnu usklađenost ili neusklađenost   | Rok za postizanje potpune usklađenosti |
| Direktiva 2005/36/EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. o priznavanju stručnih kvalifikacija - <b>32005L0036</b><br><br>Direktiva Evropskog parlamenta i Savjeta 2013/55/EU od 20 novembra 2013. o izmjenama i dopunama Direktive 2005/36/EZ o priznavanju stručnih kvalifikacija i Regulative (EU) br. 1024/2012 o administrativnoj saradnji Informacionog sistema unutrašnjeg tržišta (Regulativa IMI) - <b>32013L0055</b> |  | Potpuno usklađeno   | Predmetni sporazum inkorporirao je navedene direktive za oblast na koju se odnosi: za medicinske sestre opšte njege, doktore veterinarske medicine, farmaceute i babice u kontekstu Centralnoevropskog |  |

# Pisarnica Ministarstvo zdravlja



Ministarstvo  
finansija

| Primljeno: 14. 12. 2023 |                 |            |        |            |
|-------------------------|-----------------|------------|--------|------------|
| Org. jed.               | Jed. klas. znak | Redni broj | Prilog | Vrijednost |
| 1-500/23-               |                 | 2608/20    |        |            |

Adresa: Ul. Stanka Dragojevića br. 2  
81000 Podgorica Crna Gora  
www.mif.gov.me

Br: 03-02-040/23-8915/

Podgorica, 13.12.2023. godine

Za: **MINISTARSTVO ZDRAVLJA**, Rimski trg 46, Podgorica  
gospodinu, dr **Vojislavu Šimunu**, ministru

**Predmet:** Mišljenje na Predlog zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu centralnoevropskog sporazuma o slobodnoj trgovini

**Veza:** Vaš akt br. 1-500/23-2608/2 od 12.12.2023. godine

Poštovani gospodine Šimun,

Povodom *Predloga zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu centralnoevropskog sporazuma o slobodnoj trgovini*, Ministarstvo finansija daje sledeće:

## MIŠLJENJE

Na tekst Predloga zakona i pripremljeni Izveštaj o analizi uticaja propisa, sa aspekta uticaja na poslovni ambijent, nemamo primjedbi.

U dostavljenom Izveštaju o analizi uticaja propisa navodi se da se donošenjem ovog propisa stvaraju uslovi za veću i jednostavniju mobilnost građana, zapošljavanje u zemljama regiona po automatskom priznavanju profesionalnih i akademskih kvalifikacija zasnovanim na minimalnim uslovima osposobljavanja u procesu pridruživanja zemalja Zapadnog Balkana Evropskoj uniji, te mobilnost i razmjena znanja i iskustva između zemalja u kontekstu evropskih integracija, u skladu sa Direktivom 2005/36/EZ o priznavanju stručnih kvalifikacija i Direktivom 2013/55/EU o izmjeni Direktive 2005/36/EU o priznavanju stručnih kvalifikacija.

Kod procjene fiskalnog uticaja u Izveštaju je utvrđeno da za sprovođenje ovog zakona nije potrebno obezbjeđivanje dodatnih sredstava u Budžetu Crne Gore.

S tim u vezi, Ministarstvo finansija sa aspekta državnog budžeta nema primjedbi na *Predlog zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu centralnoevropskog sporazuma o slobodnoj trgovini*.

S poštovanjem,



Kontakt osobe:  
mr Ivana Radojčić, Direktorat za ekonomsko-finansijski sistem, ivana.radojicic@mif.gov.me;  
Draga Nedić, Direktorat za državni budžet, dragana.nedic@mif.gov.me.



Crna Gora

Ministarstvo zdravlja

Adresa: Rimski trg br.46  
81000 Podgorica, Crna Gora

Tel: +382 20 482 133

Fax: +382 78 113 128

www.mzd.gov.me

Broj: 1-500/23-2608/11

Podgorica, 12. decembar 2023. godine

Za: MINISTARSTVO FINANSIJA  
Ministru, Novici Vuković

Predmet: Izvještaj o sprovedenoj analizi uticaja propisa za Predlog zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini

Poštovani,

U prilogu akta dostavljamo Izvještaj o sprovedenoj analizi uticaja propisa za Predloga zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, na mišljenje.

S poštovanjem,

Ministar,

dr. Vojislav Šimun



Prilog:

- Izvještaj o sprovedenoj analizi uticaja propisa
- Predloga zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini,

| IZVJEŠTAJ O SPROVEDENOJ ANALIZI PROCJENE UTICAJA PROPISA  |  |
|---|--|
| PREDLAGAČ PROPISA   | Ministarstvo zdravlja  |
| NAZIV PROPISA   | Predlog zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu sporazuma o slobodnoj trgovini u centralnoj evropi. |
| <p><b>1. Definisane probleme</b></p> <ul style="list-style-type: none"> <li>- Koje probleme treba da riješi predloženi akt?</li> <li>- Koji su uzroci problema?</li> <li>- Koje su posljedice problema?</li> <li>- Koji su subjekti oštećeni, na koji način i u kojoj mjeri?</li> <li>- Kako bi problem evoluirao bez promjene propisa ("status quo" opcija)?</li> </ul> <p>Donošenjem ovog propisa stavraju se uslovi za veću i jednostavniju mobilnost građana, zapošljavanje u zemljama regiona po automatskom priznavanju profesionalnih i akademskih kvalifikacija zasnovanim na minimalnim uslovima osposobljavanja u procesu pridruživanja zemalja zapadnog Balkana Evropskoj uniji, te mobilnost i razmjena znanja i iskustva između zemalja u kontekstu evropskih integracija, u skladu sa Direktivom 2005/36/EZ o priznavanju stručnih kvalifikacija i Direktivom 2013/55/EU o izmjeni Direktive 2005/36/EU o priznavanju stručnih kvalifikacija.</p> <p>Priznavanje profesionalnih kvalifikacija treba da doprinese povećanju mobilnosti profesionalaca, a ne stvaraju prepreke. S tog razloga je potrebno urediti oblast priznavanja profesionalnih kvalifikacija, u cilju povećanja mobilnosti na tržištu rada i razvoja tržišta rada na nivou zemalja Zapadnog Balkana.</p> <p>Unaprjeđenje i razvoj ekonomske saradnje i pružanje usluga za obavljanje navedenih profesija nije moguće bez uspostavljanja adekvatnog pravnog okvira za pristup tržištu rada i uklanjanje postojećih ograničenja i pojednostavljenja procedura.</p> <p>Donošenjem ovog procesa nema oštećenih subjekata.</p> <p>Bez promjene propisa i zadržavanje "status qvo opcija" bila bi otežana mobilnost lica i razvoj tržišta rada u zemljama Zapadnog Balkana, zbog postojećih procedura priznavanja profesionalnih kvalifikacija za medicinske sestre opšteg smjera, doktora veterinarske medicine, farmaceuta i babica.</p> |  |
| <p><b>2. Ciljevi</b></p> <ul style="list-style-type: none"> <li>- Koji ciljevi se postižu predloženim propisom?<br/>Navesti uskladenost ovih ciljeva sa postojećim strategijama ili programima Vlade, ako je primjenljivo.</li> </ul>   |  |

**Cilj i svrha ovog propisa u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini** su uspostavljanje zajedničkih pravila za pojednostavljeno priznavanje profesionalnih kvalifikacija podnosiocima zahtjeva koji su te kvalifikacije stekli u jednoj od šest zemalja Zapadnog Balkana, kako bi se licima sa tim kvalifikacijama omogućio pristup i bavljenje regulisanom profesijom u drugoj zemlji na Zapadnom Balkanu u cilju podsticanja mobilnosti profesionalaca, boljeg usklađivanja vještina sa potrebama tržišta rada i povećanja produktivnosti. Liberizacija tržišta usluga olakšava pristup tržištu rada, kroz smanjenje administrativnih troškova

Propis je usklađen sa Zakonom o priznavanju profesionalnih kvalifikacija za obavljanje ("Službeni list Crne Gore", broj 59/18).

### **3. Opcije**

- **Koje su moguće opcije za ispunjavanje ciljeva i rješenje problema?( uvijek treba razmatrati "status quo"opciju i preporučljivo je uključiti i nereguralnu opciju , osim ako postoji obaveza donošenja predloženog propisa).**
- **Obrazložiti preferiranu opciju.**

U okviru Berlinskog procesa, a u skladu sa Akcionim planom za Zajedničko regionalno tržište 2021-2024 koji je usvojen od strane predsjednika vlada šest zemalja Zapadnog Balkana 10. novembra 2022 godin, na samitu u Sofiji u okviru Komponente II- Sloboda pružanja usluga, jedna od obaveza Crne Gore je zaključivanje Sporazuma o međusobnom priznavanju profesionalnih kvalifikacija za medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica šest zemalja Zapadnog Balkana (Crna Gora, Republika Srbija, Bosna i Hercegovina, Republika Albanija, Republika Kosovo i Republika Sjeverna Makedonija)

Vlada Crne Gore je na sjednici od 13. maja. 2021. godine utvrdila Osnovu za vođenje pregovora o zaključivanju predmetnog sporazuma.

U nastojanju da se omogući slobodno pružanje usluga i da se uspostavi automatsko priznavanje profesionalnih kvalifikacija, zasnovano na minimalnim uslovima osposobljavanja u procesu pridruživanja Zapanog Balkana Evropskoj uniji Sporazum o međusobnom priznavanju profesionalnih kvalifikacija utemeljen je u Direktivi 2005/36/EZ Evropskog parlamenta i Savjeta od 7. septembra 2005 o priznavanju stručnih kvalifikacija i Direktivi 2013/55/EZ o izmjeni Direktive 2002/36/EZ.

Cilj i svrha zaključivanja Sporazuma o priznavanju profesionalnih kvalifikacija za medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovin, su uspostavljanje zajedničkih pravila za pojednostavljeno priznavanje profesionalnih kvalifikacija podnosiocima zahtjeva koji su te kvalifikacije stekli u jednoj od šest zemalja Zapanog Balkana, kako bi se licima sa tim kvalifikacijama omogućio pristup i bavljenje regulisanom profesijom u drugoj zemlji Zapadnog Balkana, radi podsticanja mobilnosti profesionalaca, boljeg usklađivanja vještina sa potrebama tržišta rada i povećane produktivnosti.

Tekst Sporazuma je potpisan na sastanku 16.oktobra 2023.godine u Tirani od strane predsjednika Vlade Crne Gore, predsjednice Vlade Republike Srbije, predsjednika Vlade Bosne i Hercegovine, predsjednika Vlade Republike Sjeverne Makedonije, Predsjenika Vlade Republike Albanije i predsjednika Republike Kosova.

#### 4. Analiza uticaja

- Na koga će i kako će najvjerojatnije uticati rješenja u propisu - nabrojati pozitivne i negativne uticaje, direktne i indirektne.
- Koje troškove će primjena propisa izazvati građanima i privredi (naročito malim i srednjim preduzećima).
- Da li pozitivne posljedice donošenja propisa opravdavaju troškove koje će on stvoriti.
- Da li se propisom podržava stvaranje novih privrednih subjekata na tržištu i tržišna konkurencija.
- Uključiti procjenu administrativnih opterećenja i biznis barijera.

Donošenje ovog propisa će uticati na crnogorske pružaoce usluga, medicinske sestre opšte njege, doktore veterinarske medicine, farmaceute i babice u cilju obavljanja regulisanih profesija, kroz mogućnost plasmana svojih usluga na tržištu zemalja Zapadnog Balkana, bilo kroz prekogranično pružanje usluga ili privremeni boravak fizičkih lica u poslovne svrhe. Takođe, predloženi propis će uticati i na korisnike usluga kroz mogućnost korišćenja usluga u zemljama Zapadnog Balkana. Na ovaj način povećava se broj profesionalaca na tržištu, ali se olakšava i izlazak sa tržišta onih lica koja ne mogu opstati usljed povećane konkurencije. Na ovaj način se povećava tržišna dinamika i podstiče inovativnost.

Primjena propisa neće prouzrokovati troškove građanima i privredi.

Nema troškova koje je potrebno opravdati pozitivnim posljedicama propisa.

Propis ne utiče na stvaranje novih privrednih subjekata na tržištu i tržištu konkurencije.

Ne postoji administrativno opterećenje, kao ni biznis barijere.

#### 5. Procjena fiskalnog uticaja

- Da li je potrebno obezbjeđenje finansijskih sredstava iz budžeta Crne Gore za implementaciju propisa i u kom iznosu?
- Da li je obezbjeđenje finansijskih sredstava jednokratno, ili tokom određenog vremenskog perioda? Obrazložiti.
- Da li implementacijom propisa proizilaze međunarodne finansijske obaveze? Obrazložiti.
- Da li su neophodna finansijska sredstva obezbijeđena u budžetu za tekuću fiskalnu godinu, odnosno da li su planirana u budžetu za narednu fiskalnu godinu?
- Da li je usvajanjem propisa predviđeno donošenje podzakonskih akata iz kojih će proisteci finansijske obaveze?
- Da li će se implementacijom propisa ostvariti prihod za budžet Crne Gore?
- Obrazložiti metodologiju koja je korišćenja prilikom obračuna finansijskih izdataka/prihoda.
- Da li su postojali problemi u preciznom obračunu finansijskih izdataka/prihoda? Obrazložiti.
- Da li su postojale sugestije Ministarstva finansija na nacrt/predlog propisa?

**Da li su dobijene primjedbe uključene u tekst propisa? Obrazložiti.**

Za sprovođenje ovog zakona nije potrebno obezbijediti finansijska sredstva u Budžetu Crne Gore.

Implementacijom propisa ne proizilaze međunarodne finansijske obaveze.

Sredstva nije bilo potrebno obezbijediti ta tekuću fiskalnu godinu, a nije bilo potrebno planirati ni za narednu godinu fiskalnu godinu.

Usvajanjem propisa je predviđeno donošenje posebnih propisa i podzakonskih akata kojim se uređuju uslovi za obavljanje regulisanih profesija: medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica, a za koje su nadležni Ministarstvo zdravlja i Ministarstvo poljoprivrede, šumarstva i vodoprivrede.

Implementacijom ovog propisa, do donošenja posebnih propisa i podzakonskih akata za koje su nadležni Ministarstvo zdravlja i Ministarstvo poljoprivrede, šumarstva i vodoprivrede neće se ostvariti prihod za budžet Crne Gore.

Za sprovođenje ovog zakona nijesu potrebna novčana sredstva, pa nema ni obračuna finansijskih izdataka. Obračun fiskalnih izdataka/prihoda biće utvrđeni donošenjem posebnih propisa i podzakonskih akata

Nijesu postojali problem u obračunu finansijskih izdataka/prihoda iz razloga što za sprovođenje ovog zakona nijesu potrebna novčana sredstva. Precizan obračun finansijskih izdataka/prihoda, u narednom period biće utvrđen prilikom donošenja posebnih propisa i podzakonskih akata.

Nema primjedbi od strane Ministarstva finansija.

**6. Konsultacije zainteresovanih strana**

- **Naznačiti da li je korišćena eksterna ekspertska podrška i ako da, kako.**
- **Naznačiti koje su grupe zainteresovanih strana konsultovane, u kojoj fazi RIA procesa i kako (javne ili ciljane konsultacije).**
- **Naznačiti glavne rezultate konsultacija, i koji su predlozi i sugestije zainteresovanih strana prihvaćeni odnosno nijesu prihvaćeni. Obrazložiti.**

U izradi propisa nije korišćena eksterna ekspertska podrška.

U skladu sa Zakonom o zaključivanju i izvršavanju međunarodnih ugovora ("Službeni List CG", broj 77/08) propisana je procedura za vođenje pregovora i zaključivanje međunarodnog ugovora, kao i sam postupak pripreme predloga zakona o potvrđivanju međunarodnog ugovora, za koji nije predviđena javna rasprava.

**7: Monitoring i evaluacija**

- **Koje su potencijalne prepreke za implementaciju propisa?**
- **Koje će mjere biti preduzete tokom primjene propisa da bi se ispunili ciljevi?**
- **Koji su glavni indikatori prema kojima će se mjeriti ispunjenje ciljeva?**
- **Ko će biti zadužen za sprovođenje monitoringa i evaluacije primjene propisa?**

Ne postoje prepreka za implementaciju propisa.

Ispunjenje ciljeva uslovljeno je donošenjem posebnih zakona i podzakonskih akata koji moraju biti usklađeni sa pravnom tekovinom Evropske unije kojim se uređuju regulisane profesije.

Glavni indikatori prema kojima se može mjeriti ispunjenje ciljeva su statistički podaci o automatski priznatim profesionalnim kvalifikacijama medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica koji su predmet ovog zakona.

Monitoring i evaulaciju primjene propisa vršiče Ministarstvo zdravlja.

Podgorica, 12. 12. 2023. godine

MINISTAR,  
dr Vojislav Šimun





ZAKON  
O POTVRĐIVANJU SPORAZUMA O PRIZNAVANJU PROFESIONALNIH  
KVALIFIKACIJA MEDICINSKIH SESTARA OPŠTE NJEGE, DOKTORA  
VETERINARSKJE MEDICINE, FARMACEUTA I BABICA U KONTEKSTU  
CENTRALNOEVROPSKOG SPORAZUMA O SLOBODNOJ TRGOVINI

Član 1

Potvrđuje se Sporazum o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, koji su potpisali predstavnici Albanije, Bosne i Hercegovine, Kosova\*, Crne Gore, Sjeverne Makedonije i Srbije, u Tirani 16. oktobra 2023. godine, u originalu na engleskom jeziku.

Član 2

Izrazi koji se u ovom zakonu koriste za fizička lica u muškom rodu podrazumijevaju iste izraze u ženskom rodu.

Član 3

Tekst sporazuma iz člana 1 ovog zakona, u originalu na engleskom jeziku i u prevodu na crnogorski jezik, glasi:

**AGREEMENT ON THE RECOGNITION OF PROFESSIONAL QUALIFICATIONS  
OF NURSES, VETERINARY SURGEONS, PHARMACISTS, AND MIDWIVES IN  
THE CENTRAL EUROPEAN FREE TRADE AGREEMENT CONTEXT**

The representatives of Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, North Macedonia and Serbia (hereinafter referred to as "Parties")

*In the context of economic integration, pursuant to the Central European Free Trade Agreement ("CEFTA 2006"), in line with Article V of the General Agreement on Trade in Services and for purposes of furthering the liberalisation of trade in services within the CEFTA.*

*Having in mind the goals and priorities stipulated by the Common Regional Market Action Plan 2021-2024 ("CRM") aimed at removing obstacles to the recognition of professional qualifications, by adopting and implementing a "European Union (EU) framework for automatic recognition of professional qualifications for 7 professions and the EU system of automatic recognition" based on the coordination of minimum training conditions;*

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\*This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

*Noting* that no provision of this Agreement may be interpreted as to exempt the Parties from their respective rights and obligations under existing treaties;

*Aiming to* encourage the mobility of professionals, better matching of skills with labour market needs and increased productivity;

*Underlining* the objectives of promoting regulatory harmonisation and approximating the laws and regulations of the Parties with European Union (EU) law; in particular seeking to enable free movement of professionals by transposing into the regional framework Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualification, as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013

*Intending to* establish the automatic recognition of professional qualifications based on minimum training requirements and to apply it to all 4 professions laid down in this Agreement and the aforementioned Directive and to appoint the professions which satisfy the appliance of the minimum training requirements within the Annexes in not more than 2-year time (in addition to the other three professions listed in the *Agreement on the recognition of professional qualifications of doctors of medicine, doctors of dental medicine and architects in the Central European Free Trade Agreement context*, done on 3.11.2022 ).

*Have agreed* as follows:

## **CHAPTER I**

### **GENERAL PROVISIONS**

#### **Article 1**

##### **Purpose**

1. This Agreement establishes the rules on automatic recognition of evidence of formal qualifications based on minimum training conditions within Parties for access to and performance of the regulated profession, as well as harmonized minimum training conditions in one or more other Parties, and which allow the holders of said qualification (hereinafter: professionals) to pursue the same profession in a Party (hereinafter: receiving Party) other than the Party in which they obtained their professional qualifications (hereinafter: referred to as the issuing Party).

#### **Article 2**

##### **Scope**

1. This Agreement shall apply to natural persons, as defined in Annex I of the Additional Protocol 6, as professionals of the issuing Party wishing to pursue a regulated profession in a receiving Party contingent upon the harmonized minimum training conditions, on either a self-employed or employed basis. Each Party will allow a professional of the issuing Party, in possession of evidence of professional and formal qualifications within the meaning of Article 3(1)(b) which are not obtained in the receiving Party to pursue a regulated profession within the meaning of Article 3 (1)(a) within such a Party in accordance with its rules and relevant legislation. This recognition shall respect the minimum training

~~Conditions laid down in this Agreement. If evidence of formal qualification is not in line with the minimum training conditions, as laid down in this Agreement, the recognition of professional qualification shall be subject to a General system of recognition.~~

2. This Agreement applies to the following professionals: nurses, veterinary surgeons, midwives, and pharmacists, as defined and listed in Annex I, Annex II, Annex III, and Annex IV, respectively.

3. Each Party shall submit to the Joint Working Group on Recognition of Professional Qualifications the laws, regulations and administrative provisions, which it adopts with regard to the issuing of evidence of formal qualifications in the professions covered by this Agreement.

4. For the purpose of implementation and application of this Agreement, higher education institutions shall have accredited study programmes and/or licensed study programmes harmonized with the minimum training requirements laid down in the Annexes of this Agreement.

### **Article 3**

#### **Definitions**

1. For the purposes of the present Agreement, the following definitions apply:
  - a) 'regulated profession': a professional activity or group of professional activities, access to which, the pursuit of which, or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative, regulatory or administrative provisions to the possession of specific professional qualifications; in particular, the use of a professional title limited by legislative, regulatory, or administrative provisions to holders of a given professional qualification shall constitute a mode of pursuit;
  - b) 'professional qualifications': qualifications attested by evidence of formal qualifications, an attestation of competence issued by a competent authority in the Party designated pursuant to legislative, regulatory or administrative provisions of that Party, on the basis of either a training course or a specific examination, and/or professional experience;
  - c) 'evidence of formal qualifications': diplomas, certificates and other evidence issued by an authority of a Party designated pursuant to legislative, regulatory or administrative provisions of that Party and certifying successful completion of professional training obtained mainly in a Party;
  - d) 'competent authority': any authority or body empowered by a Party specifically to issue or receive training diplomas and other documents or information and to receive the applications, and take the decisions, referred to in this Agreement;
  - e) 'regulated education and training': any training which is specifically geared to the pursuit of a given profession and which comprises a course or courses complemented, where appropriate, by professional training, or probationary or professional practice.

- f) The structure and level of the professional training, probationary or professional practice shall be determined by the laws, regulations or administrative provisions of the Party concerned or monitored or approved by the authority designated for that purpose;
- g) 'professional experience': the actual and lawful full-time or equivalent part-time pursuit of the profession concerned in a Party;
- h) 'professional traineeship': a period of professional practice carried out under supervision provided it constitutes a condition for access to a regulated profession, and which can take place either during or after completion of an education leading to a qualification;
- i) 'natural person' as defined in the CEFTA framework
- j) 'European Credit Transfer and Accumulation System or ECTS credits': the credit system for higher education used in the European Higher Education Area;
- k) The Joint Working Group on for the Recognition of Professional Qualifications (JWGRPQ);
- l) 'CEFTA': Central European Free Trade Agreement;
- m) 'RCC': Regional Cooperation Council;

#### **Article 4**

##### **Effects of the Recognition**

The recognition of professional qualifications by the receiving Party shall allow natural persons to gain access in that Party to the same profession as that for which they are qualified in the issuing Party and to pursue it in the receiving Party under no less favourable conditions as its natural persons.

## **CHAPTER II**

### **Principles of Recognition**

#### **Article 5**

##### **Rules related to professional, statutory or administrative nature**

Where a professional moves, the professional shall be subject to professional rules of a professional, statutory or administrative nature which are directly linked to professional qualifications, such as the definition of the profession, the use of titles and serious professional malpractice which is directly and specifically linked to consumer protection and safety, as well as disciplinary provisions which are applicable in the receiving Party to professionals who pursue the same profession in receiving Party.

#### **Article 6**

##### **Principles of automatic recognition**

1. Each Party shall recognize evidence of formal qualifications as nurse responsible for general care, as veterinary surgeon, as midwife, and as

pharmacist , listed in Annex I, Annex II, Annex III, and Annex IV, respectively, which satisfy the minimum training conditions referred to in Annex I, Annex II, Annex III, and Annex IV, respectively, and shall, for the purposes of access to and pursuit of the professional activities, give such evidence the same effect, as the evidence of formal qualifications, which it itself issues.

Such evidence of formal qualifications must be issued by the competent bodies in the issuing parties and accompanied, where appropriate, by the certificates listed in Annex I, Annex II, Annex III, and Annex IV, respectively.

2. Such updates shall not entail an amendment of existing essential legislative principles in Parties regarding the structure of professions as regards training and conditions of access by natural persons. Such updates shall respect the responsibility of the Parties for the organisation of education systems.

## **Article 7**

### **Common provisions on training**

The Parties shall, in accordance with the procedures specific to each Party, ensure, by encouraging continuous professional development, that professionals, whose professional qualification is covered by this Agreement, are able to update their knowledge, skills and competences in order to maintain a safe and effective practice and keep abreast of professional developments.

## **Article 8**

### **Acquired rights**

Without prejudice to the acquired rights specific to the professions concerned, in cases where the evidence of formal qualifications as nurse responsible for general care, as veterinary surgeon, as midwife, and as pharmacist of the Parties, does not satisfy all the training requirements referred to in this Agreement, each Party shall recognise as sufficient proof evidence of formal qualifications issued by those Parties insofar as such evidence attests successful completion of training, which began at dates to be proposed by the Joint Working Group and is accompanied by a certificate stating that the holders have been effectively and lawfully engaged in the activities in question for at least three consecutive years during the five years preceding the award of the certificate.

## **CHAPTER III**

### **PROCEDURE FOR THE RECOGNITION OF PROFESSIONAL QUALIFICATIONS**

## **Article 9**

### **Common procedure for the recognition of professional qualifications**

1. The receiving Party shall acknowledge the receipt of the application within 30 days of receipt and inform the applicant of any missing document. If the applicant does not submit the supplement to the documentation, the competent body will reject the application as incomplete, unless the candidate justifies the reasons for missing the deadline.

2. The procedure for examining an application for authorization to practice a regulated profession must be completed as quickly as possible and lead to a duly substantiated decision by the competent authority in the receiving Party in any case within three months after the date on which the applicant's complete file was submitted, and in these events, reasons shall be explained in the recognition decision.

3. The decision, or failure to reach a decision within the deadline, shall be subject to appeal according to the general rules of each Party.

## **Article 10**

### **Recourse**

The recognition of professional qualifications shall encompass the possibility to resort to an effective recourse mechanism for the applicant. In the case that the recognition is not granted, the applicant must have recourse to an authority, which is differently composed to the one having refused the demand. That authority will decide the appeal after having given the applicant the possibility to be heard within a reasonable period of time.

## **Article 11**

### **Documents and certificates which may be required of the applicant in accordance with this Agreement**

#### **1. Documents**

- a) Proof that a person concerned is a natural person of a Party.
- b) Evidence of formal qualifications giving access to the regulated profession in question, as listed in Annex I, Annex II, Annex III, and Annex IV, respectively.
- c) Evidence of professional qualification within the meaning of Article 3(1)(b), accompanied with the certificate of the competent authority stating that the professional has been effectively and lawfully engaged in the activities in question for at least three consecutive years during the five years preceding the award of the certificate.
- d) Where the competent authority of a receiving Party requires of persons wishing to take up a regulated profession proof that they are of good character or repute or that they have not been declared bankrupt, or suspends or prohibits the pursuit of that profession in the event of serious professional misconduct or a criminal offence, that receiving Party shall accept as sufficient evidence, in respect of applicants from Parties wishing to pursue that profession, the production of documents issued by competent authorities in the issuing Party, showing that those requirements are met. Those authorities must provide the documents within a period of two months.
- e) Where the competent authorities of the issuing Party do not issue the documents referred to in the first subparagraph, such documents shall be replaced by a declaration on oath - or, in Parties where there is no provision for declaration on oath, by a solemn declaration - made by the natural person concerned before a competent judicial or administrative authority or, where appropriate, - or qualified professional body of the issuing Party; such authority - shall issue a certificate attesting the authenticity of the declaration on oath or solemn declaration.

- f) Where a receiving Party requires of its own professional wishing to take up a regulated profession, a document relating to the physical or mental health of the applicant, that Party shall accept as sufficient evidence thereof the presentation of the document required in the issuing Party. Where the issuing Party does not issue such a document, the receiving Party shall accept a certificate issued by a competent authority in that Party. In that case, the competent authorities of the issuing Party must provide the document required within a period of one month.
- g) Where a receiving Party requires-professionals to take up a regulated profession, the
- proof of the applicant's financial standing,
  - proof that the applicant is insured against the financial risks arising from the professionals' professional liability in accordance with the laws and regulations in force in the receiving Party regarding the terms and extent of cover, that Party shall accept as sufficient evidence an attestation to that effect issued by the banks and insurance undertakings of another Party.

Where a Party so requires for professionals, an attestation confirming the absence of temporary or final suspensions from exercising the profession or of criminal convictions shall be provided.

## **2. Other Certificates**

To facilitate the application of the present Agreement, the Parties may prescribe that, in addition to evidence of formal qualifications, the natural person, who satisfies the conditions of training required, must provide a certificate from the competent authorities of his or hers and any other issuing Party stating that this evidence of formal qualifications is that covered by the requirements laid down in this Agreement

## **3. Format and language**

All documents and certificates referred to in this article shall be accepted by the competent authority of the receiving Party in the format and language determined by the legislation of the issuing Party. The receiving Party maintains the right to request translation of documents and certificates in one of its official languages by the applicant.

## **Article 12**

### **Use of professional titles**

1. If, in a receiving Party, the use of a professional title relating to one of the activities of the profession in question is regulated, applicants from the other Party, who are authorised to practise a regulated profession, shall use the professional title of the receiving Party, which corresponds to that profession in that Party, and make use of any associated initials.
2. Where a profession is regulated in the receiving Party by an association or organisation, applicants from Parties shall not be authorised to use the professional title issued by that organisation or association, or its abbreviated form, unless they furnish proof that they are members of that association or organisation.

3. If the association or organisation makes membership contingent upon certain qualifications, it may do so, only under the conditions laid down in this Agreement, in respect of applicants from other Parties, who possess professional qualifications.

## **Article 13**

### **Use of Academic Titles**

The receiving Party shall ensure that the right shall be conferred on the natural persons concerned to use academic titles conferred on them in the issuing Party, and an abbreviated form thereof, in the language of the issuing Party. The receiving Party may require a title to be followed by the name and address of the establishment or examining board it was awarded by. Where an academic title of the issuing Party is liable to be confused in the receiving Party with a title which, in the latter Party, requires supplementary training not acquired by the beneficiary, the receiving Party may require the beneficiary to use the academic title of the issuing Party in an appropriate form, to be laid down by the receiving Party.

## **CHAPTER IV**

### **DETAILED RULES FOR PURSUING THE PROFESSION**

## **Article 14**

### **Knowledge of languages**

1. A Party shall, if deemed necessary require from the service provider benefiting from the recognition of the professional qualifications to have sufficient knowledge of languages necessary for practicing the profession in the receiving Party.
2. A Party shall ensure that any controls carried out for controlling compliance with the obligation under paragraph 1 shall be limited to sufficient knowledge of one official language of that Party.
3. Any language controls shall be proportionate to the activity to be pursued. The professional concerned shall be allowed to appeal such controls under the law of the receiving Party.

## **CHAPTER V**

### **ADMINISTRATIVE COOPERATION**

## **Article 15**

### **Central access to information**

1. The Parties shall ensure that the following information is publicly available in English language and through the contact points for services:
  - a) a list of all regulated professions in the Party including contact details of the contact persons for each regulated profession according to Article 18(4);
  - b) the requirements and procedures for all professions regulated in the Party, including all related fees to be paid by natural persons and documents to be submitted by natural persons;



**e) details on how to appeal, under the laws, regulations and administrative provisions, decisions of Parties adopted in relation to this Agreement;**

2. The Parties shall ensure that the information referred to in paragraph 1 is provided in a clear and comprehensive way and that it is easily accessible remotely and by electronic means and that it is kept up to date.

3. The Parties shall ensure that any request for information addressed to the contact points for services is replied to as soon as possible.

#### **Article 16**

##### **Joint Working Group on Recognition of Professional Qualifications**

1. The Joint Working Group on Recognition of Professional Qualifications (JWGRPQ) shall facilitate and supervise the implementation and application of this Agreement.

2. Members of the JWGRPQ shall be, inter alia, tasked with provision of information and assistance as is necessary concerning the recognition of professional qualifications provided for in this Agreement, such as information on the legislation, regulations and administrative provisions governing the recognition of professional qualifications.

3. Terms of Reference of the JWGRPQ shall be adopted no later than one year after the adoption of this Agreement.

#### **Article 17**

##### **Transparency**

1. The Parties shall notify to the JWGRPQ a list of all existing regulated professions, specifying the activities covered by each profession, and a list of regulated education and training, and training with a special structure, no later than 18 months after the adoption of this Agreement. Any change to those lists shall also be notified to the JWGRPQ without undue delay. The CEFTA and RCC Secretariats shall set up and maintain a publicly available database of regulated professions, including a general description of activities covered by each profession.

2. The Parties shall examine whether requirements under their legal system restricting the access to a profession or its pursuit to the holders of a specific professional qualification, including the use of professional titles and the professional activities allowed under such title, referred to in this Article as 'requirements' are compatible with the following principles:

- a) requirements must be neither directly nor indirectly discriminatory;
- b) requirements must be justified by overriding reasons of general interest;
- c) requirements must be suitable for securing the attainment of the objective pursued and must not go beyond what is necessary to attain that objective;
- d) Parties shall inform the JWGRPQ about findings thereof.

#### **Article 18**

##### **Principles of administrative cooperation**

1. The Parties shall work in close collaboration and shall provide mutual assistance in order to facilitate implementation and application of this Agreement. They shall ensure the confidentiality of the information which they exchange.

2. Through the JWGRPQ, the Parties shall exchange information which they deem necessary for the pursuit of activities under this Agreement. In so doing, they shall respect personal data protection rules provided for in the relevant legislation of the Parties.

3. Each Party shall exchange information with other Parties through the JWGRPQ on processes by which they will award or receive evidence of formal qualifications and other documents or information, and receive applications and take the decisions referred to in this Agreement.

4. Through the JWGRPQ, each Party shall provide to the other Parties, the name of a contact person for each regulated profession, who will provide all relevant information and support cooperation between the Parties in relation to that specific regulated profession.

## **CHAPTER VI**

### **FINAL PROVISIONS**

#### **Article 19**

##### **Transposition**

The Parties shall bring into force the laws, regulations, and administrative provisions necessary to comply with this Agreement at the latest eighteen months from the entry into force of this Agreement according to its Article 21. The Parties shall inform the JWGRPQ thereof.

#### **Article 20**

##### **Annexes**

1. All Annexes form an integral part of this Agreement.

2. The information that must be provided by the Parties in Annex I, Annex II, Annex III, and Annex IV, shall be provided by the competent authorities and shall be submitted to the JWGRPQ no later than 18 months after this Agreement has entered into force according to its Article 21.

3. The Parties shall ensure that the information provided in Annex I, Annex II, Annex III, and Annex IV is maintained up to date and amended as necessary by the JWGRPQ in accordance with Article 6(1)(2) of this Agreement.

#### **Article 21**

##### **Entry into Force**

1. This Agreement is subject to ratification, acceptance, or approval in accordance with the relevant requirements. The formal notice of ratification, acceptance, or approval shall be deposited with the Depository.

2. This Agreement shall enter into force on the thirtieth day upon the deposition of the third formal notice of ratification, acceptance, or approval for the Parties that have deposited their instrument of ratification, acceptance, or approval.

3. For each Party depositing its formal notice of ratification, acceptance, or approval after the date of the deposit of the third formal notice of ratification, acceptance or approval, this Agreement shall enter into force on the thirtieth day after the day on which that Party deposits its formal notice of ratification, acceptance, or approval.

4. North Macedonia shall act as Depository and shall notify all Parties to this Agreement of any notification received in accordance with this Article and any other act or notification relating to this Agreement.

## **Article 22**

### **Amendments**

1. Each Party may propose amendments to the Agreement by sending a written notification to the Depository. The Depository shall refer this notification to the JWGRPQ referred to in Article 16 of this Agreement.

2. Proposals of amendments shall be adopted by consensus of all members of the JWGRPQ. These proposals shall be referred to CEFTA body responsible for Trade in Services.

3. When adopted, the amendments shall be submitted to the Parties for ratification or approval.

4. Amendments shall enter into force in accordance with the rules and procedure set out in Article 21.

## **Article 23**

### **Duration and denunciation**

1. This Agreement is concluded for an indefinite period of time.

2. Each Party may, at any time, denounce the Agreement by making a written notification to the Depository, who shall notify the other Parties of this denunciation.

3. Such denunciation shall take effect six months after the date on which the depository received the notification.

## **Article 24**

All disputes arising from this Agreement will be resolved through the CEFTA 2006 Dispute Settlement Mechanism.

## **Article 25**

### **Accession by CEFTA Parties**

The Parties acknowledge the rights of any CEFTA Party to accede to this Agreement.

The Agreement is drawn up in the English language, in, one original version, which will remain in the possession of the Depository. Each party will receive one verified copy of the Agreement.

**Done at december, on 16 2023**

## Recognition on the basis of coordination of the minimum training conditions

### ANNEX I

#### NURSES RESPONSIBLE FOR GENERAL CARE

*All of the provisions in Annex I are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by EU Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### Article 1. Training of nurses responsible for general care

1. Admission to training for nurses responsible for general care shall be contingent upon possession of qualification or certificate providing access, for the studies in question, to universities, higher education institutions of a level recognised as equivalent or at vocational schools or through vocational training programmes for nursing.
  2. Training of nurses responsible for general care shall be given on a full-time basis and shall include at least the programme described in Article 3 of Annex I.
  3. The training of nurses responsible for general care shall comprise a total of at least three years of study, which may in addition be expressed with the equivalent ECTS credits, and shall consist of at least 4 600 hours of theoretical and clinical training, the duration of the theoretical training representing at least one third and the duration of the clinical training at least one half of the minimum duration of the training. Parties may grant partial exemptions to professionals who have received part of their training on courses which are of at least an equivalent level.
- The Parties shall ensure that institutions providing nursing training are responsible for the coordination of theoretical and clinical training throughout the entire study programme.
4. Theoretical education is that part of nurse training from which trainee nurses acquire the professional knowledge, skills and competences required under paragraphs 6 and 7.
  7. The training shall be given by teachers of nursing care and by other competent persons, at universities, higher education institutions of a level recognised as equivalent or at vocational schools or through vocational training programmes for nursing.
  5. Clinical training is that part of nurse training in which trainee nurses learn, as part of a team and in direct contact with a healthy or sick individual and/or community, to organise, dispense and evaluate the required comprehensive nursing care, on the basis of the knowledge, skills and competences which they have acquired. The trainee nurse shall learn not only how to work in a team, but also how to lead a team and organise overall nursing care, including health education for individuals and small groups, within health institutes or in the community.
  6. Training for nurses responsible for general care shall provide an assurance that the professional in question has acquired the following knowledge and skills:
    - (a) comprehensive knowledge of the sciences on which general nursing is based, including sufficient understanding of the structure, physiological functions and behaviour of healthy and sick persons, and of the relationship between the state of health and the physical and social environment of the human being;

(b) knowledge of the nature and ethics of the profession and of the general principles of health and nursing;

(c) adequate clinical experience; such experience, which should be selected for its training value, should be gained under the supervision of qualified nursing staff and in places where the number of qualified staff and equipment are appropriate for the nursing care of the patient;

(d) the ability to participate in the practical training of health personnel and experience of working with such personnel;

(e) experience of working together with members of other professions in the health sector.

7. Formal qualifications as a nurse responsible for general care shall provide evidence that the professional in question is able to apply at least the following competences regardless of whether the training took place at universities, higher education institutions of a level recognised as equivalent or at vocational schools or through vocational training programmes for nursing:

(a) competence to independently diagnose the nursing care required using current theoretical and clinical knowledge and to plan, organise and implement nursing care when treating patients on the basis of the knowledge and skills acquired in accordance with points (a), (b) and (c) of paragraph 4 in order to improve professional practice;

(b) competence to work together effectively with other actors in the health sector, including participation in the practical training of health personnel on the basis of the knowledge and skills acquired in accordance with points (d) and (e) of paragraph 4;

(c) competence to empower individuals, families and groups towards healthy lifestyles and self-care on the basis of the knowledge and skills acquired in accordance with points (a) and (b) of paragraph 4;

(d) competence to independently initiate life-preserving immediate measures and to carry out measures in crises and disaster situations;

(e) competence to independently give advice to, instruct and support persons needing care and their attachment figures;

(f) competence to independently assure the quality of, and to evaluate, nursing care;

(g) competence to comprehensively communicate professionally and to cooperate with members of other professions in the health sector;

(h) competence to analyse the care quality to improve his own professional practice as a nurse responsible for general care.

## **Article 2. Pursuit of the professional activities of nurses responsible for general care**

For the purposes of this Agreement, the professional activities of nurses responsible for general care are the activities pursued on a professional basis and referred to in Article 3 of Annex I.

Parties may provide, in relevant legislation, for partial exemptions from parts of the training programme for nurses responsible for general care listed in Article 3 of Annex I. to be applied on a case-by-case basis provided that that part of the training has been listed in Article 3 of Annex I.

~~Parties shall ensure that the granted exemption equates to not more than half of the minimum duration of the training course in question.~~

~~Each Party shall notify the Joint Working Group and the other Parties of its legislation concerned for any such partial exemptions.~~

~~The Parties shall make the issuance of evidence of specialist medical training contingent upon possession of evidence of basic medical training referred to in Article 3 of Annex I.~~

### **Article 3. Training programme for nurses responsible for general care**

1. The training leading to the award of a formal qualification of nurses responsible for general care shall consist of the following two parts.

#### A. Theoretical instruction

##### a. Nursing:

- Nature and ethics of the profession
- General principles of health and nursing
- Nursing principles in relation to:
  - general and specialist medicine
  - general and specialist surgery
  - child care and pediatrics'
  - maternity care
  - mental health and psychiatry
  - care of the old and geriatrics

##### b. Basic sciences:

- Anatomy and physiology
- Pathology
- Bacteriology, virology and parasitology
- Biophysics, biochemistry and radiology
- Dietetics
- Hygiene:
  - preventive medicine
  - health education
- Pharmacology

##### c. Social sciences:

- Sociology
- Psychology
- Principles of administration

- Principles of teaching
- Social and health legislation
- Legal aspects of nursing
- B. Clinical instruction
  - Nursing in relation to:
    - general and specialist medicine
    - general and specialist surgery
    - child care and paediatrics
    - maternity care
    - mental health and psychiatry
    - care of the old and geriatrics
    - home nursing

2. One or more of these subjects may be taught in the context of the other disciplines or in conjunction therewith.
3. The theoretical instruction must be weighted and coordinated with the clinical instruction in such a way that the knowledge and skills referred to in this Annex can be acquired in an adequate fashion.

**Article 4. Evidence of formal qualifications of nurses responsible for general care**

| Party | Evidence of formal qualifications | Body awarding the qualifications | Professional Title | Reference date |
|-------|-----------------------------------|----------------------------------|--------------------|----------------|
|       |                                   |                                  |                    |                |



## ANNEX II

# VETERINARY SURGEONS

*All of the provisions in Annex II are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

### **Article 1. Training of veterinary surgeons**

1. The training of veterinary surgeons shall comprise a total of at least five years of full-time theoretical and practical study, which may in addition be expressed with the equivalent ECTS credits, at a university or at a higher institute providing training recognized as being of an equivalent level, or under the supervision of a university, covering at least the study programme referred to Article 3 of Annex II.
2. Admission to veterinary training shall be contingent upon possession of a diploma or certificate entitling the holder to enter, for the studies in question, university or higher education institutions recognised to be of an equivalent level for the purpose of the relevant study.
3. Training as a veterinary surgeon shall provide an assurance that the professional in question has acquired the following knowledge and skills:
  - (a) adequate knowledge of the sciences on which the activities of a veterinary surgeon are based and of the respective Party law relating to those activities;
  - (b) adequate knowledge of the structure, functions, behaviour and physiological needs of animals, as well as the skills and competences needed for their husbandry, feeding, welfare, reproduction and hygiene in general;
  - (c) the clinical, epidemiological and analytical skills and competences required for the prevention, diagnosis and treatment of the diseases of animals, including anaesthesia, aseptic surgery and painless death, whether considered individually or in groups, including specific knowledge of the diseases which may be transmitted to humans;
  - (d) adequate knowledge, skills and competences for preventive medicine, including competences relating to inquiries and certification;
  - (e) adequate knowledge of the hygiene and technology involved in the production, manufacture and putting into circulation of animal feedstuffs or foodstuffs of animal origin intended for human consumption, including the skills and competences required to understand and explain good practice in this regard;
  - (f) the knowledge, skills and competences required for the responsible and sensible use of veterinary medicinal products, in order to treat the animals and to ensure the safety of the food chain and the protection of the environment.

## **Article 2. Acquired rights specific to veterinary surgeons**

For the purposes of this Agreement, the evidence of formal qualifications as a veterinary surgeon are the activities pursued on a professional basis and referred to in Article 3 of Annex II.

Parties may provide, in relevant legislation, for partial exemptions from parts of the programme studies leading to the evidence of formal qualifications in veterinary medicine listed in Article 3 of Annex II, to be applied on a case-by-case basis provided that that part of the training has been followed already during another specialist training course listed in Article 3 of Annex II, for which the professional has already obtained the professional qualification in a Party. Parties shall ensure that the granted exemption equates to not more than half of the minimum duration of the training course in question.

Each Party shall notify the Joint Working Group and the other Parties of its legislation concerned for any such partial exemptions.

The Parties shall make the issuance of evidence of veterinary medical training contingent upon possession of evidence of basic medical training referred to in Article 3 of Annex II.

## **Article 3. Study programme for veterinary surgeons**

The programme of studies leading to the evidence of formal qualifications in veterinary medicine shall include at least the subjects listed below.

Instruction in one or more of these subjects may be given as part of, or in association with, other courses.

### **A. Basic subjects**

- Physics
- Chemistry
- Animal biology
- Plant biology
- Biomathematics

### **B. Specific subjects**

#### **a. Basic sciences:**

- Anatomy (including histology and embryology)
- Physiology
- 1. Biochemistry
  - Genetics

— Pharmacology

= Pharmacy

— Toxicology

— Microbiology

— Immunology

— Epidemiology

— Professional ethics

b. Clinical sciences:

— Obstetrics

— Pathology (including pathological anatomy)

— Parasitology

— Clinical medicine and surgery (including anaesthetics)

— Clinical lectures on the various domestic animals, poultry and other animal species

— Preventive medicine

— Radiology

— Reproduction and reproductive disorders

— Veterinary public medicine and public health

— Veterinary legislation and forensic medicine

— Therapeutics

— Propaedeutics

c. Animal production

— Animal production

— Animal nutrition

— Agronomy

— Rural economics

— Animal husbandry

— Veterinary hygiene

— Animal ethology and protection

d. Food hygiene

— Inspection and control of animal foodstuffs or foodstuffs of animal origin

— Food hygiene and technology

— Practical work (including practical work in places where slaughtering and processing of foodstuffs takes place)

Practical training may be in the form of a training period, provided that such training is full-time and under the direct control of the competent authority, and does not exceed six months within the aggregate training period of five years study.

The distribution of the theoretical and practical training among the various groups of subjects shall be balanced and coordinated in such a way that the knowledge and experience may be acquired in a manner which will enable veterinary surgeons to perform all their duties.

#### **Article 4. Evidence of formal qualifications of veterinary surgeons**

| <b>Party</b> | <b>Evidence of formal qualifications</b> | <b>Body awarding the evidence of qualifications</b> | <b>Certificate accompanying the evidence of qualifications</b> | <b>Reference date</b> |
|--------------|--|---|--|-----------------------|
|              |  |   |  |                       |

## **ANNEX III**

### **MIDWIVES**

*All of the provisions in Annex III are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### **Article 1. Training of midwives**

1. The training of midwives shall comprise a total of at least:

(a) specific full-time training as a midwife comprising at least three years of theoretical and practical study (route I) comprising at least the programme described in Article 4 of Annex III, or

(b) specific full-time training as a midwife of 18 months' duration (route II), comprising at least the study programme described in Article 4 of Annex III, which was not the subject of equivalent training of nurses responsible for general care.

The Parties shall ensure that institutions providing midwife training are responsible for coordinating theory and practice throughout the programme of study.

2. Admission to training as a midwife shall be contingent upon one of the following conditions:

(a) possession of qualification or certificate providing access, for the studies in question, for admission to a midwifery school for route I;

(b) possession of evidence of formal qualifications as a nurse responsible for general care referred to Article 4 of Annex III for route II.

3. Training as a midwife shall provide an assurance that the professional in question has acquired the following knowledge and skills:

(a) detailed knowledge of the sciences on which the activities of midwives are based, particularly midwifery, obstetrics and gynecology;

(b) adequate knowledge of the ethics of the profession and the legislation relevant for the practice of the profession;

(c) adequate knowledge of general medical knowledge (biological functions, anatomy and physiology) and of pharmacology in the field of obstetrics and of the newly born, and also knowledge of the relationship between the state of health and the physical and social environment of the human being, and of his behaviour;

(d) adequate clinical experience gained in approved institutions allowing the midwife to be able, independently and under his own responsibility, to the extent necessary and excluding pathological situations, to manage the antenatal care, to conduct the delivery and its consequences in approved institutions, and to supervise labour and birth, postnatal care and neonatal resuscitation while awaiting a medical practitioner;

(e) adequate understanding of the training of health personnel and experience of working with such personnel.

## **Article 2. Procedures for the recognition of evidence of formal qualifications as a midwife**

1. The evidence of formal qualifications as a midwife referred to Article 4 in Annex III shall be subject to automatic recognition so far as they satisfy one of the following criteria:

(a) full-time training of at least three years as a midwife, which may in addition be expressed with the equivalent ECTS credits, consisting of at least 4 600 hours of theoretical and practical training, with at least one third of the minimum duration representing clinical training;

(b) full-time training as a midwife of at least two years, which may in addition be expressed with the equivalent ECTS credits, consisting of at least 3 600 hours, contingent upon possession of evidence of formal qualifications as a nurse responsible for general care referred to Article 4 in Annex III;

(c) full-time training as a midwife of at least 18 months, which may in addition be expressed with the equivalent ECTS credits, consisting of at least 3 000 hours, contingent upon possession of evidence of formal qualifications as a nurse responsible for general care referred to Article 4 in Annex III, and followed by one year's professional practice for which a certificate has been issued in accordance with paragraph 2.

2. The certificate referred to in paragraph 1 shall be issued by the competent authorities in the Parties. It shall certify that the holder, after obtaining evidence of formal qualifications as a midwife, has satisfactorily pursued all the activities of a midwife for a corresponding period in a hospital or a health care establishment approved for that purpose.

## **Article 3. Pursuit of the professional activities of a midwife**

1. The provisions of this section shall apply to the activities of midwives as defined by each Party, without prejudice to paragraph 2, and pursued under the professional titles set out in Article 4 of Annex III.

2. The Parties shall ensure that midwives are able to gain access to and pursue at least the following activities:

(a) provision of sound family planning information and advice;

(b) diagnosis of pregnancies and monitoring normal pregnancies; carrying out the examinations necessary for the monitoring of the development of normal pregnancies;

(c) prescribing or advising on the examinations necessary for the earliest possible diagnosis of pregnancies at risk;

(d) provision of programmes of parenthood preparation and complete preparation for childbirth including advice on hygiene and nutrition;

(e) caring for and assisting the mother during labour and monitoring the condition of the fetus in utero by the appropriate clinical and technical means;

(f) conducting spontaneous deliveries including where required episiotomies and in urgent cases breech deliveries;

(g) recognising the warning signs of abnormality in the mother or infant which necessitate referral to a doctor and assisting the latter where appropriate; taking the necessary emergency measures in the doctor's absence, in particular the manual removal of the placenta, possibly followed by manual examination of the uterus;

(h) examining and caring for the new-born infant; taking all initiatives which are necessary in case of need and carrying out where necessary immediate resuscitation;

(i) caring for and monitoring the progress of the mother in the post-natal period and giving all necessary advice to the mother on infant care to enable her to ensure the optimum progress of the new-born infant;

(j) carrying out treatment prescribed by doctors;

(k) drawing up the necessary written reports.

3. Parties may provide, in relevant legislation, for partial exemptions from parts of the training programme for midwives listed in Article 4 of Annex III, to be applied on a case-by-case basis provided that that part of the training has been followed already during another specialist training course listed in Article 4 of Annex III, for which the professional has already obtained the professional qualification in a Party. Parties shall ensure that the granted exemption equates to not more than half of the minimum duration of the training course in question.

Each Party shall notify the Joint Working Group and the other Parties of its legislation concerned for any such partial exemptions.

The Parties shall make the issuance of evidence of specialist medical training contingent upon possession of evidence of basic medical training referred to in Article 5 of Annex III.

#### **Article 4. Training programme for midwives (Training types I and II)**

The training programme for obtaining evidence of formal qualifications in midwifery consists of the following two parts:

A. Theoretical and technical instruction

a. General subjects

- Basic anatomy and physiology
- Basic pathology
- Basic bacteriology, virology and parasitology
- Basic biophysics, biochemistry and radiology
- Paediatrics, with particular reference to new-born infants
- Hygiene, health education, preventive medicine, early diagnosis of diseases
- Nutrition and dietetics, with particular reference to women, new-born and young babies
- Basic sociology and socio-medical questions
- Basic pharmacology
- Psychology
- Principles and methods of teaching
- Health and social legislation and health organisation
- Professional ethics and professional legislation
- Sex education and family planning
- Legal protection of mother and infant
- b. Subjects specific to the activities of midwives
  - Anatomy and physiology
  - Embryology and development of the foetus
  - Pregnancy, childbirth and puerperium
  - Gynaecological and obstetrical pathology
  - Preparation for childbirth and parenthood, including psychological aspects
  - Preparation for delivery (including knowledge and use of technical equipment in obstetrics)
  - Analgesia, anaesthesia and resuscitation
  - Physiology and pathology of the new-born infant
  - Care and supervision of the new-born infant
  - Psychological and social factors
- B. Practical and clinical training
 

This training is to be dispensed under appropriate supervision:

  - Advising of pregnant women, involving at least 100 pre-natal examinations.



— Supervision and care of at least 40 pregnant women.

— **Conduct by the student of at least 40 deliveries; where this number cannot be reached owing to the lack of available women in labour, it may be reduced to a minimum of 30, provided that the student assists with 20 further deliveries.**

— Active participation with breech deliveries. Where this is not possible because of lack of breech deliveries, practice may be in a simulated situation.

— Performance of episiotomy and initiation into suturing. Initiation shall include theoretical instruction and clinical practice. The practice of suturing includes suturing of the wound following an episiotomy and a simple perineal laceration. This may be in a simulated situation if absolutely necessary.

— Supervision and care of 40 women at risk in pregnancy, or labour or post-natal period.

— Supervision and care (including examination) of at least 100 post-natal women and healthy new-born infants.

— Observation and care of the new-born requiring special care, including those born pre-term, post-term, underweight or ill.

— Care of women with pathological conditions in the fields of gynaecology and obstetrics.

— Initiation into care in the field of medicine and surgery. Initiation shall include theoretical instruction and clinical practice.

The theoretical and technical training (Part A of the training programme) shall be balanced and coordinated with the clinical training (Part B of the same programme) in such a way that the knowledge and experience listed in this Annex may be acquired in an adequate manner.

Clinical instruction shall take the form of supervised in-service training in hospital departments or other health services approved by the competent authorities or bodies. As part of this training, student midwives shall participate in the activities of the departments concerned in so far as those activities contribute to their training. They shall be taught the responsibilities involved in the activities of midwives.

#### **Article 5. Evidence of formal qualifications of midwives**

| <b>Party</b> | <b>Evidence of formal qualifications</b> | <b>Body awarding the evidence of qualifications</b> | <b>Professional Title</b> | <b>Reference</b> |
|--------------|--|---|---------------------------|------------------|
|--------------|--|---|---------------------------|------------------|

## **ANNEX IV**

### **PHARMACISTS**

*All of the provisions in Annex IV are taken from the EU Directive 2005/36/EC on the recognition of professional qualifications as amended by Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013.*

#### **Article 1. Training as a pharmacist**

1. Admission to a course of training as a pharmacist shall be contingent upon possession of qualification or certificate providing access, for the studies in question, to universities, higher education institutions of a level recognised as equivalent or an institution under the supervision of a university.

2. Evidence of formal qualifications as a pharmacist shall attest to training of at least five years' duration, which may in addition be expressed with the equivalent ECTS credits, comprising at least:

(a) four years of full-time theoretical and practical training at a university or at a higher education institution of a level recognised as equivalent, or at an institution under the supervision of a university;

(b) during or at the end of the theoretical and practical training, six-month traineeship in a pharmacy which is open to the public or in a hospital under the supervision of that hospital's pharmaceutical department.

The training cycle referred to in this paragraph shall include at least the programme described in Article 3 of Annex IV.

3. Training for pharmacists shall provide an assurance that the person concerned has acquired the following knowledge and skills:

(a) adequate knowledge of medicines and the substances used in the manufacture of medicines;

(b) adequate knowledge of pharmaceutical technology and the physical, chemical, biological and microbiological testing of medicinal products;

(c) adequate knowledge of the metabolism and the effects of medicinal products and of the action of toxic substances, and of the use of medicinal products;

(d) adequate knowledge to evaluate scientific data concerning medicines in order to be able to supply appropriate information on the basis of this knowledge;

(e) adequate knowledge of the legal and other requirements associated with the pursuit of pharmacy.

#### **Article 2. Pursuit of the professional activities of a pharmacist**

1. For the purposes of this Agreement, the activities of a pharmacist are those, access to which and pursuit of which are contingent upon professional qualifications and which are open to holders of evidence of formal qualifications of the types listed in Article 4 of Annex IV.

2. The Parties shall ensure that the holders of evidence of formal qualifications in pharmacy at university level or a level recognised as equivalent, which satisfies the requirements of Article 1 of Annex IV, are able to gain access to and pursue at least the following activities, subject to the requirement, where appropriate, of supplementary professional experience:

- (a) preparation of the pharmaceutical form of medicinal products;
- (b) manufacture and testing of medicinal products;
- (c) testing of medicinal products in a laboratory for the testing of medicinal products;
- (d) storage, preservation and distribution of medicinal products at the wholesale stage;
- (e) supply, preparation, testing, storage, distribution and dispensing of safe and efficacious medicinal products of the required quality in pharmacies open to the public;
- (f) preparation, testing, storage and dispensing of safe and efficacious medicinal products of the required quality in hospitals;
- (g) provision of information and advice on medicinal products as such, including on their appropriate use;
- (h) reporting of adverse reactions of pharmaceutical products to the competent authorities;
- (i) personalised support for patients who administer their medication;
- (j) contribution to local or domestic public health campaigns.

3. If a Party makes access to or pursuit of one of the activities of a pharmacist contingent upon supplementary professional experience, in addition to possession of evidence of formal qualifications referred to Article 3 in Annex IV, that Party shall recognise as sufficient proof in this regard a certificate issued by the competent authorities in the issuing Party stating that the person concerned has been engaged in those activities in the issuing Party for a similar period.

### **Article 3. Course of training for pharmacists**

- Plant and animal biology
- Physics
- General and inorganic chemistry
- Organic chemistry
- Analytical chemistry
- Pharmaceutical chemistry, including analysis of medicinal products
- General and applied biochemistry (medical)
- Anatomy and physiology; medical terminology

— Microbiology

## **Pharmacology and pharmacotherapy**

— Pharmaceutical technology

— Toxicology

— Pharmacognosy

— Legislation and, where appropriate, professional ethics.

The balance between theoretical and practical training shall, in respect of each subject, give sufficient importance to theory to maintain the university character of the training.

### **Article 4. Evidence of formal qualifications of pharmacist**

| <b>Party</b> | <b>Evidence of formal qualifications</b> | <b>Body awarding the evidence of qualifications</b> | <b>Certificate accompanying the evidence of qualifications</b> | <b>Reference</b> |
|--------------|--|---|--|------------------|
|--------------|--|---|--|------------------|

## SPORAZUM O PRIZNAVANJU PROFESIONALNIH KVALIFIKACIJA MEDICINSKIH SESTARA OPŠTE NJEGE, DOKTORA VETERINARSKJE MEDICINE, FARMACEUTA I BABICA U KONTEKSTU CENTRALNOEVROPSKOG SPORAZUMA O SLOBODNOJ TRGOVINI

Predstavnici Albanije, Bosne i Hercegovine, Kosova\*, Crne Gore, Sjeverne Makedonije i Srbije (u daljem tekstu: „Strane“)

*U kontekstu ekonomske integracije, u skladu sa Centralnoevropskim sporazumom o slobodnoj trgovini ("CEFTA") iz 2006. godine, u skladu sa članom V Opšteg sporazuma o trgovini uslugama i u svrhu unaprjeđenja liberalizacije trgovine uslugama;*

*Imajući u vidu ciljeve i prioritete utvrđene Akcionim planom za zajedničko regionalno tržište 2021-2024 ("CRM") usmjerene na uklanjanje prepreka za priznavanje profesionalnih kvalifikacija, usvajanjem i sprovođenjem "okvira Evropske unije za automatsko priznavanje profesionalnih kvalifikacija za 7 profesija i EU sistema automatskog priznavanja", zasnovanog na usklađivanju minimalnih uslova osposobljavanja;*

*Konstatujući da nijedna odredba ovog Sporazuma ne može biti interpretirana kao izuzeće Strana od njihovih prava i obaveza iz postojećih međunarodnih ugovora;*

*U cilju podsticanja mobilnosti profesionalaca, boljeg usklađivanja vještina sa potrebama tržišta rada i povećane produktivnosti;*

*Naglašavajući ciljeve unaprjeđenja usklađivanja regulative i usaglašavanja zakona i propisa Strana sa zakonodavstvom EU; naročito nastojeći da se omogući slobodno kretanje profesionalaca transponovanjem u regionalni okvir Direktive 2005/36/EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. godine o priznavanju profesionalnih kvalifikacija, sa izmjenama i dopunama Direktivom 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013;*

*U namjeri da se uspostavi automatsko priznavanje profesionalnih kvalifikacija zasnovanih na minimalnim uslovima osposobljavanja i da se primijeni na sve 4 profesije navedene u ovom Sporazumu i pomenutoj Direktivi i da se odrede profesije koje ispunjavaju primjenu minimalnih uslova osposobljavanja u okviru Aneksa u roku od najviše 2 godine, (uz ostale tri profesije koje su navedene u Sporazumu o priznavanju profesionalnih kvalifikacija za doktore medicine, doktore stomatologije i arhitekta u kontekstu Sporazuma o slobodnoj trgovini u Centralnoj Evropi, zaključenog 3.11.2022. godine);*

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\* Ovo određenje ne prejudicira stavove o statusu u skladu sa Rezolucijom Savjeta bezbjednosti UN 1244/99 i Mišljenjem Međunarodnog suda pravde o Deklaraciji o nezavisnosti Kosova.

*Dogovorili su se kako slijedi:*

## **POGLAVLJE I OPŠTE ODREDBE**

### **Član 1**

#### **Svrha**

1. Ovim Sporazumom utvrđuju se pravila o automatskom priznavanju dokaza o formalnim kvalifikacijama zasnovanog na minimumu uslova osposobljavanja na teritoriji Strana za pristup regulisanoj profesiji i njeno obavljanje kao i usaglašeni minimum uslova osposobljavanja u jednoj ili više drugih Strana a što omogućava nosiocima pomenutih kvalifikacija (u daljem tekstu: profesionalci) da se bave istom profesijom, u Strani (u daljem tekstu: Strana domaćin) koja nije strana u kojoj su stekli svoje profesionalne kvalifikacije (u daljem tekstu: matična strana).

## Član 2

### Obuhvat

1. Ovaj Sporazum se primjenjuje na fizička lica, definisana u Aneksu I Dodatnog protokola 6, kao profesionalce matične strane koji žele da obavljaju regulisanu profesiju u strani domaćinu, zavisno od ispunjenosti usaglašenog minimuma uslova osposobljavanja, bilo u svojstvu samozaposlenog ili zaposlenog lica. Svaka Strana će omogućiti profesionalcu matične strane, koji posjeduje dokaze o profesionalnim i formalnim kvalifikacijama u smislu člana 3 stav (1) alineja (b) koje nijesu stečene u Strani domaćinu, da se bavi regulisanom profesijom u smislu člana 3 stav (1) alineja (a) na teritoriji takve strane, u skladu sa njenim pravilima i relevantnim zakonodavstvom. Pri ovom priznavanju moraju se poštovati minimalni uslovi osposobljavanja utvrđeni ovim Sporazumom. Ako dokazi o formalnim kvalifikacijama nijesu u skladu sa minimalnim uslovima osposobljavanja utvrđenim ovim Sporazumom, priznavanje profesionalne kvalifikacije podliježe Opštem sistemu priznavanja.
2. Ovaj Sporazum primjenjuje se na sljedeće profesionalce: medicinske sestre opšte njege, doktore veterinarske medicine, babice i farmaceute, kako je definisano i navedeno u Aneksu I, Aneksu II, Aneksu III i Aneksu IV.
3. Svaka strana dužna je da Zajedničkoj radnoj grupi za priznavanje profesionalnih kvalifikacija dostavi zakone, propise i administrativne odredbe koje donosi u vezi sa izdavanjem dokaza o formalnim kvalifikacijama u profesijama koje su obuhvaćene ovim Sporazumom.
4. Za potrebe sprovođenja i primjene ovog Sporazuma, institucije visokog obrazovanja dužne su da akredituju i/ili licenciraju studijske programe koji su usaglašeni sa minimalnim uslovima osposobljavanja, predviđenim Aneksima ovog Sporazuma.



## Definicije

Za potrebe ovog Sporazuma primjenjuju se sljedeće definicije:

- (a) 'regulisana profesija': profesionalna djelatnost ili grupa profesionalnih djelatnosti kojima je pristup i čije je obavljanje ili jedan od načina obavljanja na osnovu zakonskih, regulatornih ili administrativnih propisa, neposredno ili posredno uslovljeno posjedovanjem određenih profesionalnih kvalifikacija; posebno, korišćenje profesionalnog naziva koji je zakonskim, regulatornim ili administrativnim propisima ograničen na nosilac određenih profesionalnih kvalifikacija, predstavlja jedan od načina obavljanja djelatnosti;
- (b) 'profesionalne kvalifikacije': kvalifikacije koje se potvrđuju dokazom o formalnim kvalifikacijama, potvrdom o kompetentnosti koju izdaje nadležni organ u Strani određen u skladu sa zakonskim, regulatornim ili administrativnim propisima te Strane, bilo na osnovu programa osposobljavanja ili određenog ispita, i/ili profesionalnog iskustva;
- (c) 'dokazi o formalnim kvalifikacijama': diplome, svjedočanstva i drugi dokazi koje je izdao nadležni organ Strane određen u skladu sa zakonskim, regulatornim ili administrativnim propisima te Strane i kojima se potvrđuje uspješno završeno profesionalno osposobljavanje koje je većim dijelom stečeno u Strani;
- (d) 'nadležni organ': svaki organ ili tijelo kojeg je Strana posebno ovlastila da izdaje ili prima diplome o osposobljavanju i druge dokumente ili informacije i da prima zahtjeve i donosi odluke iz ovog Sporazuma;
- (e) 'regulisano obrazovanje i osposobljavanje': svako osposobljavanje koje je posebno usmjereno na obavljanje određene profesije i koje obuhvata jedan ili više programa koji su, kada je to prikladno, dopunjeni odgovarajućim stručnim osposobljavanjem odnosno probnom ili stručnom praksom.
- (f) Struktura i nivo profesionalnog osposobljavanja, probne ili stručne prakse utvrđuje se zakonima, propisima ili administrativnim odredbama predmetne Strane, ili ih nadgleda ili odobrava organ određen u tu svrhu;
- (g) 'profesionalno iskustvo': stvarno i zakonito puno radno vrijeme ili ekvivalentno



nepuno radno vrijeme bavljenja predmetnom profesijom u Strani;

- (h) 'profesionalno osposobljavanje': period profesionalne prakse koja se obavlja pod nadzorom pod uslovom da predstavlja uslov za pristup regulisanoj profesiji i koji se može odvijati tokom ili nakon završetka obrazovanja koje vodi ka kvalifikaciji;
- (i) 'fizičko lice' kako je definisano u okviru CEFTA;
- (j) 'Evropski sistem prenosa i akumulacije bodova ili ECTS bodovi': kreditni sistem za visoko obrazovanje koji se koristi u Evropskom visokoškolskom području;
- (k) Zajednička radna grupa za priznanje profesionalnih kvalifikacija (JWGRPQ);
- (l) 'CEFTA'. Centralnoevropski sporazum o slobodnoj trgovini;
- (m) 'RCC': Savjet za regionalnu saradnju;

#### **Član 4**

##### **Posljedice priznavanja**

Priznavanjem profesionalnih kvalifikacija od strane Strane domaćina omogućava se fizičkom licu pristup profesiji za koju je kvalifikovan u matičnoj Strani, kao i obavljanje te profesije u Strani domaćinu pod uslovima koji nijesu nepovoljniji od uslova koji važe za njena fizička lica.

#### **POGLAVLJE II**

##### **PRINCIPI PRIZNAVANJA**

#### **Član 5**

##### **Pravila profesionalne, zakonske ili administrativne prirode**

Kada se profesionalac kreće, na njega se primjenjuju profesionalna pravila stručne, zakonske ili administrativne prirode koja su neposredno povezana sa profesionalnim kvalifikacijama, odnosno sa definicijom profesije, korišćenjem naziva i sa težom povredom pravila struke koja je direktno i posebno povezana sa zaštitom potrošača i bezbjednošću, kao i sa disciplinskim odredbama koje se primjenjuju u Strani domaćinu na profesionalce koji obavljaju istu profesiju u Strani domaćinu.

## **Član 6**

### **Principi automatskog priznavanja**

1. Svaka Strana dužna je da prizna dokaze o formalnim kvalifikacijama za medicinske sestre odgovorne za opštu njegu, doktore veterinarske medicine, babice i farmaceute, navedene u Aneksu I, Aneksu II, Aneksu III i Aneksu IV, ponaosob, koji zadovoljavaju minimalne uslove osposobljavanja navedene u Aneksu I, Aneksu II, Aneksu III i Aneksu IV, ponaosob, i da u svrhu pristupa profesionalnim djelatnostima i njihovog obavljanja prizna jednaku snagu tih dokaza kao dokazima o formalnim kvalifikacijama koje sama izdaje.

Takve dokaze o formalnim kvalifikacijama moraju izdati nadležni organi matičnih strana i uz njih treba priložiti, gdje je to prikladno, potvrde navedene u Aneksu I, Aneksu II, Aneksu III i Aneksu IV, ponaosob.

2. Takva ažuriranja u Stranama ne smiju da imaju za posljedicu izmjene njenih postojećih suštinskih zakonskih načela u vezi sa strukturom profesija koja se odnose na osposobljavanje i uslove pristupa za fizička lica. Takvim ažuriranjima uvažava se odgovornost Strana za organizaciju obrazovnih sistema.

## **Član 7**

### **Zajedničke odredbe o osposobljavanju**

U skladu sa postupcima koji su specifični za svaku Stranu, Strane su dužne da obezbijede, podsticanjem stalnog profesionalnog razvoja, da profesionalci čija je profesionalna kvalifikacija obuhvaćena ovim Sporazumom budu u mogućnosti da ažuriraju svoja znanja, vještine i kompetencije kako bi održali sigurnu i djelotvornu praksu i bili u toku sa profesionalnim dostignućima.

## **Član 8**

### **Stečena prava**

Ne dovodeći u pitanje stečena prava specifična za određene profesije, u slučajevima kada dokazi o formalnim kvalifikacijama za medicinske sestre odgovorne za opštu njegu,

doktore veterinarske medicine, babice i farmaceute Strana ne zadovoljavaju sve uslove osposobljavanja iz ovog Sporazuma, svaka Strana je dužna da kao dovoljan dokaz o formalnim kvalifikacijama prizna onaj kojeg su izdale te Strane u mjeri u kojoj takvi dokazi svjedoče o uspješnom završetku osposobljavanja koje je započeto na datume koje će predložiti Zajednička radna grupa i uz koje je priložena potvrda u kojoj se navodi da su imenovani djelotvorno i zakonito bili uključeni u predmetne aktivnosti najmanje tri uzastopne godine tokom pet godina koje su prethodile dodjeli svjedočanstva.

### **POGLAVLJE III**

#### **POSTUPAK PRIZNAVANJA PROFESIONALNIH KVALIFIKACIJA**

##### **Član 9**

##### **Zajednički postupak priznavanja profesionalnih kvalifikacija**

1. Strana domaćin dužna je da potvrdi prijem zahtjeva u roku od 30 dana od prijema i obavijesti podnosioca o dokumentima koji eventualno nedostaju. Ako podnosilac ne dostavi dopunjenu dokumentaciju, nadležno tijelo će odbaciti zahtjev kao nepotpun, osim ako kandidat pruži opravdane razloge za propuštanje roka.
2. Postupak ispitivanja zahtjeva za dobijanje ovlašćenja za bavljenje regulisanom profesijom mora se okončati što je prije moguće i dovesti do propisno obrazloženog rješenja nadležnog organa u Strani domaćinu u svakom slučaju u roku od tri mjeseca od dana kada je podniet kompletan zahtjev, a u tim slučajevima, razlozi se obrazlažu u rješenju o priznavanju kvalifikacija.
3. Rješenje ili propuštanje da se rješenje donese u roku podliježe žalbi u skladu sa opštim pravilima svake Strane.

##### **Član 10**

##### **Pravna zaštita**

Priznavanje profesionalnih kvalifikacija podrazumijeva mogućnost podnosioca zahtjeva da koristi djelotvoran mehanizam pravne zaštite. U slučaju odbijanja zahtjeva za priznavanje, podnosilac zahtjeva mora imati pravnu zaštitu pred organom koji je drugačije

**sastavljen od onoga koji je odbio zahtjev. Takav organ će u razumnom roku donijeti rješenje po žalbi nakon što podnosiocu zahtjeva pruži priliku da bude saslušan.**

## **Član 11**

### **Dokumenti i svjedočanstva koji mogu biti traženi od podnosioca zahtjeva u skladu sa ovim Sporazumom**

#### **1. Dokumenti**

- (a) Dokaz da je predmetno lice fizičko lice Strane.
- (b) Dokazi o formalnim kvalifikacijama koji omogućavaju pristup predmetnoj profesiji iz Aneksa I, Aneksa II, Aneksa III i Aneksa IV, ponaosob.
- (c) Dokazi o profesionalnoj kvalifikaciji u smislu člana 3 stav (1) alineja (b) uz potvrdu nadležnog organa u kojoj se navodi da je profesionalac djelotvorno i zakonito bio uključen u predmetne aktivnosti najmanje tri uzastopne godine tokom pet godina koje su prethodile dodjeli potvrde.
- (d) Ukoliko nadležno tijelo Strane domaćina od lica koja žele da se bave regulisanom profesijom traži dokaz o njegovom dobrom karakteru, ugledu ili o tome da nijesu proglasili bankrot, odnosno ukoliko mu prekida ili zabranjuje obavljanje te profesije u slučaju teže povrede pravila profesije ili krivičnog djela, ta Strana domaćin dužna je da prihvati kao dovoljan dokaz za podnosioca zahtjeva koji žele da se bave tom profesijom, dostavljanje dokumenata koje je izdao nadležni organ matične Strane, koji pokazuju da su ovi zahtjevi ispunjeni. Ti organi moraju obezbijediti traženu dokumentaciju u roku od dva mjeseca.
- (e) Ako nadležni organi matične Strane ne izdaju dokumente navedene u prvoj tački, takvi dokumenti se zamjenjuju izjavom pod zakletvom - ili, u Stranama gdje nije predviđena izjava pod zakletvom, svečanom izjavom - koju je predmetno fizičko lice dalo pred nadležnim sudskim ili upravnim organom, ili kada je to primjereno - odnosno kvalifikovanim stručnim tijelom matične Strane; takav organ izdaje potvrdu o vjerodostojnosti izjave pod zakletvom ili svečane izjave.
- (f) Ako Strana domaćin od svojih profesionalaca koji žele da počnu da obavljaju regulisanu profesiju traži dokument o njihovom fizičkom ili mentalnom zdravlju, ta Strana dužna je da kao dovoljan dokaz prihvati stavljanje na uvid dokumenta koji se

zahtijeva u matičnoj Strani. Ukoliko matična Strana ne izdaje takav dokument, Strana domaćin dužna je da prihvati potvrdu koju izdaje nadležni organ u toj Strani. U tom slučaju, nadležni organi matične Strane moraju izdati traženi dokument u roku od jednog mjeseca.

- (g) Kada Strana domaćin od profesionalaca koji žele da stupe u regulisanu profesiju traži
- dokaz o imovinskom stanju podnosioca zahtjeva,
  - dokaz da je podnosilac osiguran od finansijskih rizika koji proizilaze iz njihove profesionalne odgovornosti u skladu sa važećim zakonima i propisima Strane domaćina u vezi sa uslovima i obimom pokrivenosti osiguranjem, ta Strana prihvata kao dovoljan dokaz potvrdu od banke i osiguravajućeg društva druge Strane.
- Kada Strana to zahtijeva za profesionalce, dostavlja se potvrda o nepostojanju privremene ili stalne zabrane bavljenja profesijom ili krivičnih osuda.

## **2. Ostale potvrde**

Kako bi se olakšala primjena Sporazuma, pored dokaza o formalnim kvalifikacijama, Strane mogu propisati da fizička lica koja ispunjavaju postavljene uslove osposobljavanja moraju dostaviti i potvrdu od nadležnih organa svoje i bilo koje druge matične Strane u kojem se navodi da taj dokaz o formalnoj osposobljenosti ispunjava uslove navedene u ovom Sporazumu.

## **3. Format i jezik**

Sva dokumenta i potvrde navedene u ovom članu nadležni organ Strane domaćina dužan je da prihvati u formatu i na jeziku koji je određen zakonodavstvom matične Strane. Strana domaćin zadržava pravo da od podnosioca zahtjeva zahtijeva prevod dokumenata i potvrda na jedan od svojih službenih jezika.

## **Član 12**

### **Korišćenje profesionalnih naziva**

1. Ako je u Strani domaćinu regulisano korišćenje profesionalnih naziva za neku od djelatnosti unutar predmetne profesije, podnosioci zahtjeva iz druge Strane koji su ovlašćeni da obavljaju regulisanu profesiju dužni su da koriste profesionalne nazive Strane domaćina koji odgovaraju toj profesiji u toj Strani, kao i odgovarajuće skraćenice povezane sa tim nazivom.
2. Ako je u Strani domaćinu određenu profesiju regulisalo neko udruženje ili organizacija, podnosioci zahtjeva iz Strana ne smiju da koriste profesionalni naziv koji izdaje ta organizacija ili udruženje, kao ni njenu skraćenicu, osim ako podnesu dokaze da su članovi tog udruženja ili organizacije.
3. Ako neko udruženje ili organizacija članstvo uslovljava određenim kvalifikacijama, ona to može da uradi za podnosiocima zahtjeva iz drugih Strana koji posjeduju profesionalne kvalifikacije samo pod uslovima utvrđenim ovim Sporazumom.

## **Član 13**

### **Korišćenje akademskih naziva**

Strana domaćin dužna je da obezbijedi da se predmetnim fizičkim licima dodijeli pravo na korišćenje akademskih naziva koji su im dodijeljeni u matičnoj Strani, i njihovih skraćenica, na jeziku matične Strane. Strana domaćin može da zahtijeva da iza tog naziva slijedi naziv i adresa ustanove ili ispitne komisije koja ga je dodijelila. Ako je akademski naziv matične Strane takav da može doći do toga da se pomiješa u Strani domaćinu sa akademskim nazivom Strane domaćina, za koji se u toj Strani zahtijeva dodatno osposobljavanje koje lice nije steklo, Strana domaćin može da zahtijeva od tog lica da koristi akademski naziv matične Strane u odgovarajućem obliku koji odredi Strana domaćin.

## **POGLAVLJE IV**

### **DETALJNA PRAVILA ZA OBAVLJANJE PROFESIJE**

## **Član 14**

### **Poznavanje jezika**

1. Ako to smatra potrebnim, Strana zahtijeva od pružaoca usluga koji koristi

priznavanje profesionalnih kvalifikacija da posjeduje dovoljno znanje jezika, neophodnih za obavljanje profesije u Strani domaćinu.

2. Strana obezbjeđuje da provjere koje se sprovode radi kontrole ispunjenosti obaveze iz stava 1 budu ograničene na dovoljno znanje jednog službenog jezika te Strane.

3. Svaka provjera znanja jezika mora biti srazmjerna potrebi djelatnosti koja se obavlja. Predmetni profesionalci imaju pravo žalbe na takve provjere u skladu sa zakonodavstvom Strane domaćina.

## **POGLAVLJE V ADMINISTRATIVNA SARADNJA**

### **Član 15**

#### **Centralni pristup informacijama**

1. Strane su dužne da obezbijede da sljedeće informacije budu javno dostupne na engleskom jeziku i preko kontakt tačkaka za usluge:
  - (a) lista svih regulisanih profesija u Strani, uključujući detalje kontakt osoba za svaku regulisanu profesiju u skladu sa članom 18 stav (4);
  - (b) uslove i postupke za sve regulisane profesije u Strani, uključujući sve odgovarajuće naknade koje plaćaju fizička lica i dokumente koje podnose fizička lica;
  - (c) detalje o tome kako se podnosi žalba po zakonima, propisima i administrativnim odredbama na rješenja Strana koja se donose u vezi sa ovim Sporazumom.
2. Strane su dužne da obezbijede da se informacije iz stava 1 pružaju na jasan i razumljiv način i da su lako dostupne na daljinu i putem elektronskih sredstava i da su ažurne.
3. Strane su dužne da obezbijede da se na svaki zahtjev za informacijama upućen kontakt tačkama za usluge odgovori što je prije moguće.

### **Član 16**

#### **Zajednička radna grupa za priznavanje profesionalnih kvalifikacija**

1. Zajednička radna grupa za priznavanje profesionalnih kvalifikacija (JWGRPQ) olakšava i nadzire sprovođenje i primjenu ovog Sporazuma.
2. Članovi JWGRPQ zadužuju se, između ostalog, da pružaju informacije i pomoć po potrebi u vezi sa priznavanjem profesionalnih kvalifikacija, predviđenog ovim Sporazumom, kao što su informacije o zakonodavstvu, propisima i administrativnim

odredbama kojima se reguliše priznavanje profesionalnih kvalifikacija.

3. Projektni zadatak JWGRPQ usvaja se najkasnije godinu dana nakon usvajanja ovog Sporazuma.

## Član 17

### Transparentnost

1. Strane obavještavaju JWGRPQ o listi svih postojećih regulisanih profesija, navodeći djelatnosti koje svaka profesija pokriva, i listu regulisanog obrazovanja i osposobljavanja sa posebnom strukturom, najkasnije 18 mjeseci nakon usvajanja ovog Sporazuma. O svakoj izmjeni ovih lista takođe se obavještava JWGRPQ bez nepotrebnog odlaganja. Sekretarijati CEFTA i RCC uspostavljaju i održavaju javno dostupnu bazu podataka regulisanih profesija, uključujući generalni opis svih djelatnosti koje pokriva svaka profesija.
2. Strane su dužne da ispituju jesu li uslovi po njihovom pravnom sistemu, kojima se ograničava pristup profesiji ili njenom obavljanju nosiocima konkretnih profesionalnih kvalifikacija, uključujući korišćenje profesionalnih naziva i profesionalne djelatnosti dozvoljene pod takvim nazivom, označeni u ovom članu kao "uslovi", u skladu sa sljedećim principima:
  - (a) uslovi ne smiju biti ni neposredno ni posredno diskriminatorni;
  - (b) uslovi moraju biti opravdani preovlađujućim razlozima opšteg interesa;
  - (c) uslovi moraju biti pogodni za obezbjeđenje ostvarivanja ciljeva kojima se teži i ne smiju biti van onoga što je neophodno da se taj cilj ostvari;
  - (d) Strane su dužne da obavijeste JWGRPQ o nalazima ispitivanja.

## Član 18

### Principi administrativne saradnje

1. Strane su dužne da tijesno sarađuju i da jedna drugoj pružaju pomoć kako bi se olakšalo sprovođenje i primjena ovog Sporazuma. One su dužne da obezbijede povjerljivost informacija koje razmjenjuju.
2. Preko JWGRPQ, Strane su dužne da razmjenjuju informacije koje smatraju potrebnim za obavljanje djelatnosti po ovom Sporazumu. Pri tome, dužne su da poštuju pravila o zaštiti podataka o ličnosti koja su predviđena relevantnim zakonodavstvom Strana.



3. Svaka Strana dužna je da razmjenjuje informacije sa drugim Stranama preko JWGRPQ o procesima po kojima dodjeljuju ili primaju dokaze o formalnim kvalifikacijama i druge dokumente ili informacije, i primaju zahtjeve i donose rješenja navedena u ovom Sporazumu.
4. Preko JWGRPQ, svaka Strana je dužna da drugim Stranama dostavi ime kontakt osobe za svaku regulisanu profesiju, koja će pružiti sve relevantne informacije i podržati saradnju između Strana u vezi sa tom konkretnom regulisanom profesijom.

## **POGLAVLJE VI ZAVRŠNE ODREDBE**

### **Član 19 Transponovanje**

Strane su dužne da usvoje zakone, propise i administrativne odredbe potrebne za usklađivanje sa ovim sporazumom najkasnije 18 mjeseci od stupanja na snagu ovog Sporazuma u skladu sa njegovim članom 21. Strane su dužne da o tome obavijeste JWGRPQ.

### **Član 20 Aneksi**

1. Svi Aneksi čine sastavni dio ovog Sporazuma.
2. Informacije koje Strane moraju dostaviti u Aneksu I, Aneksu II, Aneksu III i Aneksu IV, nadležni organi dužni su da dostave JWGRPQ najkasnije 18 mjeseci od stupanja na snagu ovog Sporazuma u skladu sa njegovim članom 21.
3. Strane su dužne da obezbijede da informacije navedene u Aneksu I, Aneksu II, Aneksu III i Aneksu IV budu ažurirane i da se po potrebi mijenjaju i dopunjuju od strane JWGRPQ u skladu sa članom 6 stav (l) tačka (2) ovog Sporazuma.

### **Član 21 Stupanje na snagu**

1. Ovaj Sporazum podliježe potvrđivanju, prihvatanju ili odobravanju u skladu sa relevantnim uslovima. Instrumenti potvrđivanja, prihvatanja ili odobravanja deponuju se kod Depozitara.

~~formalnog instrumenta o potvrđivanju, prihvatanju ili odobrenju za Strane koje su deponovale svoje instrumente o potvrđivanju, prihvatanju ili odobrenju.~~

3. Za svaku Stranu koja deponuje svoj instrument potvrđivanja, prihvatanja ili odobrenja nakon datuma deponovanja trećeg formalnog instrumenta o potvrđivanju, prihvatanju ili odobrenju, ovaj Sporazum stupa na snagu tridesetog dana nakon dana na koji ta Strana deponuje svoj instrument potvrđivanja, prihvatanja ili odobrenja.

4. Sjeverna Makedonija postupa kao Depozitar i obavještava sve Strane ovog Sporazuma o svakom obavještenju primijenom u skladu sa ovim članom i o bilo kom drugom aktu ili obavještenju u vezi sa ovim Sporazumom.

## **Član 22**

### **Izmjene i dopune**

1. Svaka Strana može predložiti izmjene i dopune Sporazuma slanjem pisanog obavještenja Depozitaru. Depozitar upućuje ovo obavještenje JWGRPQ iz člana 16 ovog Sporazuma.

2. Prijedlozi izmjena i dopuna usvajaju se konsenzusom svih članova JWGRPQ. Ovi predlozi dostavljaju se tijelu CEFTA nadležnom za trgovinu uslugama.

3. Kada se usvoje, izmjene i dopune se dostavljaju Stranama na potvrđivanje ili odobrenje.

4. Izmjene i dopune stupaju na snagu u skladu sa pravilima i postupkom utvrđenim u članu 21.

## **Član 23**

### **Trajanje i otkazivanje**

1. Ovaj Sporazum se zaključuje na neodređeno vrijeme.

2. Svaka Strana može u bilo kom trenutku otkazati sporazum pisanim obavještenjem Depozitaru, koji obavještava ostale Strane o ovom otkazivanju.

3. Takvo otkazivanje stupa na snagu šest mjeseci nakon datuma na koji je depozitar primio obavještenje.

## **Član 24**

Svi sporovi koji nastanu iz ovog Sporazuma biće rješavani kroz Mehanizam za rješavanje sporova CEFTA 2006.

## **Član 25**

### **Pristupanje Strana potpisnica CEFTA**

Strane priznaju pravo bilo koje od Strana potpisnica CEFTA da pristupi ovom sporazumu.

Sporazum je sačinjen na engleskom jeziku u jednom originalnom primjerku, koji će ostati u posjedu Depozitara. Svaka strana dobiće jedan ovjereni primjerak Sporazuma.

**Sačinjeno u Tirani, dana 16. oktobra 2023.**

## PRIZNAVANJE NA OSNOVU USKLAĐIVANJA MINIMALNIH USLOVA OSPOSOBLJAVANJA

### ANEKS I

#### MEDICINSKE SESTRE ODGOVORNE ZA OPŠTU NJEGU

*Sve odredbe u Aneksu I su preuzete iz Direktive EU 2005/36/EC o priznavanju profesionalnih kvalifikacija izmijenjene Direktivom EU 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine.*

#### Član 1. Osposobljavanje medicinskih sestara odgovornih za opštu njegu

1. Prijem medicinskih sestara odgovornih za opštu njegu na osposobljavanje će zavisiti od posjedovanja kvalifikacije ili svjedočanstva koja omogućava pristup, za predmetne studije, univerzitetima, visokoškolskim ustanovama na nivou koji je priznat kao ekvivalentan ili stručnim školama ili kroz programe stručnog osposobljavanja za zdravstvenu njegu.
2. Osposobljavanje medicinskih sestara odgovornih za opštu njegu sprovodi se na osnovu punog radnog vremena i obuhvata najmanje program koji je opisan u članu 3 Aneksa I.
3. Osposobljavanje medicinskih sestara odgovornih za opštu njegu uključuje ukupno najmanje tri godine studija, što se dodatno može izraziti i ekvivalentnim ECTS bodovima, i sastoji se od najmanje 4 600 sati teorijskog i kliničkog osposobljavanja, pri čemu trajanje teorijskog osposobljavanja predstavlja najmanje jednu trećinu, a trajanje kliničkog osposobljavanja najmanje jednu polovinu minimalnog trajanja osposobljavanja. Strane mogu odobriti djelimična izuzeća profesionalcima koji su prošli dio osposobljavanja na kursevima koji su najmanje ekvivalentnog nivoa.

Strane će osigurati da institucije koje obezbjeđuju osposobljavanje za medicinske sestre budu odgovorne za usklađivanje teorijskog i kliničkog osposobljavanja tokom čitavog studijskog programa.

4. Teorijsko obrazovanje je onaj dio osposobljavanja medicinskih sestara iz kojeg medicinske sestre pripravnice stiču stručna znanja, vještine i kompetencije iz stavova 6. i 7. Osposobljavanje vrše predavači iz oblasti zdravstvene njege koju pružaju medicinske sestre i druga kompetentna lica, na univerzitetima, ustanovama za visoko obrazovanje na nivou priznatom kao ekvivalentan ili u stručnim školama ili kroz programe stručnog osposobljavanja za zdravstvenu njegu.

5. Kliničko usavršavanje je dio obuke medicinskih sestara u kojem polaznice stiču znanja, da su kao dio tima u u direktnom kontaktu sa zdravom ili bolesnom osobom i/ili zajednicom, te da organizuju, pruže i procjene sveobuhvatnu njegu na osnovu znanja, vještina i sposobnosti koje su stekle. Polaznica stiče znanje da radi u timu, kao i da upravlja timom i organizuje cjelokupnu zdravstvenu njegu, uključujući zdravstvenu edukaciju za pojedince i male grupe, unutar zdravstvenih ustanova ili u zajednici.

6. Usavršavanje medicinskih sestara opšte njege pruža sigurnost da je lice steklo sljedeća znanja i vještine:

(a) sveobuhvatno poznavanje nauka na kojima se temelji opšta zdravstvena njega, uključujući dovoljno razumijevanje strukture, fizioloških funkcija i ponašanja zdravih i bolesnih lica, te odnosa između zdravstvenog stanja čovjeka i njegovog fizičkog i društvenog okruženja;

(b) odgovarajuće poznavanje prirode i etike profesije i opštih načela zdravlja i zdravstvene njege;

(c) odgovarajuće kliničko iskustvo; takvo iskustvo, koje treba odabrati zbog vrijednosti samog usavršavanja i koje treba steći pod nadzorom kvalifikovanog medicinskog osoblja i na mjestima gdje je broj kvalifikovanog osoblja i opreme odgovarajući za njegu pacijenta;

(d) sposobnost učešća u praktičnoj obuci zdravstvenog osoblja i iskustvo u radu sa tim osobljem;

(e) iskustvo u zajedničkom radu sa pripadnicima drugih profesija u zdravstvenom sektoru.

7. Formalna osposobljenost medicinskih sestara opšte njege pružiće dokaz da je taj profesionalac sposoban da primjeni najmanje sljedeća znanja bez obzira na to da li se osposobljavanje odvija na univerzitetima, visokoškolskim ustanovama na nivou priznatom kao ekvivalentnom ili stručnom školama ili kroz programe stručnog

- (a) osposobljenost da samostalno dijagnostikuje potrebnu zdravstvenu njegu koristeći trenutna teorijska i klinička znanja i da planira, organizuje i primjeni zdravstvenu njegu prilikom liječenja pacijenata na osnovu znanja i vještina stečenih u skladu sa tačkama (a), (b) i (c) stava 4 u cilju poboljšanja profesionalne prakse;
- (b) osposobljenost za efikasan zajednički rad sa drugim akterima u zdravstvenom sektoru, uključujući učešće u praktičnoj obuci medicinskog osoblja na osnovu znanja i vještina stečenih u skladu sa tačkama (d) i (e) stava 4;
- (c) osposobljenost za osnaživanje pojedinaca, porodica i grupa za zdrave stilove života i brigu o sebi na osnovu znanja i vještina stečenih u skladu sa tačkama (a) i (b) stava 4;
- (d) osposobljenost za samostalno pokretanje hitnih mjera za očuvanje života i sprovođenje mjera u situacijama krize i katastrofe;
- (e) osposobljenost samostalnog davanja savjeta, instrukcija i podrške osobama kojima je potrebna njega i njima bliskim osobama;
- (f) osposobljenost za nezavisno osiguranje kvaliteta i procjene zdravstvene nege;
- (g) osposobljenost za sveobuhvatnu profesionalnu komunikaciju i saradnju sa pripadnicima drugih profesija u zdravstvenom sektoru;
- (h) osposobljenost za analizu kvalitet njege u cilju unaprijeđenja sopstvene profesionalne prakse kao medicinske sestre opšte njege.

## **Član 2. Obavljanje profesionalnih zaduženja medicinskih sestara opšte njege**

Za potrebe ovog Sporazuma, profesionalna zaduženja medicinskih sestara opšte njege su zaduženja koje se obavljaju na profesionalnoj osnovi kako je i propisano članom 3 Aneksa I.

Strane mogu relevantnim zakonodavstvom predvidjeti djelimično izuzeće od dijela programa usavršavanja za medicinske sestre opšte njege navedenih iz člana 3 Aneksa I, koje se primjenjuje od slučaja do slučaja, pod uslovom da taj dio usavršavanja već odrađen tokom drugog specijalističkog kursa obuke navedenog u članu 3 Aneksa I, za koje je profesionalac već stekao profesionalnu kvalifikaciju u Strani. Strane obezbjeđuju da odobreno izuzeće ne prelazi više od polovine minimalnog trajanja datog programa specijalističkog usavršavanja.

Svaka Strana je dužna da obavijesti Zajedničku radnu grupu i ostale Strane o svom relevantnim propisima za svako takvo djelimično izuzeće.

Strane su dužne da uslove izdavanje dokaza o specijalističkom usavršavanju posjedovanjem dokaza o osposobljenosti za doktora medicine iz člana 3 Aneksa I.

### Član 3. Program osposbljavanja medicinskih sestara opšte njege

1. Osposobljavanje na osnovu kojeg se stiče dokaz o formalnoj osposobljenosti medicinskih sestara opšte njege, sastoji se od sljedeća dva dijela.

#### A. Teorijska nastava

##### a. Zdravstvena njega:

- Priroda i etika struke
- Opšti principi zdravlja i njege
- Načela zdravstvene njege u odnosu na:
  - opštu i specijalističku medicina
  - opštu i specijalističku hirurgija
  - brigu o djeci i pedijatriju
  - njegu porodilja
  - mentalno zdravlje i psihijatriju
  - njegu starih i gerijatriju

##### b. Osnovne nauke:

- Anatomija i fiziologija
- Patologija
- Bakteriologija, virologija i parazitologija
- Biofizika, biohemija i radiologija
- Dijetetika
- Higijena:
  - preventivne medicine
  - zdravstveno obrazovanje
- Farmakologija

##### c. Društvene nauke:

- Sociologija
- Psihologija
- Principi administracije
- Principi nastave
- Socijalno i zdravstveno zakonodavstvo
- Pravni aspekti zdravstvene njege

#### B. Kliničke instrukcije

- opštu i specijalističku medicinu
- opštu i specijalističku hirurgiju
- njegu djece i pedijatriju
- njegu porodilja
- mentalno zdravlje i psihijatriju
- njegu starih i gerijatriju
- njegu u kući

4. Jedan ili više ovih predmeta može se predavati u kontekstu drugih disciplina ili u vezi s istim.
5. Teorijska nastava mora biti ponderisana i usklađena sa kliničkom nastavom na takav način da se znanja i vještine iz ovog Aneksa mogu steći na adekvatan način.

**Član 4. Dokaz o formalnim kvalifikacijam medicinskih sestara opšte njege**

| Strana | Dokazi o formalnim kvalifikacijama | Tijelo koje dodjeljuje kvalifikacije | Potvrda koja se prilaže uz dokaz o kvalifikaciji | Referentni datum |
|--------|------------------------------------|--------------------------------------|--|------------------|
|        |                                    |                                      |  |                  |



## ANEKS II

### DOKTORI VETERINARSKJE MEDICINE

*Sve odredbe u Aneksu II preuzete su iz Direktive EU 2005/36/EC o priznavanju profesionalnih kvalifikacija sa izmijenama i dopunama u Direktivi 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine.*

#### Član 1. Osposobljavanje doktora veterinarske medicine

1. Osposobljavanje za doktora veterinarske medicine obuhvata ukupno najmanje pet godina redovnih teorijskih i praktičnih studija, koje dodatno može biti izraženo istovjetnim ECTS bodovima koji pokriva najmanje studijski program iz člana 3 Aneksa II, a koji se održava na univerzitetu ili na visokoškolskoj ustanovi koja pruža osposobljavanje kojoj je priznat istovjetan stepen ili koja je pod nadzorom univerziteta.
2. Prijem na osposobljavanje iz oblasti veterine uslovljeno je posjedovanja diplome ili potvrde koja daju pravo nosiocu kvalifikacija pristup predmetnim studijama na univerzitet ili visokoškolskoj ustanovi koje su priznate da imaju istojevtan stepen za potrebe relevantnog programa.
3. Osposobljavanje za doktora veterinarske medicine daje garanciju da je lice steklo sljedeća znanja i vještine:
  - (a) sveobuhvatno poznavanje nauka na kojima se temelje aktivnosti doktora veterinarske medicine i odgovarajućeg zakona Strana koji se odnose na predmetne aktivnosti;
  - (b) adekvatno poznavanje strukture, funkcija, ponašanja i fizioloških potreba životinja, kao i vještina i znanja potrebnih za njihov uzgoj, ishranu, dobrobit, reprodukciju i opštu higijenu;
  - (c) kliničke, epidemiološke i analitičke vještine i znanja potrebna za prevenciju, dijagnozu i liječenje bolesti životinja, uključujući anesteziju, aseptičku hirurgiju i bezbolnu smrt, bilo da se razmatraju pojedinačno ili u grupama, uključujući specifično znanje o bolestima koje se mogu prenijeti na ljude;
  - (d) sveobuhvatno znanje, vještine i znanja za preventivnu medicinu, uključujući znanja koje se odnose na upite i izdavanje potvrda;
  - (e) sveobuhvatno poznavanje higijene i tehnologije uključene u proizvodnju, proizvodnju i stavljanje u promet stočne hrane ili hrane životinjskog porijekla

namijenjene za ishranu ljudi, uključujući vještine i znanja potrebna za razumijevanje i razjašnjene dobre prakse u tom pogledu;

(f) znanje, vještine i kompetencije potrebne za odgovornu i razumnu upotrebu veterinarsko-medicinskih proizvoda, u cilju liječenja životinja i osiguravanja sigurnosti lanca ishrane i zaštite životne sredine.

## **Član 2. Stečena prava doktora veterinarske medicine**

Za potrebe ovog Sporazuma, dokazi o formalnoj osposobljenosti doktora veterinarske medicine su zaduženja koje se obavljaju na profesionalnoj osnovi kako je i propisano članom 3 Aneksa II.

Strane mogu relevantnim zakonodavstvom predvidjeti djelimično izuzeće od dijela programa osposobljavanja doktora veterinarske medicine navedenih iz člana 3 Aneksa II, koje se primjenjuje od slučaja do slučaja, pod uslovom da taj dio osposobljavanja već odrađen u tokom drugog specijalističkog kursa obuke navedenog u članu 3 Aneksa II, za koje je profesionalac već stekao profesionalnu kvalifikaciju u Strani. Strane obezbjeđuju da odobreno izuzeće ne prelazi više od polovine minimalnog trajanja datog programa specijalističkog usavršavanja.

Svaka Strana je dužna da obavijesti Zajedničku radnu grupu i ostale Strane o relevantnim propisima za svako takvo djelimično izuzeće.

Strane su dužne da uslove izdavanje dokaza o veterinarskom medicinskom usavršavanju posjedovanjem dokaza o osposobljenosti za doktora medicine iz člana 3 Aneksa II.

## **Član 3. Studijski program doktora veterinarske medicine**

Program studija na osnovu kojeg se stiče dokaz o formalnoj osposobljenosti doktora veterinarske medicine mora uključivati najmanje dolje navedene predmete.

Nastava iz jednog ili više ovih predmeta može se održavati kao dio ili u vezi sa drugim programima.

- A. Osnovni predmeti
- Fizika
- Hemija
- Biologija životinja

- Biologija biljaka
- Biomatematika

## B. Specifični predmeti

### a. Osnovne nauke:

- Anatomija (uključujući histologiju i embriologiju)
- Fiziologija

### 1. Biohemija

- Genetika
- Farmakologija
- Apoteka
- Toksikologija
- Mikrobiologija
- Imunologija
- Epidemiologija
- Profesionalna etika

### b. Kliničke nauke:

- Akušerstvo
- Patologija (uključujući patološku anatomiju)
- Parazitologija
- Klinička medicina i hirurgija (uključujući anestetike)
- Klinička predavanja o raznim domaćim životinjama, peradi i drugim životinjskim vrstama
- Preventivna medicina
- Radiologija
- Reprodukcija i reproduktivni poremećaji
- Veterinarska javna medicina i javno zdravlje
- Veterinarski propisi i sudska medicina
- Terapeutika
- Propedeutika
- c. Životinjska proizvodnja
- Stočarska proizvodnja
- Ishrana životinja
- Agronomija
- Ruralna ekonomija
- Stočarstvo

## d. Higijena hrane

- Inspekcija i kontrola hrane za životinje ili namirnica životinjskog porijekla
- Higijena i tehnologija hrane
- Praktični rad (uključujući praktičan rad na mjestima gdje se vrši klanje i prerada namirnica)

Praktično usavršavanje može biti u obliku perioda pripravničkog staža, pod uslovom da je to osposobljavanje redovno i pod direktnom kontrolom nadležnog organa i ne prelazi šest mjeseci u ukupnom periodu obuke od pet godina studiranja.

Raspodjela teorijske i praktične obuke među različitim grupama subjekata mora biti uravnotežena i koordinirana na način da se znanje i iskustvo steknu na način koji će omogućiti veterinarima da obavljaju sve svoje dužnosti.

### Član 4.      Dokaz o formalnim kvalifikacijama doktora veterinarske medicine

| Strana | Dokazi o formalnim kvalifikacijama | Tijelo koje dodjeljuje kvalifikacije | Potvrda koja se prilaže uz dokaz o kvalifikaciji | Referentni datum |
|--------|------------------------------------|--------------------------------------|--|------------------|
|        |                                    |                                      |  |                  |

## ANEKS III

### BABICE

*Sve odredbe u Aneksu II preuzete su iz Direktive EU 2005/36/EC o priznavanju profesionalnih kvalifikacija sa izmijenama i dopunama u Direktivi 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine.*

#### Član 1. Osposobljavanje babica

1. Osposobljavanje babica uključuje najmanje:

(a) redovno posebno osposobljavanje babica koja se sastoji od najmanje tri godine teoretskih i praktičnih studija (put I) koje uključuje najmanje program opisan u članu 4 Aneksa III, ili

(b) redovno posebno osposobljavanje babica u trajanju od 18 mjeseci (put II), koja uključuje najmanje studijski program opisan u članu 4 Aneksa III, koji nije bio predmet istovjetnog usavršavanja za medicinske sestre opšte njege.

Strane će osigurati da institucije koje pružaju obuku babica budu odgovorne za koordinaciju teorije i prakse tokom studijskog programa.

6. Prijem za osposobljavanje babica zavisi od jednog od sljedećih uslova:

(a) posjedovanje kvalifikacija ili potvrda koje omogućavaju pristup predmetnim studijama za prijem u školu za babice za put I;

(b) posjedovanje dokaza o formalnoj ospoboljenosti medicinske sestre opšte njege koji je propisan članom 4 Aneksa III za put II.

3. Osposobljavanje babica pruža garanciju da je taj profesionalac stekao sljedeća znanja i vještine:

(a) detaljno poznavanje nauka na kojima se zasnivaju zaduženja babica, u naročitoj ona koje se odnose na babice, akušerstvo i ginekologiju;

(b) sveobuhvatno poznavanje etike profesije i zakonodavstva relevantnog za obavljanje profesije;

(c) sveobuhvatno poznavanje opšteg medicinskog znanja (biološke funkcije, anatomija i fiziologija) i farmakologije iz oblasti akušerstva i novorođenčadi, kao i poznavanje odnosa između zdravstvenog stanja i fizičkog i društvenog okruženja čovjeka, kao i ponašanja istog;

(d) sveobuhvatno kliničko iskustvo stečeno u odobrenim ustanovama koje omogućava babici da samostalno i pod vlastitom odgovornošću, u mjeri u kojoj je to potrebno i isključujući patološke situacije, vodi antenatalnu njegu, porođaj i stanja nakon istog u odobrenim ustanovama, i da nadzire porođaj i rođenje, postnatalnu njegu i reanimaciju novorođenčeta do dolaska ljekara;

(e) sveobuhvatno razumijevanje obuke zdravstvenog osoblja i iskustvo u radu sa tim osobljem.

## **Član 2. Procedure za priznavanje dokaza o formalnoj osposobljenosti babica**

1. Dokazi o formalnoj osposobljenosti babice iz član 4 u Aneksu III podliježu automatskom priznavanju ukoliko ispunjavaju jedan od sljedećih kriterija:

(a) redovno osposobljavanje babica u trajanju od najmanje tri godine, koje se dodatno može izraziti istovjetnim ECTS bodovima, a koje se sastoji od najmanje 4 600 sati teorijske i praktične obuke, uz najmanje jednu trećinu minimalnog trajanja kliničkog osposobljavanja;

(b) redovno osposobljavanje babica u trajanju od najmanje dvije godine, koje se dodatno može izraziti istovjetnim bodovima ECTS, a koje se sastoji od najmanje 3 600 sati, u zavisnosti od posjedovanja dokaza o formalnoj osposobljenosti medicinske sestre opće njege iz člana 4 Aneksa III;

(c) redovno osposobljavanje babica u trajanju od najmanje 18 mjeseci, koje se dodatno može izraziti istovjetnim ECTS bodovima, koje se sastoji od najmanje 3 000 sati, u zavisnosti od posjedovanju dokaza o formalnoj osposobljenosti medicinske sestre opšte kako je propisano članom 4 Aneksa III, a nakon toga jednogodišnju stručnu praksu za koju je izdato uvjerenje u skladu sa stavom 2.

2. Potvrdu iz stava 1 izdaju nadležni organi u Stranama. Njime se potvrđuje da je nosilac iste, nakon pribavljanja dokaza o formalnoj osposobljenosti babica, na zadovoljavajući način obavljao sva zaduženja babice u odgovarajućem periodu u bolnici ili zdravstvenoj ustanovi odobrenoju za tu svrhu.

## **Član 3. Obavljanje stručnih zaduženja babica**

1. Odredbe ovog odjeljka primjenjuju se na zaduženja babica kako ih definiše svaka Strana, ne dovodeći u pitanje stav 2, a koje se obavljaju prema stručnim nazivima navedenim u članu 4 Aneksa III.

2. Strane će osigurati da babice mogu dobiti pristup i obavljati najmanje sljedeće aktivnosti:

- a) pružanje temeljnih informacija i savjeta o planiranju porodice;
- b) dijagnostikovanje praćenje normalnih trudnoća; obavljanje pregleda neophodnih za praćenje razvoja normalne trudnoće;
- c) propisivanje ili savjetovanje o pregledima neophodnim za što ranu dijagnozu rizičnih trudnoća;
- d) obezbjeđivanje programa pripreme za roditeljstvo i kompletne pripreme za porođaj uključujući savjete o higijeni i ishrani;
- e) pružanje njege i pomoći majci tokom porođaja i praćenje stanja fetusa u materici odgovarajućim kliničkim i tehničkim sredstvima;
- f) obavljanje spontanih porođaja, uključujući, gdje je potrebno, epiziotomije i u hitnim slučajevima karličnih porođaja;
- g) prepoznavanje upozoravajućih znakova abnormalnosti kod majke ili odojčeta koji zahtijevaju upućivanje ljekaru i pružanje pomoći djetetu gdje je to potrebno; preduzimanje potrebnih hitnih mjera u odsustvu ljekara, posebno ručno uklanjanje posteljice, nakon čega je moguće izvršiti ginekološki pregled;
- h) pregled i njega novorođenčeta; preduzimanje svih inicijativa koje su neophodne u slučaju potrebe i sprovođenje hitne reanimacije po potrebi;
- i) zbrinjavanje i praćenje napretka majke u postporođajnom periodu i davanje svih potrebnih savjeta majci o njezi odojčeta kako bi se osigurao optimalan napredak novorođenčeta;
- j) sprovođenje liječenja koje su propisali ljekari;
- k) sastavljanje potrebnih pisanih izvještaja.

3. Strane mogu relevantnim zakonodavstvom predvidjeti djelimično izuzeće od dijela programa usavršavanja babica navedenih iz člana 4 Aneksa III, koje se primjenjuje od slučaja do slučaja, pod uslovom da taj dio usavršavanja već odrađen u tokom drugog specijalističkog kursa obuke navedenog u članu 4 Aneksa III za koje je profesionalac već stekao profesionalnu kvalifikaciju u Strani. Strane obezbjeđuju da odobreno izuzeće ne prelazi više od polovine minimalnog trajanja datog programa specijalističkog usavršavanja.

Svaka Strana je dužna da obavijesti Zajedničku radnu grupu i ostale Strane o svojim relevantnim propisima za svako takvo djelimično izuzeće.

Strane su dužne da uslove izdavanje dokaza o specijalističkom usavršavanju

## posjedovanjem dokaza o osnovnoj medicinskoj osposobljenosti iz člana 5 Aneksa

III.

### Član 4. Program osposobljavanja babica (Tipovi obuke I i II)

Program osposobljavanja za sticanje dokaza o formalnim kvalifikacijama za babice sastoji se iz sljedeća dva dijela:

- A. Teorijska i tehnička nastava
  - a. Opšti predmeti
    - Osnovna anatomija i fiziologija
    - Osnovna patologija
    - Osnovna bakteriologija, virologija i parazitologija
    - Osnovne biofizike, biohemije i radiologije
    - Pedijatrija, s posebnim osvrtom na novorođenčad
    - Higijena, zdravstveni odgoj, preventivna medicina, rano otkrivanje bolesti
    - Ishrana i dijetetika, s posebnim osvrtom na žene, novorođenčad i mlade bebe
    - Osnovna sociologija i socio-medicinska pitanja
    - Osnovna farmakologija
    - Psihologija
    - Principi i metode nastave
    - Zdravstveno i socijalno zakonodavstvo i zdravstvena organizacija
    - Profesionalna etika i profesionalno zakonodavstvo
    - Seksualno obrazovanje i planiranje porodice
    - Pravna zaštita majke i odojčeta
  - b. Predmeti specifični za aktivnosti babica
    - Anatomija i fiziologija
    - Embriologija i razvoj fetusa
    - Trudnoća, porođaj i puerperijum
    - Ginekološka i akušerska patologija
    - Priprema za porođaj i roditeljstvo, uključujući psihološke aspekte
    - Priprema za porođaj (uključujući poznavanje i upotrebu tehničke opreme u akušerstvu)
    - Analgezija, anestezija i reanimacija
    - Fiziologija i patologija novorođenčeta
    - Briga i nadzor novorođenčeta
    - Psihološki i društveni faktori
- B. Praktična i klinička obuka



Ova obuka se sprovodi pod odgovarajućim nadzorom:

- Savjetovanje trudnica, koje uključuje najmanje 100 prenatalnih pregleda.
- Nadzor i njega najmanje 40 trudnica.
- Sprovođenje najmanje 40 porođaja od strane studenta; pri čemu tamo gdje se ovaj broj ne može dostići zbog nedostatka raspoloživih porođaja, isti se može smanjiti na minimalno 30, pod uslovom da student pomaže u 20 sljedećih porođaja.
  
- Aktivno učešće u karličnim porođajima. Tamo gdje isto nije moguće zbog nedostatka karličnih porođaja, praksa se može obavljati u simuliranoj situaciji.
  
- Izvođenje epiziotomije i početak šivenja. Početak rada uključuje teorijsku nastavu i kliničku praksu. Praksa šivenja uključuje šivenje rane nakon epiziotomije i jednostavnog reza međice. Ovo može biti u simuliranoj situaciji ako je apsolutno neophodno.
  
- Nadzor i njega 40 žena u rizičnim trudnoćama, porođaju ili postporođajnom periodu.
- Nadzor i njega (uključujući pregled) najmanje 100 postnatalnih žena i zdrave novorođenčadi.
- Posmatranje i njega novorođenčadi koja zahtijevaju posebnu njegu, uključujući one rođene prije termina, rođene nakon termina, nedovoljno tjelesne težine ili bolesne.
  
- Zbrinjavanje žena sa patološkim stanjima u oblastima ginekologije i akušerstva.
- Uvođenje u njegu u oblasti medicine i hirurgije. Početak rada uključuje teorijsku nastavu i kliničku praksu.

Teorijska i tehnička obuka (Dio A programa obuke) moraju biti uravnotežene i usklađene sa kliničkom obukom (Dio B istog programa) na način da se znanje i iskustvo navedeno u ovom Aneksu mogu steći na odgovarajući način.

Klinička nastava će biti u vidu kontrolisane obuke u bolničkim odjeljenjima ili drugim zdravstvenim ustanovama koje su odobrili nadležni organi ili tijela. U okviru ove obuke, polaznici obuke za babice učestvuju u aktivnostima pomenutih odjeljenja u mjeri u kojoj te aktivnosti doprinose njihovoj obuci. Isti će biti naučeni odgovornostima uključenim u aktivnosti babica.

#### Član 5. Dokaz o formalnim kvalifikacijama babica

|        |  |  |  |  |
|--------|--|--|--|--|
| Strana |  |  |  |  |
|--------|--|--|--|--|

|  | <b>Dokazi o<br/>formalnim<br/>kvalifikacijama</b> | <b>Tijelo koje<br/>dodjeljuje<br/>kvalifikacije</b> | <b>Potvrda koja se prilaže<br/>uz dokaz o kvalifikaciji</b> | <b>Referentni<br/>datum</b> |
|--|---|---|---|-----------------------------|
|  |   |   |   |                             |

## ANEKS IV

### FARMACEUTI

*Sve odredbe u Aneksu II preuzete su iz Direktive EU 2005/36/EC o priznavanju profesionalnih kvalifikacija sa izmijenama i dopunama u Direktivi 2013/55/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine.*

#### Član 1. Osposobljavanje farmaceuta

1. Prijem za osposobljavanje farmaceuta uslovljeno je posjedovanja diplome ili potvrde koje daju pravo nosiocu kvalifikacija pristup predmetnim studijama na univerzitet ili visokoškolsku ustanovu koja pruža osposobljavanje, a kojoj je priznat istovjetan stepen ili koja je pod nadzorom univerziteta.

2. Dokaz o formalnoj osposobljenosti farmaceuta potvrđuje osposobljavanje u trajanju od najmanje pet godina, koje dodatno može biti izraženo istovjetnim ECTS bodovima, koji uključuju najmanje:

(a) četiri godine teorijskog i praktičnog osposobljavanja na univerzitetu ili visokoškolskoj ustanovi koja pruža osposobljavanje, kojoj je priznat istovjetan stepen ili koja je pod nadzorom univerziteta.

(b) tokom ili na kraju teorijskog i praktičnog osposobljavanja, šestomjesečni pripravnički staž u apoteci koja je otvorena za javnost ili u bolnici pod nadzorom farmaceutskog odjeljenja te bolnice.

Ciklus osposobljavanja iz ovog stava uključuje najmanje program opisan u članu 3 Aneksa IV.

3. Osposobljavanje farmaceuta daje garanciju da je predmetno lice steklo sljedeća znanja i vještine:

(a) sveobuhvatno poznavanje lijekova i supstanci koje se koriste u proizvodnji lijekova;

(b) sveobuhvatno poznavanje farmaceutske tehnologije i fizičkog, hemijskog, biološkog i mikrobiološkog ispitivanja medicinskih proizvoda;

(c) sveobuhvatno poznavanje metabolizma i efekata medicinskih proizvoda i delovanja toksičnih supstanci i upotrebe medicinskih proizvoda;

(d) sveobuhvatno znanje za procjenu naučnih podataka u vezi s lijekovima kako bi se na osnovu ovih saznanja mogle pružiti odgovarajuće informacije;

(e) sveobuhvatno poznavanje zakonskih i drugih zahtjeva povezanih sa bavljenjem

## **Član 2. Obavljanje stručnih zaduženja farmaceuta**

1. Za potrebe ovog Sporazuma, zaduženja farmaceuta su ona, kojima pristup i praćenje zavise od profesionalne osposobljenosti i koja su raspoloživa za nosioce dokaza o formalnoj osposobljenosti tipova obuke navedenih u članu 4 Aneksa IV.

2. Strane su dužne da osiguraju da nosioci dokaza o formalnoj osposobljenosti iz oblasti farmacije stečenom na univerzitetskom nivou ili nivou priznatom kao istovjetnom, koji zadovoljava zahtjeve iz člana 1 Aneksa IV, mogu dobiti pristup i obavljati najmanje sljedeće aktivnosti, tj. da shodno zahtjevu, gdje je primjenljivo, mogu steći dodatno profesionalno iskustva, odnosno da lice može da:

- a) priprema farmaceutski oblika medicinskih proizvoda;
- b) proizvodi i ispituje medicinske proizvode;
- c) ispituje medicinske proizvode u laboratoriji za ispitivanje medicinskih proizvoda;
- d) skladišti, čuva i distribuira medicinske proizvode na nivou veletrgovlja;
- e) nabavlja, priprema, testira, skladišti, distribuira i izdaje bezbjedne i efikasne medicinske proizvode traženog kvaliteta u apotekama otvorenim za javnost;
- f) priprema, testira, skladišti i izdaje bezbjedne i efikasne medicinske proizvode traženog kvaliteta u bolnicama;
- g) pruža informacije i savjete o medicinskim proizvodima kao takvim, uključujući njihovu odgovarajuću upotrebu;
- h) prijavljuje neželjene reakcije farmaceutskih proizvoda nadležnim organima;
- i) personalizuje podršku pacijentima kojima izdaje lijekove;
- j) daje doprinos doprinos lokalnim ili domaćim kampanjama javnog zdravlja.

3. Ukoliko Strana ima pristup ili obavlja neka od zaduženja farmaceuta koja su uslovljena dodatnim stručnim iskustvom, pored posjedovanja dokaza o formalnoj osposobljenosti iz člana 3 Aneksa IV, ta Strana priznaje da kao dovoljan dokaz uzima u obzir potvrdu izdatu od strane nadležnih organa u Strani koja izdaje potvrdu u kojoj se navodi da je predmetno lice bilo angažovano na tim zadacima u Strani na određen period.

## **Član 3. Program osposobljavanja farmaceuta**

- Biologija biljaka i životinja
- Fizika
- Opšta i neorganska hemija

- Organska hemija
- Analitička hemija
- Farmaceutska hemija, uključujući analizu medicinskih proizvoda
- Opšta i primijenjena biohemija (medicinska)
- Anatomija i fiziologija; medicinska terminologija
- Mikrobiologija
- Farmakologija i farmakoterapija
- Farmaceutska tehnologija
- Toksikologija
- Farmakognozija
- Zakonodavstvo i, gdje je prikladno, profesionalna etika.

Ravnoteža između teorijske i praktične obuke, u pogledu svakog predmeta, daje dovoljan značaj teoriji kako bi se održao univerzitetski karakter obuke.

#### Član 4. Dokaz o formalnim kvalifikacijama farmaceuta

| Strana | Dokazi o formalnim kvalifikacijama | Tijelo koje dodjeljuje kvalifikacije | Potvrda koja se prilaže uz dokaz o kvalifikaciji | Referentni datum |
|--------|------------------------------------|--------------------------------------|--|------------------|
|        |                                    |                                      |  |                  |

#### Član 4

Ovaj zakon stupa na snagu danom objavljivanja u "Službenom listu Crne Gore - Međunarodni ugovori".

# OBRAZLOŽENJE

## I. USTAVNI OSNOV ZA DONOŠENJE ZAKONA

Ustavni osnov za donošenje Zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini sadržan je u članu 16 stav 1 tačka 5 Ustava Crne Gore ("Službeni list CG", br. 1/07 i 38/13), kojim je propisano da se zakonom, u skladu sa Ustavom, uređuju druga pitanja od interesa za Crnu Goru, kao i u članu 82 stav 1 tačka 17 Ustava Crne Gore, kojim je propisano da Skupština Crne Gore potvrđuje međunarodne ugovore.

## II. OCJENA STANJA MEĐUNARODNIH ODNOSA I CILJ DONOŠENJA ZAKONA

Pregovori o zaključivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica su vođeni još od 8. oktobra 2018, godine, kada je održan prvi neformalni sastanak glavnih pregovarača u Briselu pod pokroviteljstvom Savjeta za regionalnu saradnju (RCC).

Međutim, u junu 2019. godine, obustavljeni su pregovori zbog neusaglašenih stavova oko pravnog okvira pod kojim će se isti nastaviti.

U okviru Berlinskog procesa, a u skladu sa Akcionim planom za Zajedničko regionalno tržište 2021-2024 koji je usvojen od strane predsjednika vlada šest zemalja Zapadnog Balkana 10. novembra 2020. godine, na Samitu u Sofiji u okviru Komponente II - Sloboda pružanja usluga, jedna od obaveza Crne Gore je zaključivanje Sporazuma o međusobnom priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica između šest zemalja Zapadnog Balkana (Crna Gora, Republika Srbija, Bosna i Hercegovina, Republika Albanija, Republika Kosovo i Republika Sjeverna Makedonija).

U nastojanju da se omogući slobodno pružanje usluga i da se uspostavi automatsko priznavanje profesionalnih kvalifikacija, zasnovano na minimalnim uslovima osposobljavanja, u procesu pridruživanja zemalja Zapadnog Balkana Evropskoj uniji, Sporazum o međusobnom priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, bazira se na Direktivi 2005/36 EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. godine o priznavanju stručnih kvalifikacija i Direktivi 2013/55 EZ o izmjeni Direktive 2005/36 EZ.

Cilj i svrha zaključivanja Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, su uspostavljanje zajedničkih pravila za pojednostavljeno priznavanje profesionalnih kvalifikacija podnosiocima zahtjeva koji su te kvalifikacije stekli u jednoj od šest zemalja Zapadnog Balkana, kako bi se licima sa tim kvalifikacijama omogućio pristup i bavljenje regulisanom profesijom u drugoj zemlji Zapadnog Balkana, radi podsticanja mobilnosti profesionalaca, boljeg usklađivanja vještina sa potrebama tržišta rada i povećane produktivnosti.

Predmet pregovora bio je Nacrt Sporazuma o međusobnom priznavanju

profesionalnih kvalifikacija u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, uz prateće anekse koji se odnose na minimalne uslove osposobljavanja medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica, a koji je konherentan sa tekstom Sporazuma o priznavanju profesionalnih kvalifikacija za doktore medicine, doktore stomatologije i arhitekte, osim u aneksu oba sporazuma koji se odnosi na regulisanje različitih profesija.

U okviru pregovora oko usaglašavanja teksta Nacrta Sporazuma o međusobnom priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini, održane su dvije runde pregovora, 12. aprila 2023. godine kada je održan prvi sastanak pregovaračke grupe pod pokroviteljstvom Savjeta za regionalnu saradnju (RCC), uz učešće svih predstavnika Zapadnog Balkana. Zaključeni su na sastanku koji je održan 7. juna 2023. godine, koji je, uz prisustvo predstavnika zemalja zapadnog Balkana i predstavnici CEFTA -e, rezultirao zatvartvaranjem tehničkih pregovora.

Tekst Sporazuma je finalizovan i potpisan na sastanku održanom 16. oktobra 2023. godine, u Tirani.

Sporazum su potpisali: predsjednik Vlade Crne Gore, predsjednica Vlade Republike Srbije, predsjednik Vlade Bosne i Hercegovine, predsjednik Vlade Republike Sjeverne Makedonije, predsjednik Vlade Republike Albanije i predsjednik Vlade Republike Kosovo.

Potpisivanjem ovog sporazuma potvrđena je posvećenost Crne Gore unaprijeđenju regionalne saradnje sa zemljama Zapadnog Balkana, što je od značaja i za dalji napredak u pregovorima sa Evropskom unijom u okviru Poglavlja - 3 „Pravo osnivanja preduzeća i sloboda pružanja usluga.“

### **III. OSNOVNA PITANJA KOJA SE UREĐUJU MEĐUNARODNIM UGOVOROM**

Sporazum o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini omogućava pojednostavljene procedure za automatsko priznavanje profesionalnih kvalifikacija licima koja su te kvalifikacije stekla u jednoj od šest zemalja Zapadnog Balkana, kako bi im se omogućio pristup i bavljenje regulisanom profesijom u drugoj zemlji Zapadnog Balkana, a sve u cilju podsticanja veće mobilnosti profesionalaca, boljeg usklađivanja vještina sa potrebama tržišta rada i povećane produktivnosti.

U članu 2 stav 4 Sporazuma propisano je da su institucije visokog obrazovanja dužne da akredituju i/ili licenciraju studijske programe koji su usaglašeni sa minimalnim uslovima osposobljavanja, predviđenim aneksima ovog sporazuma.

Osnovni tekst Sporazuma sastoji se od 25 članova, u kojima su inkorporirane odredbe iz Direktive 2005/36 EZ i izmjene Direktive 2013/55 EU o priznavanju stručnih kvalifikacija, kao što su: svrha, obuhvat, definicije, posljedice priznavanja, pravila profesionalne i administrativne prirode, principi automatskog priznavanja, zajedničke odredbe o osposobljavanju, stečena prava, zajednički postupak priznavanja profesionalnih kvalifikacija, pravna zaštita, dokumenti, korišćenje profesionalnih naziva, korišćenje akademskih naziva, poznavanje jezika, centralni pristup informacijama, zajednička radna grupa za priznavanje profesionalnih kvalifikacija, transparentnost, principi administrativne saradnje, transpozicija, aneksi, stupanje na snagu zakona, izmjene i dopune, trajanje i otkazivanje, mehanizam za rješavanje sporova i pristupanje strana potpisnica CEFTA.

Pored osnovnog teksta, Sporazum sadrži i sljedeće anekse koji čine njegov

sastavni dio, i to:

Aneks I – Medicinske sestre opšte njege,  
Aneks II - Doktori veterinarske medicine,  
Aneks III – Babice,  
Aneks IV – Farmaceuti.

Priznavanje profesionalnih kvalifikacija vrši se na osnovu usklađivanja minimalnih uslova osposobljavanja, utvrđenih u aneksima I, II, III i IV.

## **V. PROCJENA FINANSIJSKIH SREDSTAVA ZA SPROVOĐENJE ZAKONA**

Za sprovođenje ovog zakona nije potrebno obezbjeđivanje dodatnih sredstava u Budžetu Crne Gore.

## **VI. POTREBA USAGLAŠAVANJA PROPISA**

Zakonom o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini propisano je da su strane dužne da usvoje propise potrebne za usklađivanje sa ovim sporazumom najkasnije 18 mjeseci od stupanja na snagu ovog Sporazuma. Strane su dužne da o tome obavijeste Zajedničku radnu grupu za priznavanje profesionalnih kvalifikacija.

Imajući u vidu navedeno, nadležna ministarstva su u obavezi da usklade posebne propise iz ove oblasti sa Direktivom 2005/36 EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. godine o priznavanju stručnih kvalifikacija i Direktivom 2013/55 EZ o izmjeni Direktive 2005/36 EZ, a u cilju primjene ovog zakona.

## **VII. RAZLOZI ZA DONOŠENJE ZAKONA PO HITNOM POSTUPKU**

Razlog donošenja Zakona o potvrđivanju Sporazuma o priznavanju profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica u kontekstu Centralnoevropskog sporazuma o slobodnoj trgovini po hitnom postupku, shodno članu 151 Poslovnika Skupštine Crne Gore, ogleda se prevashodno u nastojanju Crne Gore da obezbijedi poštovanje potpisanih međunarodnih ugovora.

Donošenjem ovog zakona po hitnom postupku omogućiće se pojednostavljenje procedura za automatsko priznavanje profesionalnih kvalifikacija medicinskih sestara opšte njege, doktora veterinarske medicine, farmaceuta i babica, za lica koja su te kvalifikacije stekla u jednoj od šest zemalja Zapadnog Balkana, kako bi im se omogućio pristup i bavljenje regulisanom profesijom u drugoj zemlji Zapadnog Balkana. Cilj je podsticanje mobilnosti profesionalaca, bolje usklađivanje vještina sa potrebama tržišta rada i povećana produktivnost.