



Note

**The Danish National Action Plan - Evaluating national regulation on
access to professions**

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Danish Agency for Higher
Education

Bredgade 43
1260 Copenhagen K
Denmark
Phone +45 7231 7800
Fax +45 7231 7801
E-mail uds@uds.dk
Website www.ufm.dk/en

CVR no. 3404 2012

Responsible
Anne Larsen
Phone +45 72318919
E-mail ANNEL@uds.dk

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Table of contents

Introduction	2
Chapter 1 – Process for the Danish transparency exercise	4
Task force for regulated professions	4
Cooperation with other Member States: Frontrunners initiative.....	5
Nordic Councils of Ministers	5
Chapter 2 – Review of the Danish regulated professions	7
Cluster 1 – BUSINESS SERVICES	8
Cluster 1 - CONSTRUCTION	24
Cluster 1 – MANUFACTURING	34
Cluster 1 – REAL ESTATE	35
Cluster 1 - WHOLE SALE AND RETAIL.....	38
Cluster 2 – PUBLIC SERVICES AND EDUCATION	40
Cluster 2 – FINANCIAL SERVICES	52
Cluster 2 – HEALTH AND SOCIAL SERVICES	57
Cluster 2 – NETWORK SERVICES	63
Summary – Review of the Danish regulated professions	66
Chapter 3 – Conclusion	70



Introduction

Denmark recently carried out a national transparency exercise which corresponds to Article 59 of the revised Professional Qualification Directive (2013/55/EU). An examination of the Danish regulated professions has thus been carried out in accordance with Communication from the Commission, COM (2013) 676, dated 2. October 2013.¹

Denmark has about 120 regulated professions and about 40 medical specialties all registered in the EU database for regulated professions (under the Professional Qualification Directive) according to the latest update. The average number of regulated professions per Member State is currently estimated at 157.

The first and initial action plan on the regulated professions included in the first cluster (Business services, Construction, Manufacturing, Real estate, Transport, Wholesale & retail) was sent to the Commission in September 2015. This second and final action plan is based on the initial National Action Plan integrating any further steps or developments arising since the first submission for cluster 1 professions as well as introducing the intentions for those professions falling under cluster 2 sectors² (Public Services and Education, Other, Financial Services, Health and Social Services and Network Services).

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The descriptions of the professions and their actions are further developed after the feedback from the Commission to the first and initial Danish action plan.

To give a complete and thorough overview of the Danish regulated professions and the actions, all professions under Cluster 1 and 2 are included and described in this report.

This final action plan is structured the following way: chapter 1 describes the process that has taken place in Denmark in order to make it easier to be established or provide temporary services as a professional and/or enterprise. In 2013, parallel to the EU transparency exercise under the Services directive and (now revised) Professional Qualification Directive, the Danish Government established a task force for regulated professions as a part of the Government's competitiveness policy package. The purpose of the task force for regulated professions was to examine whether the requirements for access to regulated professions in Denmark are e.g. necessary, proportionate and justified. This process has initiated several initiatives/actions with the objective to deregulate, modernise and/or simplify certain regulated professions and professional fields with reserved activities. Some initiatives/actions were already initiated before the establishment of the task force and the beginning of the transparency exercise.

Chapter 1 also reports about Danish participation in the Frontrunners project at EU level and in a common political initiative at Nordic level with the purpose to

¹ Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee on Evaluating national regulations on access to professions, COM(2013) 676 final, dated 2. October 2013

² Commission Working Paper "Next steps: National Action Plans", GROW/D4 19/01/2015



improve the functioning of the Single Market for companies and citizens in practice.

Chapter 2 in this report includes a review of the cluster 1 and 2 professions. It highlights the actions that have taken place or are expected to take place regarding the regulated professions in Denmark in order to ensure proportionate, necessary, justified and non-discriminative regulations of the professions. The review of the professions is followed by a summary which concludes on the actions and categorises them in relation to which kind of action that has taken place – if any. The actions include deregulation in the form of lift of reserved activities, simplification, modernisation, mergers, further digitalisation etc. An ‘action’ in the report is described to be an action (deregulation) when it affects the possibility to get access to work as a professional.

Proportionality of the legislative acts regulating access to and exercise of the regulated profession is subject to regular control of all draft legislation in Denmark and was evaluated again as a part of the transposition process during 2015.

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Chapter 3 concludes on the actions Denmark is carrying out in order to make it easier to work as a professional in Denmark.



Chapter 1 – Process for the Danish transparency exercise

Task force for regulated professions

In October 2012, the Danish Government presented a competitiveness policy package³ in which it was concluded that competitiveness and productivity within both the retailing and construction sector could be strengthened and improved. One priority area was how to promote competitiveness in relation to domestic service professions, e.g. real estate agents as well as authorisation schemes for electricians, plumbing and construction. On this background, the Government established a “task force for regulated professions” in the beginning of 2013 also linking it to the forthcoming transparency exercise. The purpose of the interministerial task force was to facilitate a screening of the regulated professions in Denmark and give concrete proposals as to where it would be relevant to remove unnecessary regulation or to introduce more simplified regulation related to the access to exercise and pursue certain regulated professions. Hereby, the work of the task force and its results and recommendations also served as an important contribution to the Danish transparency exercise.

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The project of establishing the task force and coordinating the screening process was led by the Ministry of Business and Growth. 13 ministries participated in the review of the regulated professions for which those ministries are responsible. External consulting support contributed to this work. As part of the work the task force held meetings and carried out a comprehensive questionnaire among the relevant ministries. The questionnaire included questions which focused on the different professions’ and schemes’ regulation, the purpose of the regulation, the economic turnover, the number of authorisations/certificates etc. in each profession, requirements in the profession and expressions in relation to how deregulation is initiated in other fora with the purpose of creating more simple and competitive rules. The task force identified around 170 schemes related to 120 regulated professions in Denmark.

According to the Danish Business Authority, regarding 18% of the regulated professions initiatives to remove regulatory restrictions were already being taken, regarding 68% of the regulated professions the competent ministries found that there was no need to change legislation at present, and the remaining 14 % of the regulated professions had potential for change of regulation or schemes.

The results of the task force served as part of the preparation – but also as concrete input into the governmental Growth Act/Vækstpakke 2014⁴. The Ministry of Finance has the responsibility for the Act which contains requirements for certain levels of simplification of the rules for access to regulated professions, for instance regarding easier access to the professions in the construction sector. For that purpose, the Government launched, among other things, an analysis of authorisation schemes for structural engineers and land surveyors with the aim of removing administrative burdens and entry barriers. Moreover, the Danish

³ <https://www.evm.dk/~media/oem/pdf/2012/pressemeddelelser-2012/26-10-12-konkurrencepolitisk-udspil/26-10-12-konkurrencepolitisk-udspil-pdf.a.ashx>

⁴ http://www.fm.dk/publikationer/2014/danmark-helt-ud-af-krisen-_-virksoemheder-i-vaekst



Government proposed modernisation of a range of business services, such as translator/interpreter, offshore-professions, lift inspection etc.

Cooperation with other Member States: Frontrunners initiative

In collaboration with Sweden, Norway, Lithuania, Estonia, the Netherlands, the United Kingdom and Portugal, Denmark has participated in the Frontrunners initiative on professional qualifications which aims at developing the work of the transparency process further by sharing experiences and knowledge and offering non-binding guidance to member states when assessing the regulation of professions. The project builds on studies analysing the economic impact of regulated professions as well as case studies provided by the participating Member States and coordinated by the United Kingdom. Furthermore, the project highlights factors which should be taken into consideration when assessing regulated professions and offers guidance as to: a) when regulation is justified and if so what kind of regulatory tools could be considered b) when an alternative to regulating might be preferred. As a part of this project, there were descriptions of how the electrical, gas, plumbing and sewer field have been deregulated recently in Denmark. These results are included in this action plan in the review of the professions, chapter 2.

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Nordic Councils of Ministers

Free movement is an important part of the agenda for the Nordic countries. The Nordic countries have agreed to work closely towards removing cross-border obstacles in order to create jobs and growth in the Nordic region. Therefore, mobility and free movement plays a crucial role in in Nordic Council of Ministers' overall mission and strategy. In October 2013, in a statement on the new strategy and action plan for freedom of movement in the Nordic region, the Nordic prime ministers identified four specific goals:

- to work for an open and fully functioning common labour market
- to create the best possible conditions for Nordic companies to operate across borders in the Nordic region to ensure, as far as possible, consistent implementation of EU legislation in the Nordic region through an ongoing dialogue between the Nordic countries
- to work to ensure that countries, when necessary, communicate with each other - when new regulation is introduced - in order to avoid new barriers.

The Nordic Council of Ministers conducted in 2013 a study on regulated professions in the Nordic Region (Denmark, Sweden, Iceland, Finland and Norway). The study was carried out by DAMVAD Analytics and has been completed by the report "Mobility in the Nordic Region – regulated professions and the welfare sector"⁵, which among other things mapped out the professions that are regulated in each of the Nordic countries; described the cooperation between the competent authorities and identified areas in which cooperation should be strengthened to facilitate an easier mobility of labour in the region. The study points out that the Nordic countries have a fundamental interest in promoting freedom of movement in the labour market. The study also showed that there are large differences in the professions that the individual Nordic countries have chosen to regulate; the overlap in regula-

⁵ <http://norden.diva-portal.org/smash/get/diva2:720957/FULLTEXT01.pdf>



tion is just 20 %. Those findings led to the broad political agreement that, within the existing economic frameworks, efforts must be made to:

- Reduce the number of existing barriers, in particular the informal ones, e.g. industry regulation
- Preventive initiatives need to be strengthened and citizens and enterprises need to be actively informed about the existing barriers
- The follow-up must take place within the framework of current EU aquis, including the revised Professional Recognition Directive

Nordic Council of Ministers will continue to facilitate a close Nordic cooperation with the implementation of the professional qualification Directive and European Professional Card offering a platform for coordination and exchange of information on regulated professions in the countries. The aim is to facilitate a good implementation in the countries securing free movement for citizens and enterprises across borders in the Nordic region.

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As a consequence of new EU regulation regarding free mobility and the single market, Nordic Council of Ministers initiated in 2015 a critical review of the Nordic agreements regulating mobility of labour and education in order to align with EU regulatives. Concrete plans for revision of the Nordic agreements will be clarified in 2016 on the basis of recommendations from University of Helsinki.



Chapter 2 – Review of the Danish regulated professions

This chapter includes a review of the regulated professions in both cluster 1 and 2 organised following the economic sectors defined in the Commission communication of 2 October 2013⁶.

Furthermore, the review follows the guidelines suggested by the Commission⁷ and therefore includes the overview regarding current regulatory framework, conclusions assessment made, measure(s) proposed and/or implemented, indicative process to have the measure(s) implemented, timetable for the adoption and implementation of the measure(s), state of implementation of reform (where ongoing) and new regulatory framework (if reform recently adopted).

Each profession has been categorised in relation to the type of action (if any) and whether the action is decided or expected. The categories are the following: 1. Abolishment of the scheme, change of rules and requirements, change in reserved activities, 2. Change of administration, further digitalisation, simplified guidance, modernisation, 3. Merger of schemes, 4. Further regulation, and 5. No action/no new regulation. Category 1-3 is deregulation that is introduced to make it easier to get access to work as a professional.

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Category	Type of Action
1	<i>Abolishment of the scheme, change of rules and requirements, change in reserved activities</i>
2	<i>Change of administration, further digitalisation, simplified guidance, modernisation</i>
3	<i>Merger of schemes</i>
4	<i>Further regulation</i>
5	<i>No action/no new regulation</i>

The actions described include both actions that have taken place recently (about 2 years back in time) or are expected/decided to take place in the near future in order to remove unnecessary regulation or to introduce more simplified regulation.

As mentioned in the introduction, an ‘action’ in the report is described to be an action (deregulation) when it affects the possibility to get access to work as a professional.

Under each profession, time frame is only listed if there is anything specific to mention.

⁶ Same as no. 1

⁷ Commission Working Paper “Next steps: National Action Plans”, GROW/D4 19/01/2015



The information about each profession is provided by the relevant competent authority during November/December 2015. Furthermore, the reports from the task force and the Frontrunners-project are included in this report.

On May 8 2014 Denmark provided to the Commission short sector reports for all regulated professions under the Professional Qualification Directive. During the summer 2014 Denmark has notified in the EU-database all existing regulated professions. The database is regularly updated.

The review is followed by a summary which briefly lists all the regulated professions in relation to decided, expected and none foreseen actions. Furthermore, the decided and expected actions will be categorised in relation to the categories introduced earlier so that a complete overview of the Danish actions is given.

Cluster 1 – BUSINESS SERVICES

Lawyer/ barristor/ solicitor (DA - advokat)

Competent authority: Ministry of Justice, Civil department

Cluster category: Business services

Type of Action: Category 5

Current situation

Lawyers perform various tasks, e.g. representing clients before courts and providing legal services, including advisory services. The profession as an advocate/lawyer is regulated by reserves of activities. The requirements for a person who wants to practice law in Denmark are contained in section 119 of the Danish Administration of Justice Act⁸. This section first and foremost requires that the person in question must be legally competent, and that the person must not be under guardianship, restructuring or be in bankruptcy. The person must further hold a Danish Bachelor's and Master's Degree in Law, have carried out practical legal work for at least three years, have completed a theoretical basic education, have passed an examination in matters of special importance to the profession of lawyers as well as a practical test of litigation and have acquired experience in hearing cases. For persons who hold a Master's degree in Law from one of the EU Member States or from a country with which the Community has concluded an agreement that corresponds to the level of the Danish Bachelor's and Master's degree in Law, the Minister for Justice may fix a trial period as a condition for the candidate's authorisation to work as an assistant attorney. This will be done to ensure that the candidate has the necessary knowledge of Danish procedural law and masters the Danish language at a level that enables the candidate to conduct oral proceedings in a proper manner. The same shall apply to persons who hold a Bachelor's degree in Law from one of the EU Member States or from a country with which the Community has concluded an agreement and who hold a Danish Master's degree in Law, cf. section 135 a (1) of the Danish Administration of Justice Act⁹.

⁸ Consolidation Act no. 1255 of 16 November 2015

⁹ Consolidation Act no. 1255 of 16 November 2015



The regulation of the lawyer profession has been developed to ensure a high quality of the legal services provided by lawyers in order to protect consumers and recipients of services and safeguard the sound administration of justice, especially in court cases.

New situation/ actions

In 2008, the rules on the monopoly of lawyers to appear before a court in section 260 of the Danish Administration of Justice Act¹⁰ were amended. The amendment followed a proposal by a working group appointed by the Ministry of Justice in 2004 to review the legislation regarding lawyers. Based on the conclusion from the working group, the rules were amended: other persons than lawyers were granted competence to appear before the court in cases concerning claims smaller than DKK 50.000, in cases concerning payment orders which meet certain requirements and in cases concerning enforcement of orders in the bailiff's court. As a consequence of the governmental competitiveness policy programme for 2012, "Styrket konkurrence til gavn for Danmark" (EN – "Strengthened competition to the benefit of Denmark"), the regulation on lawyers has once again been reviewed in order to establish whether the current regulation is still necessary, e.g. whether the general interest objective can be reached by less strict measures.

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Time frame

The work with the review of the legislation is still ongoing. There is no time frame for now.

Auditor/accountant (DA - statsautoriseret revisor)

Competent authority: The Danish Business Authority

Cluster category: Business services

Type of action: 1+3+4 (decided)

Current situation

The profession is regulated by Directive 2006/43/EC as amended by Directive 2014/56/EU, which in Articles 6-12 establish the basic requirements to be approved as a statutory auditor. The provisions are implemented into section 3 of the Danish Act on Approved Auditors and Audit Firms and the Ministerial Order No. 1408 of 11 December 2013. Access to the profession requires:

- 1) Theoretical education: A master's degree in auditing or another master which satisfies some minimum requirements,
- 2) Practical education: 3 years of practical training, and
- 3) Passing of an examination of professional competence:

A person who is approved as statutory auditors in another Member State in accordance with regulation implementing the Audit Directive must pass an aptitude test in accordance with section 10 of the Danish Act on Approved Auditors and Audit Firms (cf. Article 14 of the Audit Directive).

¹⁰ Consolidation Act no. 1255 of 16 November 2015



The profession is regulated by reserves of activities. The scope of the Act on Accountants is approved auditors' provision of assurance reports (audit engagements and other assurance engagements e.g. review) and non-assurance reports e.g. reporting on compilation engagements. Any person can provide reporting services unless legislation requires a report by an auditor. Likewise, accountancy related activities e.g. bookkeeping, assistance is not restricted to approved auditors or other authorised persons (reserves of activities). The objectives with the regulation are protection of consumers and recipients of services, safeguarding the sound administration of justice as well as protection of creditors.

New situation/ actions

In 2013, the Act on Approved Auditors and Audit Firms was amended. Now, there only exist one regulated profession in auditing (state authorised public accountant) – earlier there were two (registered public accountant and state authorised public accountant). With the amended Act, working as a state authorised public accountant auditor requires a master's degree. The purpose with the amendment was to strengthen the educational requirements to the auditors, especially those working with financial businesses and by this strengthen the trust into the financial sector. The amendment also aimed at modernising the education that had remained the same for many years.

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Time frame

The EU-directive (2014/56/EU) will be implemented by 17 June 2016. In 2013, the the Act on Approved Auditors and Audit Firms was amended to strengthen the trust into the financial sector. There are no further actions foreseen at national level.

Energy engineer (DA – energikonsulent)

Competent authority: Danish Energy Agency

Cluster category: Business

Type of Action: 4 (decided)

Current situation

The profession is regulated by reserves of activities according to the Ministerial Order on the change of ministerial order on energy labelling of buildings¹¹. The energy performance certificate assigns an energy performance label to nearly all types of buildings and lists cost-effective measures for improving their energy performance. The energy label classifies the building on an efficiency scale.

The requirements for this profession are strictly related to the task. Since May 2011, an Energy Performance Certificate can be issued only by certified companies. The reasons for this are to ensure valid pieces of advice and recommendations on energy savings given to the building owner as well as high quality of the Energy Performance Certificate. The objective of the regulation is energy saving measures.

New situation/ actions

¹¹ Ministerial Order no. 1176 of 13 October 2015



In October 2015, a new education as energy consultant was launched. The new education has increased and sharpened the required entrance qualifications. In order to be admitted to the education, one must have a relevant education ranging at high school level and at a minimum two years of relevant work experience. Furthermore, certified consultants must pass a refreshing course and exam every third year in order to uphold their certificate. The initiative was passed in order to increase the quality in the energy reports.

Time frame

Besides the introduction of the new education as energy consultant in October 2015, no further actions are foreseen.

Surveyor (DA – Landinspektør)

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Competent authority: Danish Geodata Agency

Cluster category: Business services

Type of action: 1+2 (expected)

Current situation

The profession is regulated by reserves of activities for authorised land surveyors which include, among other things, performing subdivision of real property and other cadastral activities, including division of a building into condominiums. The legislation governing the regulation of the profession is the Land Surveyors Act cf. Consolidation Act no. 680 of 17 June 2013 and the Ministerial Order on the licensing of authorised surveyors, the obligation to register for temporary provision of services and disclosure obligations for chartered surveyors¹².

In order to qualify for a Danish authorisation, the requirements are normally a university degree (masters) as a land surveyor, plus three years of work experience under the supervision of a chartered surveyor. The work must be connected to cadastral work in order to fulfill the requirements, for example parcel subdivision, change of property boundaries or the division of a building into condominiums. Furthermore, the applicant must be legally competent and financially solvent in order to qualify for an authorisation as a land surveyor.

The objectives with the regulation is to ensure a high level of quality in the services supplied by authorised land surveyors, the independence of the chartered land surveyor, the trust in the validity of the data of the Danish Cadastre, and the safety for mortgagees and neighbours. Thus, the main reason for regulating the profession is that the Danish Cadastre is the basis for management of real property – both in relation to private rights and public administration, taxation, Land Register, mortgages, planning etc.

New situation/ actions

The Danish Geodata Agency has participated in the screening process in relation to barriers for competition and growth. The objective was to conduct a study to investigate whether the restrictions on ownership of land surveying companies (includ-

¹² Ministerial Order no. 703 of 17 June 2013



ing rules on percentage of board members/ board of directors who must be authorised land surveyors) can be reformed while still maintaining the trust in the Danish Cadastre and the administration that flows from it. As part of this on-going screening, the transfer of credits in order to obtain a degree in Land Management as a basis for license as an authorised land surveyor is being examined as a possible development.

Based on the results of the screening process, a change to the ownership restrictions for land surveying companies has been suggested in the present Danish Government's Growth Initiative (Vækst i hele Danmark 2015). The initiative will increase competition, allow all companies to perform cadastral work and at the same time maintain the independence of land surveyors, the quality of cadastral work and the protection of consumers, recipients of services as well as other stakeholders. The demand for professional liability insurance as well as the rules regarding good conduct will be upheld.

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Time frame

Legislation is being prepared. The initiatives are expected during 2016.

Trikinseeker (DA - Trikinsøger)

Current situation

Competent authority: The Danish Veterinary and Food Administration

Cluster category: Technical testing and analysis

Type of action: 5

The profession is regulated by reserves of activities which consist of conducting analysis of and inspections for trichinella. According to the Commission Implementing regulation (EU) 2015/1375 of 10 August 2015, which sets specific rules on official controls for trichinella in meat, and Ministerial order No. 544 of 28 May 2014, a relevant education as trichinella seeker is required to get access to the profession.

To work as a trichinella seeker in Denmark, one has to be approved by an official veterinarian and work under the official veterinarian's supervision and responsibility. Furthermore, one has to have completed and passed a course that is approved by the Danish Veterinary and Food Administration (DVFA) and passed the final exam as described in annex I, section III, chapter III, part B in regulation (EC) no 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.

As analysing meat for trichinella requires knowledge of the technical requirements and the relevant legal framework as well as experience in identifying trichinella larvae in meat, the requirement of a certain degree of professional requirements is considered to be justified.

There are four measures that a potential trichinella seeker has to abide by: 1. approval by an official veterinarian to work as a trichinella seeker, 2. work under the



supervision and responsibility of an official veterinarian, 3. complete a course that is approved by DVFA, and 4. pass the final exam as described in annex I, section III, chapter III, part B in regulation (EC) no 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption. The four measures all work together to maximise food safety. As the wrongful handling of trichinella susceptible meat can result in a serious risk to food safety, it is important that a prospective trichinella seeker has been approved by an official veterinarian and works under his/her supervision and responsibility. The test which has to be completed and passed also helps ensure that the prospective trichinella seeker possesses the right level of professional qualifications needed.

New situation/ actions

There are no actions foreseen since the system is working as intended.

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Measurement and control technologist (DA – Certificeret Støjmåler)

Competent authority: The Danish Environmental Protection Agency

Cluster category: Business services

Type of action: 2 (decided)

Current situation

The profession is regulated by reserves of activities. The certification of individuals for Environmental Noise Measurements and Noise Calculations is required in order for the measurement and control technologist in question to carry out measurements and calculations which are to be used in the Danish authorities' administrative procedures. The purpose of the certification is to safeguard the quality, consistency and impartiality of the basis for decisions made by the authorities as well as to maintain the trustworthiness of the Environmental Noise Measurement and Noise Calculation. Furthermore, the nature and the mathematics of Environmental Noise Measurement and Noise Calculation require a technical background and experience of sound propagation which is achieved through training and maintenance of knowledge. The certification system ensures that this quality and consistency is maintained.

In order to get access to the profession, i.e. acquire the certification, the person in question must have a general or vocational post-secondary education equivalent to M.Sc. in acoustics obtained from a Technical University. More specifically, the Ministerial Order on Quality Requirements for Environmental Measurements¹³ lay down the necessary prerequisites for the certification: A technical background and experience of sound propagation which is achieved through training and maintenance of knowledge.

New situation/actions

In 2014, it became possible for professionals who have had a valid certificate for two consecutive periods of three years without annotations to renew the certificate when the person has completed at least 2 "Environmental Noise Measurement" per year over the previous 3 years.

¹³Ministerial Order no. 1311 of 15 November 2015



Since recent improvements have taken place, no further actions are foreseen at the moment. Furthermore, no actions or amendments have been proposed by the stakeholders representing the following: FRI (the Danish Association of Consulting Engineers), KL (Local Government Denmark), the certified persons (Measurement and control technologist) and the Danish Environmental Protection Agency.

Time frame

Since new action took place in 2014, no further action is foreseen at the moment.

Translator and interpreter (DA – translator og tolk)

Competent authority: The Danish Business Authority (DA – Erhvervsstyrelsen)
Cluster category: Business services
Type of action: 1 (decided)

Danish Agency for Higher
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Current situation

The profession is regulated by a protected title (without reserved activities). The authorisation is given if the applicant meets the given educational requirements¹⁴. The educational requirements depend on which language the applicant wants to be authorised in¹⁵. The regulation only considers translation and interpretation from and to Danish language. However, the authorisation does not give exclusive rights to the translators besides the confirmed translations and the protected title. The recipients of translation services can therefore choose to use translators and interpreters without authorisation.

The objective with the regulation is protection of consumers and recipients of service. The requirements ensure that translators have the necessary qualifications to maintain a high level of linguistic quality. This should be seen in the light of the fact that translators are used in courtrooms and to make confirmed translations.

New situation/ actions

The Danish Parliament has passed an act which will abolish all regulation of the profession. The act applies from 1 January 2016. The current system will be removed without replacement. The reasons for abolishing the scheme are strengthened competitiveness, transparency for the consumers and simplification of rules in general.

Time frame

The regulation regarding the profession will be abolished the 1st of January 2016.

Pig inseminator (DA – svineinseminør), Cattle inseminator (DA - kvægginseminør), Furred animal inseminator (DA - pelsdyrsinseminør) and Horse inseminator (DA - hesteinseminør)

¹⁴ Articles 1 and 3 in the Act on Translator and Interpreter (lov om translator og tolk)

¹⁵ Articles 3 in the Act on Translator and Interpreter (lov om translator og tolk)



Competent authority: The Danish Veterinary and Food Administration

Cluster category: Veterinary activities

Type of action: 2+3 (expected)

Current situation

There are four types of regulated inseminator professions. Each profession is regulated by reserves of activities. Different requirements exist within the four professions:

Pig inseminator: A course of one week's duration, including a training period. There is a final written and oral exam¹⁶.

Cattle inseminator: A basic course of 10 weeks' duration, including a training period. There is a final written and oral exam. This is followed by a training period of 6 months and then a final approval course of 3 weeks. To be admitted to the course, the applicant must at least be trained by a skilled farmer or the equivalent and have been engaged in practical farming for at least one year¹⁷.

Furred animal inseminator: A course of two weeks' duration, including participation in a practical training period of one breeding season and passing of a test/course of one day's duration¹⁸.

Horse inseminator: A basic course of 6 days' duration with a final written and oral exam. After that a subsequent follow-up course of one day's duration¹⁹.

The objectives with the regulation are animal health and welfare.

New situation/ actions

The plan is that the legislation will be amended so that instead of receiving a permit to inseminate from the Danish competent authorities, the attestation for completing the training course will be sufficient. Furthermore, a merger of legislation governing the conditions for entering the professions and the educational requirements to obtain the authorisation will take place. At the moment, each profession has its own ministerial order and its own educational requirements. The plan is to remove the current system and replace it with an alternative.

The Danish Veterinary and Food Administration will revise all orders on insemination into one order to harmonise administrative procedures. The service provider will still need to complete a course for each animal species s/he wishes to inseminate. The reason for the actions/deregulation is to lift the administrative burden of economic operators. The service provider will not have to apply for approval as inseminator as the diploma will serve as proof of authorisation to inseminate. In the future, the training provider will have to forward information to the Danish Veterinary and Food Administration on who has passed the course. In this way, administrative burdens has been lifted of the service provider.

The actions consist of both change of administration/further digitalisation, merger of schemes and less regulation.

Time frame

¹⁶ Order no. 598 of 29 June 1992 on boar semen

¹⁷ Order no. 1270 of 13 December 2004 on bull semen and insemination of cattle

¹⁸ Order no. 515 of 9 October 1984 on artificial insemination on fur animals

¹⁹ Order no. 83 of 27 January 2010 on insemination of equine



The described changes will happen, but there is no specific time frame for the moment.

Authorised Veterinary Nurse (DA – Veterinær-sygeplejerske)

Competent authority: The Danish Veterinary and Food Administration

Cluster category: Business services

Type of action: 1+4 (decided)

Current situation

The veterinary nurse profession is regulated by reserves of activities, and an authorisation scheme is in place. Authorisation gives the veterinary nurse in question the right to perform a number of tasks in a veterinary clinic under the responsibility of a veterinarian. The system is relatively new and is assessed to work as intended as it opens up the possibility for veterinary nurses to perform tasks that would otherwise be preserved for veterinary surgeons. The specific tasks are described in the Ministerial Order on Authorisation of Veterinary Nurses²⁰. Authorisation can be obtained if it can be documented that the veterinary nurse has completed the education for veterinary nurse approved by the Ministry of Education or an education that can be assessed as equivalent. The vocational education for veterinary nurse takes 3,5 years and contains both theoretical and practical training.

Danish Agency for Higher
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The objectives with the regulation are protection of the consumer as well as animal welfare. The requirements secure that the authorised veterinary nurse has the necessary knowledge in order to perform the respective tasks.

New situation/ actions

Regulation regarding authorisation of veterinary nurses was introduced on 1 May 2011 with the purpose of expanding veterinary nurses' access to perform additional tasks in small animal clinics. Further regulation has taken place in October 2015. Previously, some of the tasks in the Ministerial Order on Authorisation of Veterinary Nurses²¹ were reserved for the authorised veterinary nurse, while some of the tasks could be performed by veterinary nurses without an authorisation as well. In the new order on veterinary nurses, all tasks are reserved for authorised veterinary nurses, who are given the possibility of performing additional tasks as well.

In the new order on veterinary nurses, the requirement that a veterinarian must certify one's skills in terms of intravenous treatments before obtaining an authorisation is cancelled, and the authorisation can now be achieved solely on the basis of completed education. In addition, the regulation has been amended so that a veterinary nurse now can obtain authorisation for either companion animal or horses, depending on the specialisation she/he has completed her education within.

Time frame

The regulation was amended in October 2015, and no further actions are planned.

²⁰ Ministerial Order no. 1153 of 30 October 2015

²¹ Ministerial Order no. 1153 of 30 October 2015

**Veterinary Technician (DA – veterinærtekniker)**

Competent authority: The Danish Veterinary and Food Administration

Cluster category: Veterinary activities

Type of action: 5

Current situation

The profession is regulated by reserves of activities.

Veterinarians can, partly as part of a specific plan for disease or disease control concerning diseases that are not covered by the Annexes to the Act on the keeping of animals²², and partly as part of a decent control, be assisted by veterinary technicians with regard to taking diagnostic tests of cattle, pigs, horses, sheep, goats, fur animals and poultry for study at the National Veterinary Institute or a laboratory approved by The Danish Veterinary and Food Administration.

Authorisation as a veterinary technician can be given to a person who is operating under a named veterinarian's management and responsibility and who has received training in several specific subjects. There is no requirement for the teaching period, but only for a number of issues which should be taught. The authorisation as a veterinary technician is linked to employment and expires upon termination of employment.

Danish Agency for Higher
Education

The objectives with the regulation are protection of the animal welfare and animal health.

The requirements secure that the authorised veterinary technician has the necessary knowledge in order to perform the respective tasks.

New situation/ actions

There has not been taken any actions recently in order to amend the regulation.

An amendment of the regulation is under consideration in order to meet national needs for an update within the profession. There has not been made a decision whether to follow through with the amendments and which form these will be in.

Veterinary Surgeon (DA – Dyrlæge)

Competent authority: The Danish Veterinary and Food Administration

Cluster category: Business services

Type of action: 5

Current situation

The profession is regulated by reserves of activities.

The profession is regulated by the Danish Veterinary Surgeon Act²³ and Ministerial Order²⁴ on the access to the veterinary profession in Denmark for EU and EEA citizens and citizens of a country with which the EU has an agreement on professional recognition, as amended by two Ministerial Orders²⁵. The requirements in

²² Act no. 432 of 9 June 2004

²³ Ministerial Order No. 1149 of 12 September 2015

²⁴ No. 1176 of 11 October 2007

²⁵ Ministerial Order No. 1328 of 15 December 2009 and Ministerial Order No. 931 of 5 July 2013.



the Danish Veterinary Surgeon Act secure that only persons with the necessary education, skills and knowledge have the right to work as a veterinary surgeon.

In order to get access to the profession, the person in question must have obtained a diploma from the University of Copenhagen (candidate in veterinary medicine - Cand. Med. Vet.) or a similar education from another EU member state meeting the minimum training requirements set out in Article 38 and Annex 5.4.1. of Directive 2005/36/EC. An authorisation as veterinary surgeon gives the right to work as a veterinary surgeon (and to use the title "veterinary surgeon") and to perform the veterinary tasks with regard to animals as regulated by the Danish Veterinary Surgeon Act.

The objectives with the regulation are animal health, animal welfare and consumer protection.

Danish Agency for Higher
Education

New situation/ actions

No actions are planned within this profession since the system is working as intended. The Danish Veterinary Surgeon Act lays down all the necessary requirements for sound performance of the task as veterinary surgeon.

Worker in mink farms (DA - erhverv i pelsfarme)

Competent authority: The Danish Veterinary and Food Administration

Cluster category: Business Services

Type of action: 5

Current situation

The profession is regulated by reserves of activities. The regulation concerns persons working in mink farms and persons supervising the killing of fur animals on fur farms²⁶. With regard to persons supervising the killing of fur animals on fur farms, these requirements are based on Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.

Persons in charge of the keeping of mink on a fur farm must have completed an education fulfilling requirements mentioned in the Ministerial Order²⁷. The education consists of a theoretical part (minimum 32 hours) and a practical part (minimum 148 hours). The education must be completed within 1 year after the person has assumed responsibility for the breeding.

Persons who are occupied with the handling of live mink must have completed a course of minimum 8 hours fulfilling the requirements mentioned in the Ministerial Order. The course must be completed within 4 weeks after the employment is commenced.

The objectives with the regulation are animal health and animal welfare.

New situation/ actions

²⁶ Ministerial Order no. 1207 of 14 December 2007

²⁷ Ministerial Order no. 1207 of 14 December 2007



The Ministerial Order²⁸ lays down all the necessary requirements for the sound performance of the professions regulated by the Ministerial Order with the aim of securing animal health and animal welfare. No actions are planned within this profession since the system is working as intended.

Implantation of transponders in equidae (DA – ID-mærkere af dyr af hestefamilien)

Competent authority: The Danish Veterinary and Food Administration

Cluster category: Veterinary activities

Type of action: 5

Current situation

The profession is regulated by reserved activities. In order to get access to the profession, a 5 days' course approved by the Danish Veterinary and Food Administration is required. The courses are currently provided by SEGES. The course consists of theoretic and practical training that makes the participants able to implant transponders in equidae. The objective with the regulation is animal welfare.

New situation/ actions

The requirements regarding the content of the course has been described in greater detail in a new Ministerial Order²⁹ on identification of equidae which will come into force on 1 January 2016. The new order replaces the Ministerial Order on Identification of Equidae³⁰. The aim is to support the welfare of horses. It does not affect the individual who exercises the profession but only the course providers.

Danish Agency for Higher
Education

Security guard/ Warden (DA – vagtvirksomhed)

Competent authority: Ministry of Justice

Cluster category: Business services

Type of action: 2 (decided)

Current situation

The profession is regulated by reserves of activities and described in the Consolidation Act on Security Services and the order on Security Services³¹. Security guards perform various guarding and security tasks, e.g. monitoring in malls, monitoring the area of a private company or controlling the access to a private or public building. The work of security companies contributes to crime prevention.

Both companies offering security guard services and independent security guards must obtain an authorisation by the Danish police. In order to get an authorisation, the applicant must, among others, have turned 25 years old and not have a considerable debt to the public sector. Furthermore, the applicant must not have been

²⁸ Ministerial Order no. 1207 of 14 December 2007

²⁹ Ministerial Order no. 1398 of 2 December 2015

³⁰ Ministerial Order no. 1448 of 15 December 2009

³¹ Consolidated Act no. 227 of 3 March 2010 with later changes and Order no. 1045 of 30 September 2014.



convicted of a crime that causes a reasonable risk of abuse of the position and gives reason to assume that the applicant will not be able to practice the position in a proper manner and in accordance with good practices within the sector. In addition, employees need an approval. In order to get an approval, the applicant must have completed one of the following: a specific education for security guards, a similar education through a specific education for bodyguards or have similar qualifications which can be recognised after the rules of the directive on the recognition of professional qualifications. Approval can be denied if, for instance, the applicant is convicted of a crime and the circumstances of the conviction cause a reasonable risk of abuse of the position.

The objectives with the regulation are public security: it is necessary to make sure that the work of security guards is exercised in a proper and safe way and that the security guards are not acting in a way that can be interpreted as private police forces. Moreover, security guards often get access to private areas in a way that involves a risk of illegal activities such as stealing and industrial espionage, and security guards should therefore be governed by regulation.

Danish Agency for Higher
Education

New situation/ actions

In order to strengthen the regulation of security guards in Denmark, the Ministry of Justice in January 2009 requested the Danish National Police to establish a working group for the revision of the regulatory rules that apply to the profession. The working group, which consisted of various interested parties from the security service industry, including both employers' associations and trade unions, and the National Police, issued a report in October 2009. Based on the working group's suggestions, the Minister of Justice has amended Order no. 1564 of 20 December 2007. The amendment involves specifying which information that needs to accompany an application for authorisation to carry out commercial security services, the National Police's opportunity to lay down conditions regarding reporting on company conditions and a requirement regarding security guards' obligation to carry personal identification cards visible.

The amendment has also changed the rules regarding temporary staff. Temporary staff can now be engaged for office duty in security companies. Furthermore, the National Police has elaborated guidelines for administration of applications for authorisation and approval in order to ensure a uniform practice. Order no. 1564 of 20 December 2007 has been superseded by order no. 1045 of 30 September 2014.

Time frame

Since order no. 10415 of 30 September 2014 has been changed no further actions has been taken.

Security guard/ warden (DA – Autoriseret kontrollør ved bestemte idrætsbegivenheder)

Competent authority: Ministry of Justice (Danish National Police)

Cluster category: Business services

Type of action: 4 (decided)



Current situation

According to Act on Security at Certain Sports Events³² and Order on Security at Certain Sports Events³³, it is required that security inspectors at certain sports events have an authorisation. The requirements consist of a 3 days course (the Gateman education by the Danish Football Association). The objectives of the regulation are public security.

The purpose of Act on Security at Certain Sports Events³⁴ and Order on Security at Certain Sports Events³⁵ is to ensure that the police and the football clubs have the necessary tools in order to prevent violence and riots at specific football matches. The purpose of the regulation specifically regarding the security inspectors is to ensure that the security inspectors have the adequate knowledge on handling personally sensitive information and to ensure that the enforcement of the quarantines is done effectively and consistently.

Authorisation can be given to an applicant who has qualifications which can be recognised after the rules of the directive on the recognition of professional qualifications and if the applicant meets the mentioned requirements.

New situation/ actions

The regulation was evaluated in 2011-2012. Due to security reasons, there is still a need to demand that persons who work as security inspectors at certain sports events have completed an education for inspectors. This ensures an equal high level of expertise among the inspectors. In 2013, the regulation was amended in order to ensure that dispensation from the education criteria is only given when the applicant without doubt is qualified.

In 2015, the Act on Security at Certain Sports Events³⁶ was replaced by Consolidated Act on Security at Certain Sports Events³⁷.

Doorman (DA - dørmænd i virksomheder med alkoholbevilling)

Competent authority: The Danish Business Authority

Cluster category: Business Services

Type of action: 5

Current situation

The profession is regulated by reserves of activities. These activities consists of checking guests wishing to enter the licensed establishment, monitoring the licensed establishment in order to prevent violent situations, intervening in violent situations and detaining the offender until the police arrives.

The education as a doorman can be obtained by receiving adult vocational training, so called AMU. There are no specific admission requirements to this and the course

³² Act no. 307 of 30 April 2008

³³ Order no. 650 of 26 June 2008

³⁴ Act no. 307 of 30 April 2008

³⁵ Order no. 650 of 26 June 2008

³⁶ Act no. 307 of 30 April 2008

³⁷ Consolidated Act no. 1216 of 27 October 2015



lasts 8 days. On the basis of the certificate for a passed test, the participant can apply for authorisation at the police. Authorisation is issued after a satisfactory background check in police records, and the applicant will receive a personal identification card issued by The National Police. This is regulated in the Ministerial Order on Doormen³⁸. This card shall be carried when performing the reserved activities. The objective of the regulation is public security.

The rules regarding a doorman's mandatory education and authorisation emerged as a consequence of the Government's fight against drugs in the night life (the action plan "Kampen mod narko" from October 2003). The education safeguards the doorman's knowledge regarding service, communication, cooperation, conflict management, drugs, first aid, firefighting and the existing laws on the field of doormen. Great emphasis is placed on the ability to recognise drug dealing and people who are under the influence of drugs. The education required for an authorisation as a doorman contributes to the protection of public security, and in particular the security of customers in the night life.

Danish Agency for Higher
Education

New situation/ actions

In 2013, the profession was examined by a governmental task force (established as a part of the Government's competitiveness policy package from 2012) in order to identify simplification potential. The taskforce has not resulted in any changes regarding the authorisation of doormen in businesses with liquor license. The education is continually up-to-date evaluated.

Chimney sweep (DA - skorstensfejer)

Competent authority: the Danish Transport and Construction Agency

Cluster category: Business services

Type of Action: 5

Current situation

The profession is regulated by reserves of activities and protected title.

The regulation of the chimney sweep profession consists of educational requirements.³⁹ More specifically, the education is a 4,5 year vocational education. This means that the chimney sweep must have an education in sweeping chimneys or similar skills from other relevant education⁴⁰. The purpose of the regulation is to ensure fire safety in buildings and houses to avoid serious damage to health and safety. It is therefore necessary to have the possibility of checking the professional qualifications of the chimney sweep prior to the first provision of services to ensure that the chimney sweep is qualified to clean chimneys and can ensure fire preventive supervision of the chimneys.

The consequence of improper sweeping of a chimney can result fire in the chimney and the building.

³⁸ Ministerial Order no. 247 of 11 April 2008

³⁹ Regulation 239 of 27 April 1993 with amendments

⁴⁰ Ministerial Order no. 239 of 27 April 1993, as amended. Execute Order no. 1308 of 23 November 2007 Ministerial Order no. 1335 of 15 December 2009.



New situation/ actions

The regulation is for the time under revision. The purpose of the revision is a clarification of the existing regulation. However, this will not change the requirements to the competences that the chimney sweep must have. It is expected that the revision of the regulation has an effective date of 1 July, 2016.

The regulation continues to ensure fire safety and to ensure the fire preventive supervision of the chimneys. The chimney sweep has a central role to ensure this supervision in cooperation with the local municipality.

Rat controller (DA - Rottebekæmpelse)

Competent authority: The Danish Nature Agency

Cluster category: Business services

Type of action: 2 (expected)

Danish Agency for Higher
Education

Current situation

The profession is regulated by reserves of activities. In order to become an authorised rat controller, it is mandatory to complete a rat controller authorisation course along with an aptitude test. Before enrolling in the course and taking the aptitude test, 3-6 months related professional training is a mandatory requirement.

The current legislation is from 2012. It was considered to remove the requirement for rat controllers to participate in the authorisation course and condition the authorisation on the aptitude test alone – but it was decided not to. Since the regulation is rather new, no alternative approaches to regulate the rat controller profession has been considered so far.

The authorisation gives the right to carry out rat extermination including utilisation of rodenticides. The objective of the regulation is to make sure that rat control is handled in a professional and skilled manner. Improper or inadequate handling of rodenticides can result in serious safety and health problems for people, direct and indirect poisoning of other animals and thus be a threat to the biodiversity of the surrounding area.

The requirements make sure that rat controllers practicing in Denmark have the necessary qualifications to make decisions based on qualified and educated grounds and that the person in question knows how to act correctly according to the relevant national legislation.

New situation/ actions

In 2016, the current regulation will be updated in order to correspond to the revised directive (2013/55/EU). The Danish Nature Agency is furthermore contemplating a revision of the regulation.

Time frame

The revision of the regulation is expected, but there is no specific timeframe at the moment.



Vermin controller (Persons using gas for vermin control must be licensed)/ (DA – Skadedyrsbekæmper (desinfektør)

Competent authority: The Danish Environmental Protection Agency

Cluster category: Wholesale and retail

Type of action: 2+4 (expected)

Current situation

The profession is regulated by reserves of activities. In order to perform the activities, the person in question needs to obtain a certificate by completing 10 days of training (74 hours) (for limited activity: 2 days/ 12 hours). The objectives with the regulation are public health and protection of the environment.

New situation/actions

Change to the regulation is planned in early 2016 (delayed from November 2015). The change concerns more digitalisation of an authorisation scheme and more control related to the reserved activities.

Danish Agency for Higher
Education

Time frame

Change of regulation expected to take place early 2016.

Cluster 1 - CONSTRUCTION

Certified Building Expert (DA – beskikket bygningsagkyndig)

Competent authority: the Danish Business Authority

Cluster category: Construction

Type of action: 1+2 (decided)

Current situation

The profession is regulated by reserves of activities. According to the Act on Certified Building Experts⁴¹, only building experts are authorised to prepare a report on house conditions. The report describes visible faults with and defects of the property and makes basis for a change of ownership insurance.

The building experts are part of the house inspection scheme which concerns the purchase and sale of properties primarily used as dwellings. The purpose of the scheme is to ensure that a seller is released from their 10-year liability to the buyer for hidden faults and defects by producing a valid house condition report as well as information on change of ownership insurance before the purchase agreement is signed.

In order to obtain the authorisation, the building experts must fulfill certain requirements regarding, among other things, education, work experience and insurance according to the Ministerial Order on the House Inspection System⁴². The authorisation expires after 3 years, and then, the authorisation must be renewed.

⁴¹ Act no. 1532 of 21 December 2010

⁴² Ministerial Order no. 60 of 21 January 2015



The objective with the regulation is protection of consumers and recipients of services. Buying a real property is the largest economic disposition in a consumer's life.

New situation/ actions

Since establishing the scheme, it has been evaluated several times. The latest evaluations took place in 2010 by a committee under the Danish Ministry of Justice and in 2014 by the Danish Government's task force for regulated professions mentioned earlier. The recommendations of the committee were implemented in May 2012. The task force recommendations will be implemented in January 2016, including abolishment of the rules concerning the building experts' maximum price for a report. Furthermore, digitalisation of the building experts work will be implemented to make the scheme more effective.

Time frame

The changes will happen in January 2016

Danish Agency for Higher
Education

Work as boiler attendant (Work with maintenance of hot water and steam boilers) (DA – Arbejde som kedelpasser)), Work with erection of scaffolding (DA – Arbejde med opstilling af stilladser), Work with asphalt materials (DA – Arbejde med asfaltmaterialer), Work with epoxy and isocyanates (DA – Arbejde med epoxy og isocyanater), Work with a telescope loader (DA – Arbejde med teleskoplæsser), Work with welding (Work with welding and thermic cutting in metals) (DA – Arbejde med svejsning) Work with asbestos (DA – arbejde med asbest), Work with styrene (DA – arbejde med styrene), Work as refrigeration engineer (work with refrigeration plants and heat pumps) (DA – kølemontør), Forklift driver (Work with forklift truck) (DA – gaffeltruckfører), Work with forklift trucks (DA – gaffelstabler) and Health and safety coordinator in the field of building and construction (DA – koordinator for sikkerheds- og sundhedsarbejdet på bygge- og anlægsområdet).

Competent authority: the Danish Working Environment Authority

Cluster category: Construction

Type of action: 5

Current situation

Each of the above mentioned professions has the same key characteristics in relation to regulation, objectives and foreseen actions. All of the covered professions are regulated by reserves of activities. The educational requirement for each of the 12 professions is a short health and safety course. The objective of the course is to ensure sufficient qualifications regarding health and safety in order to prevent risks during work for both the employee and others. The main objective of the regulation is public security and health.

New situation/ actions

There are currently no planned changes to the health and safety courses for any of the professions. The 12 professions are all associated with significant health and



safety risks, and it is therefore important to be able to react properly in any high-risk situation that may endanger the health and safety of the personnel and to know the proper emergency response function. The requirements of each regulated profession seek to minimise the health and safety risks associated with the individual jobs.

Structural Engineer (DA – Anerkendt statiker)

Competent authority: the Danish Society of Engineers (IDA) (authorised by the Danish Transport and Construction Agency⁴³)

Cluster category: Construction

Type of action: 2 (expected)

Danish Agency for Higher
Education

Current situation

The profession is regulated by reserves of activities. The regulation of structural engineering is based on a recognition system which means that structural engineers must be certified in accordance with the Buildings Regulations. The system is furthermore designed to facilitate the work of authorities reducing processing time when handling building projects without reducing projects static documentation.

Certification can be issued to engineers with one of the following Danish degrees: Master of Science in Engineering (M.Sc.(Eng.)), Bachelor of Science in Engineering with honours (B.Sc.Eng.(Hons.)) or Bachelor of Science in Engineering(BSc.(Eng.)).

Applicants who do not have any of the above mentioned degrees have the opportunity to take a test or examination to ascertain whether they have the requisite professional expertise. Furthermore, details of the applicant's work history in a given period leading up to the application are required for certification.

Furthermore, engineers who have evidence of competence, academic qualification or a certificate which in another country authorises them to practice structural engineering in that country may practice as certified structural engineers in Denmark provided that the qualification or certificate has been issued by a competent authority in the country in question⁴⁴.

The purpose with the regulation is to prevent failures in buildings that are classified in high consequence class and where failures seriously will endanger human life. It is therefore necessary to have the possibility to check the professional qualifications of the structural engineer prior to the first provision of services to ensure health and safety. The consequence of improper structural documentation can be failures of the load-bearing structures and endanger human life.

New situation/actions

In November 2015, the Danish Government presented a new policy package (Vækst og udvikling i hele Danmark). According to the package, the system of recognition for structural engineers will be modernised by introducing a certification system that is more comprehensive and flexible than the existing onerous one. It is expected that the revision of the system will reduce existing barriers and make it easier to access the profession as a structural engineer.

⁴³ Buildings Regulations, Appendix 3

⁴⁴ Buildings Regulations, Appendix 3, 4.2



Time frame

For the moment there is no specific time frame for the revision of the system. It is expected that the Buildings Regulations will be revised during 2016 in order to amend the system.

Well driller (DA - Brøndborer)

Competent authority: The Danish Nature Agency

Cluster category: Construction

Type of action: 2 (decided)

Current situation

The profession is regulated by reserves of activities based on a statutory order Nr. 1826 by 16/12/2015 about education of well drillers on land which lays down the educational requirements. These consist of an education with specific requirements lasting at least 28 days. The education gives the right to carry out well drilling. The objective with the regulation is protection of environment and groundwater, as inappropriate and careless behavior can harm the groundwater/ drinking water and thus public health. The requirements make sure that a well driller has the necessary qualifications to make well drilling.

Danish Agency for Higher
Education

New situation/ actions

The Danish Nature Agency is currently modernising the education to keep up with the technological development in the field. The ongoing modernisation, among other things, keeps up with the technological development in the field. The modernisation of the education will not make compromises in regard to the health and environmental protection concerns or inhibit a practical enforcement of the rules.

Time table

The modernisation is carried out during the course of 2015 and will enter into force in the beginning of 2016.

Commercial diver (DA - Erhvervsdykker)

Competent authority: The Danish Maritime Authority

Cluster category: Construction

Type of action: 5

Current situation

The profession is regulated by reserves of activities. In order to perform the activities in Denmark, authorisation by the Danish Maritime Authority is required. There is no application form, instead, the person in question must write a letter stating his/ her profession and explain his/ her wish to work as a commercial driver on a permanent basis. Authorisation is given to those who, among other things, can provide proof of professional experience, e.g. pay slips or attestations from employers identifying the professional activity and its duration (if any) and a medical apti-



tude certificate. If the person in question is from a Member State which does not regulate the profession, proof of having practiced the profession for at least two years in the last ten years in the Member State of establishment is required. The profession is regulated in the Consolidation Act on Diving Works and Diving Materials⁴⁵.

The objectives of the regulation are to ensure the life and health of persons using diving equipment in Danish waters and to promote the health and safety conditions for the persons performing diving operation.

The protection of the profession has been introduced to take account of the considerable poorer visibility in Danish waters than in, for example, the Mediterranean, as well as of the complexity of the profession when performed in Danish waters.

New situation/ actions

No actions are planned.

Danish Agency for Higher
Education

Electrical, gas, plumbing and sewer fields (DA – El-, gas-, vvs- og kloakområdet)

The professions described in the following are electrical contractor (DA – elinstallatør), gas, plumbing and sanitation fitter (DA – gas-, vand- og sanitetsmester) and sewage contractor (DA – kloakmester). At first, these professions will be described individually, and then a joint description of actions taken to liberalise the regulations will follow.

Electrical Contractor (DA - Elinstallatør)

Competent authority: Danish Safety Technology Authority

Cluster category: construction

Type of action: 1+2+3 (decided)

Current situation

This profession is regulated by reserves of activities. The profession is part of the single company authorisation scheme for professionals in the electrical, gas, plumbing and sewer sector, which was introduced by law in June 2014 (the authorisation scheme is elaborated in the following section, i.e. “New situation/ actions”). The overall purpose of the authorisation agreement in the electrical field is to ensure that companies carrying out electrical work are competent. In the electrical field, there is direct connection between the competence of the companies and the risk of electrical accidents/injuries and electrical fires. For the sake of the safety and protection of the consumers and the performing workers, the installation work carried out must therefore be of high quality.

The Danish Safety Technology Authority can approve a person as technically responsible when the person can prove that he/she has passed a qualifying test within the relevant field. The requirements of education and qualifying tests are specified in the Ministerial Order on Approval of Technical Responsible Persons within

⁴⁵ Consolidation Act no. 69 of 17 January 2014 cf. chapter 2 paragraphs 6-11.



the Electrical, Gas, Plumbing and Sewer fields⁴⁶. Furthermore, the applicant must be of legal age and must not be under guardianship.

The company which applies for authorisation or sub-authorisation must have the right competences – i.e. a technically responsible person within the authorisation field.

New situation/ actions

Denmark has undertaken measures to liberalise the regulation of professions in the electrical, gas, plumbing and sewer fields. This area was characterised by different types of authorisation schemes depending on whether the person in question was working with electricity, gas, plumbing or sewers, creating a complex system for both companies and restricting the freedom of professionals to work across the sector.

Danish Agency for Higher
Education

There was a demand for modernising the system, and consequently, a single company authorisation scheme was introduced for professionals in the electrical, gas, plumbing and sewer sector. This meant that it became possible for the company to have full responsibility for the performance of work while maintaining a high level of security, i.e. through an approved self-certification system. This was done by altering the existing personal authorisation and the special personal criminal liability in the electrical area. Instead the company as a whole gets increased responsibility but also more flexibility. It also provides greater flexibility to the professional to work in a range of disciplines under one regulatory system. However, there must be at least one technically responsible person affiliated with the company for a minimum of 30 hours a week within business hours, the person's professional skills must be approved by the Danish Safety Technology Authority, and a company must have an approved quality management system.

In addition, as an alternative to 'full' authorisation, a part-authorisation scheme for electrical contractors, gas fitters and plumbers was also introduced in order to make more companies and professionals able to perform all parts of a task for the consumer. The purpose of this was also to make it possible for the companies without former authorisation to get new and more flexible options for ongoing qualification and thereby create new markets and increased growth.

The new authorisation scheme is more flexible for the companies, but it also places the responsibility of having the right competencies regarding installations with the company. The changes were adopted by the Danish Parliament in April 2014, and the Act on Authorisation of Companies in the Electrical, Gas, Plumbing and Sewer Fields⁴⁷ entered into force in June 2014.

Since the Act on Authorisation of Companies in the Electrical, Gas, Plumbing and Sewer Fields⁴⁸, new educations in the part-authorisation fields for electrical contractors, and plumbing contractors have been established.

⁴⁶Ministerial Order no. 543 of 22 May 2014

⁴⁷Act no. 401 of 28 April 2014

⁴⁸Act no. 401 of 28 April 2014



Gas, Plumbing and Sanitation Fitter (DA - Gas-, vand- og sanitetsmester (vvs-installatør)

Competent authority: Danish Safety Technology Authority

Cluster category: Construction

Type of action: 1+2+3 (decided)

Current situation

The profession is regulated by reserves of activities. The profession is part of the single company authorisation scheme for professionals in the electrical, gas, plumbing and sewer sector⁴⁹, which was described in further details in the above description of electrical contractor – “New situation/ actions”. The objective with the regulation is protection of consumers and recipients of service as well as the persons carrying out gas-installations.

Authorisation entitles the company in question to carry out and service water installations and drainage installations above ground level and in buildings and also gas installations using town gas, natural gas, bottled gas, biogas, hydrogen or similar flammable gases. The authorisation of a company ensures that installations are carried out and serviced correctly for the sake of health, safety and the environment. The Act on Authorisation of Companies in the Electrical, Gas, Plumbing and Sewer Fields⁵⁰ legislation regulates which types of installation work require authorisation – and which can be carried out without authorisation. In order to obtain authorisation, at least one technically responsible person must be affiliated with the company for a minimum of 30 hours a week within normal business hours cf. Act on Authorisation of Companies in the Electrical, Gas, Plumbing and Sewer Fields⁵¹. The person’s professional skills must be approved by the Danish Safety Technology Authority. The requirements of education and qualifying tests are specified in the Ministerial Order on Approval of Technical Responsible Persons within the Electrical, Gas, Plumbing and Sewer fields⁵².

Danish Agency for Higher
Education

New situation/ actions

No new actions have been taken since the implementation of the single company authorisation scheme for professionals in the electrical, gas, plumbing and sewer sector.

Sewage contractor (DA – kloakmester)

Competent authority: Danish Safety Technology Authority

Cluster category: Construction

Type of action: 1+2+3 (decided)

Current situation

The profession is regulated by reserves of activities. The profession is part of the single company authorisation scheme for professionals in the electrical, gas, plumbing and sewer sector⁵³, which was described in further details in the above description of electrical contractor – “New situation/ actions”

⁴⁹Act no. 401 of 28 April 2014

⁵⁰Act no. 401 of 28 April 2014

⁵¹Act no. 401 of 28 April 2014

⁵²Ministerial Order no. 543 of 22 May 2014

⁵³Act no. 401 of 28 April 2014



Authorisation entitles the company in question to carry out and repair sewage installations and drainage works in soil including penetration of floors, foundation or outer wall against soil and the related sewage pipes. Authorisation ensures that installations are carried out and repaired correctly for the sake of health, safety and the environment. Thus, the objective with the regulation is protection of consumers and recipients of service as well as protection of the environment and the urban environment, including town and country planning. The Act on Authorisation of Companies in the Electrical, Gas, Plumbing and Sewer Fields⁵⁴ regulates which types of installation work require authorisation – and which can be carried out without authorisation.

In order to obtain authorisation, at least one technically responsible person must be affiliated with the company for a minimum of 30 hours a week within normal business hours. The person's professional skills must be approved by the Danish Safety Technology Authority. The requirements of education and qualifying tests are specified in the Ministerial Order on Approval of Technical Responsible Persons within the Electrical, Gas, Plumbing and Sewer fields⁵⁵.

Danish Agency for Higher
Education

New situation/ actions

No new actions have been taken since the implementation of the single company authorisation scheme for professionals in the electrical, gas, plumbing and sewer sector.

Lift inspection (DA – elevatoreftersyn)

Competent authority: the Danish Working Environment Authority

Cluster category: Construction

Type of action: 2 (expected)

Current situation

The profession is regulated by reserves of activities. The educational requirement is a short health and safety course (10 days) as the profession is associated with health and safety risks. The profession is regulated by the Ministerial Order on Occupational Safety and Health Training annex 3⁵⁶, and the requirement for training was introduced in Ministerial Order no. 509 of 18 June 2007 section 15. The main objective of the course is to provide the knowledge necessary to perform the job safely for the protection of the worker as well as others. The objective of the regulation in general is public security and health.

New situation/ actions

The Danish Working Environment Authority is considering implementing improvements to the health and safety course with the purpose of making a new and simplified version of the education. The target group of the course will be trained craftsmen who need to acquire skills of how to carry out tasks related to inspections, maintenance and repair work in a safe manner. The Danish Working Envi-

⁵⁴Act no. 401 of 28 April 2014

⁵⁵Ministerial Order no. 543 of 22 May 2014

⁵⁶ Ministerial Order on occupational safety and health training no. 1088 of 28 November 2011



Environment Authority will cooperate with the social partners in examining how the changes may be implemented.

Time frame

Actions to improve the education are foreseen to take place during 2016-2017.

Work with mobile cranes and tower cranes (DA – arbejde med mobil- og tårnkraner)

Competent authority: the Danish Working Environment Authority

Cluster category: Construction

Type of action: 2+ 3 (expected)

Danish Agency for Higher
Education

Current situation

The profession is regulated by reserves of activities. The educational requirement is a short health and safety course as the profession is associated with health and safety risks. The profession is regulated by the Ministerial Order on Occupational Safety and Health Training annex 1⁵⁷. The main objective of the course is to provide the knowledge necessary to perform the job safely for the protection of the worker as well as others.

Currently, six different types of crane certificates exist, each issued to operate a specific type of crane.

New situation/actions

A simplification of the health and safety course has been suggested for the purpose of aligning the education criteria with the specific needs of the profession. Furthermore, the course should be more adapted to the challenges that the individual crane driver faces. The aim of implementing a new version of the education is to give crane drivers the ability to steer several different types of cranes thereby achieving a broader access to the profession whilst taking the technological development into account.

Time frame

Actions to improve the education are foreseen to take place during 2016-2017.

Offshore-professions (DA – arbejde på offshoreanlæg)

Competent authority: the Danish Working Environment Authority

Cluster category: Cluster 1 and Cluster 2.

Type of action: 1 +3 (decided)

Current situation

By the end of 2015 there were approximately 15 offshore professions/skills that

⁵⁷ Ministerial Order on occupational safety and health training no. 1088 of 28 November 2011



were regulated by reserves of activities. The educational requirements consist of short health and safety courses.

New situation/actions

As regards work with biological agents, the Ministerial Order on protection from exposure to biological agents on offshore installations⁵⁸ has been changed as per 1 January 2016. As regards instructor in safety and health work on offshore installations, the Ministerial Order on safety group safety training on offshore installations was changed in the autumn 2015. With these adjustments, work within these areas is no longer considered as regulated professions, bringing the total number of offshore professions that are categorised as regulated professions down with 2. Both initiatives have been taken to unite regulation and the practicable handling of the rules.

As regards well controller on offshore installations and the person responsible for drilling operations offshore, the two professions have been merged and is now one regulated offshore profession/skill instead of two. In the future, the profession is called 'responsible for drilling operations (well control course)'.

Danish Agency for Higher
Education

In the autumn 2015, other changes have taken place for some of the offshore-professions as 6 offshore professions no longer are categorised as regulated professions. These are the following:

- Fire Fighter on permanently manned installations (education in fire fighting) (DA – Brandmand på permanent bemandet anlæg (uddannelse i brandbekæmpelse)).
- Fire Fighting Leader on permanently manned installations (education as fire fighting leader) (DA – Brandslukningsleder på permanent bemandet anlæg (uddannelse som brandleder)).
- First Aider on permanently manned installations (first aid course) (DA – Førstehjælper på permanent bemandet anlæg (førstehjælpskursus)).
- Lifeboat Operator, etc. on permanently manned installations (education in operating lifeboats etc.) (DA – Redningsbådsfører m.v. på permanent bemandet anlæg (uddannelse i betjening af redningsbåde m.v.)).
- Work on installations (Basic safety training for all employees on installations, etc.) (DA – Arbejde på anlæg (grundlæggende sikkerhedsuddannelse for alle ansatte på anlæg m.v.)).
- Work with H₂S or other dangerous substances and materials (education in countering danger on these substances or materials) (DA – Arbejde med H₂S eller andre farlige stoffer og materialer (uddannelse i imødegåelse af fare ved disse stoffer og materialer)).

With these changes, the total number of offshore professions that are categorised as regulated professions is brought down to 8 with effect from January 2016.

Thus, per January 2016, only the following professions will be regulated:

- Work with welding (education in welding works) (DA – Arbejde med svejsning (uddannelse i svejsarbejde)).
- Responsible for drilling operations (well control course) (DA – Ansvarlig for boreoperationer).

⁵⁸ Ministerial Order no. 1342 of 27 November 2015 on protection against exposing to biological agents in connection with offshore oil and gas activities etc., section 6



- Work as crane driver on offshore installations etc. (crane driver certificate) (DA – Arbejde som kranfører på anlæg m.v. (kranførecertifikat)).
- Work as fork-lift truck driver and operator of fork-lift stacker on offshore installations, etc. (fork-lift truck driver certificate) (DA – Arbejde som gaffeltruckfører samt fører af gaffelstabler på anlæg m.v. (gaffeltruckførecertifikat)).
- Work with asbestos (education in demolition on asbestos) (DA – Arbejde med asbest (uddannelse i nedrivning af asbest)).
- Work with epoxy and isocyanates on offshore installations, etc. (Epoxy-education) (DA – Arbejde med epoxy og isocyanater på anlæg m.v. (epoxy-uddannelse)).
- Work with scaffold erection (education in erection of scaffolds) (DA – Arbejde med opstilling af stilladser (uddannelse i opstilling af stilladser)).
- Work with styrene on offshore installations (education in working with styrene) (DA – Arbejde med styren (uddannelse i arbejde med styren)).

Cluster 1 – MANUFACTURING

Certified Pyrotechnician (DA – festfyrværker)

Competent authority: Danish Safety Technology Authority

Cluster category: Manufacturing

Type of action: 1+2 (expected)

Current situation

The profession is regulated by reserves of activities. The educational requirements are short courses of 2-3 days of duration. The objective with this regulation is public health, and the measure taken aims to maintain an acceptable level of safety when using fireworks. The measure shall prevent accidents caused by fireworks, fire and explosions with injury to persons, property and the environment. Furthermore, the measure ensures that fireworks which presents high hazard are only used by pyrotechnists with special training or persons who otherwise have documented the necessary knowledge of these types of fireworks.

New situation/ actions

In 2013, the profession was examined by a governmental task force (established as a part of the Governments' competitiveness policy package from 2012). It was concluded that approvals and licenses within the area of fireworks could be combined in a common application system. It is expected that the new system will be launched spring 2016.

Furthermore, as regards to the education as certified pyrotechnician an analysis of how to lower the educational requirements has been launched. It is expected that the modernisation of the education will take place summer/autumn 2016.

Time frame



It is expected that the new application system will be launched and that the modernisation of the education will take place summer/autumn 2016.

Cluster 1 – REAL ESTATE

Real Estate Agent (DA- ejendomsmægler)

Competent authority: The Danish Business Authority (DA – Erhvervsstyrelsen)

Cluster category: Real estate

Type of action: 1 (decided)

Danish Agency for Higher
Education

Current situation

The profession is regulated by reserves of activities. Both educational and professional requirements exist. Thus, in order to become a real estate agent, the applicant must have an Academy Profession (AP) Degree in Financial Advice or three courses from the Academy Profession Degree in Financial Advice. These three courses are: Sale of Real Estate 1 (ejendomshandel 1), Sale of Real Estate 2 (ejendomshandel 2) and Turnover of Real Estate (omsætning af fast ejendom). The professional requirement is that an applicant must have two years of relevant work experience within real estate⁵⁹.

The objective of the regulation is consumer protection.

New situation/actions

In 2013, the Danish Business Authority concluded a report, “Analysis on parts of The Act on sale of real estate” (DA – “Analyse af dele af lov om omsætning af fast ejendom”) to see if the Act should be amended. In this rapport it was discussed whether the regulated requirements for real estate agents should be abolished. The report concluded that if the requirements were to be abolished, it would lead to less consumer protection and increase the risk of consumers getting poor counseling.

However, other improvements in this regard have taken place. In January 2015, a new law entered into force. With this new law, buyer-counselling is no longer a reserved activity. Now, everyone can do business as a buyer-counsellor whereas the old law required that a buyer-counsellor was a recognised real estate agent. It is expected that this deregulation will lead to further activity in the market for real estate and, as a result, will create economic growth.

Time frame

Besides the above mentioned new law that entered into force in January 2015, which reduces the scope of reserved activities, no further action is planned at the moment. However, there is an ongoing review of the requirements to make sure that they serve their intended purposes and that the scope of reserved activities is reduced if necessary.

⁵⁹ Article 6 in the Act of Sale of Real Estate



Cluster 1 – TRANSPORT

Harbour Pilot (DA – Lods)

Competent authority: the Danish Maritime Authority

Cluster category: Transport

Type of action: 2 (decided)

Current situation

The profession is regulated by reserves of activities. Only persons with a valid pilot certificate issued by the Danish Maritime Authority are allowed to perform the reserved activities. The requirements stated in the Ministerial Order on the Issuing of Pilot Certificates and Pilot Exemption Certificates⁶⁰ must be met in order to be granted a certificate. When granting certification, information such as the following is taken into account: certificates, diplomas etc. relevant to the education; information on the total duration of the studies and the subjects studied, specifying the time allocated to each subject (e.g. hours, weeks or ECTS points), and where appropriate the balance between the theoretical part and the practical part; information on continuous professional development, seminars and all forms of training attended in addition to the initial training (if any); proof of professional experience, e.g. pay slips or attestations from employers identifying the professional activity and its duration (if any) and Seafarer's certificate (the original document).

The objectives with the regulation are safety at sea in Danish territorial water, protection of the environment, prevention of oil spill in connection with groundings etc.

New situation/ actions

The regulation is regulated by International Maritime Conventions and EU-law. A revision of the requirements for the education and training of harbour pilots and maintenance of certificates has been considered and resulted in the report "Analyse af det danske lodsmarked", December 2013 (Analysis of the Danish pilot market, December 2013). This formed the basis for an amendment of the Danish Pilotage Act which was passed in 2014. The amendment has resulted in simplified documentation requirements from pilot and pilotage to the Danish Maritime Authority, and the documentation requirements can to a larger extent be handled electronically. However, this does not change the educational requirements to the harbour pilots or the certificates they are required to hold. It was considered to change the educational requirements but during the political debates about the amendment of the Act, a concern was expressed in relation to safety. The national legal requirements are considered to be sufficient, and therefore, no actions are planned.

A complete review of the Pilotage Act is planned to take place in 2018/2019 on the basis of, among other things, the experience with the Act from 2014.

Danish Agency for Higher
Education

⁶⁰ Ministerial Order no. 1077 of 21 November 2012



Time frame

As mentioned above, a complete review of the Pilotage Act is planned to take place in 2018/2019 on the basis of, among other things, the experience with the Act from 2014.

Ship's assistant, Seaman and Motorman (DA – Skibsassistent/ matros og motormand), Ship's Cook (DA – skibskok), Ship's Deck officer class II / 1st mate (DA – Overstyrmand),

Competent authority: the Danish Maritime Authority

Cluster category: Transport

Type of action: 5

Danish Agency for Higher
Education

Current situation

In order to serve on board Danish ships in any of the above-mentioned positions, a certificate of competency within the relevant service is required.

In order to be granted a certificate of competency, which is issued by the Danish Maritime Authority, the requirements set in the Ministerial Order on the Qualification Requirements of Seafarers and Fisherman and on Maritime Trading Certificates and Qualification Certifications⁶¹ must be met. Danish law is regulated by the STCW Convention as well as directive 2012/35/EU of 21 November 2012 amending directive 2008/106/EC on the minimum level of training of seafarers. If the requirements of the STCW Convention are met, the applicant can be issued with a certificate of recognition. This can be achieved by means of training at a maritime training institution approved in accordance with the provisions on approval of maritime training institutions.

The objectives of the regulation are safety of life at sea, physical security for members of trade, navigational safety, environmental protection and reduction of risk for personal accidents.

New situation/ actions

The current legislation is considered to be sufficient, and therefore, no actions are planned.

Marine Engineer (on fishing vessels) (DA – Maskinmester på (fiskeskibe)), Chief Engineer (on fishing vessels) (DA – maskinchef (på fiskeskibe)), Master (DA – skibsfører), Deck officer class II fishing vessel (DA – Skibsfører i fiskeskibe <45 meter (fiskeskipper af 3. grad)), Deck officer class II fishing vessel (DA – Overstyrmand i fiskeskibe <45 meter (styrmand af 3. grad i fiskeskibe)), Fisherman and Master of a Fishing Vessel (DA – Fisker og fiskeskipper)), Skipper/deck officer fishing fleet (DA – Overstyrmand i fiskeskibe > 45 meter (styrmand af 1. grad i fiskeskibe)), Skipper/deck officer fishing fleet (DA – Skibsfører i fiskeskibe > 45 meter (fiskeskipper af 1. grad))

⁶¹ Ministerial Order no. 1145 of 29 September 2015



Competent authority: the Danish Maritime Authority

Cluster category: Transport

Type of action: 5

Current situation

In order to serve on board Danish ships in any of the above-mentioned positions, a certificate of competency within the relevant service is required.

In order to be granted a certificate of competency, which is issued by the Danish Maritime Authority, the requirements set in the Ministerial Order on the Qualification Requirements of Seafarers and Fisherman and on Maritime Trading Certificates and Qualification Certifications⁶² must be met. This can be achieved by means of training at a maritime training institution approved in accordance with the provisions on approval of maritime training institutions.

The objectives of the regulation are safety of life at sea, physical security for members of trade, navigational safety, environmental protection and reduction of risk for personal accidents.

Danish Agency for Higher
Education

New situation/ actions

The current legislation is considered to be sufficient, and therefore, no actions are planned.

Cluster 1 - WHOLE SALE AND RETAIL

Fertiliser sample expert (Professional user of pesticides) (DA – sprøjtecertifikat)

Competent authority: The Danish Environmental Protection Agency

Cluster category: Wholesale and retail

Type of Action: 2 (expected)

Current situation

The profession⁶³ is regulated by reserves of activities. Professional use of plant protection products shall only be handled by persons who have acquired the certificate⁶⁴. The objectives are public health as well as protection of the environment and animals. The license is obtained after completion of courses lasting from about 5 hours (to control moles and voles) to 4 days (to control vermin in stores for cereal, seed and so on).

New situation

In February 2013 the Danish Pesticides strategy 2013-2015 was published. The new pesticides strategy ensures Danish compliance with its commitments in relation to

⁶² Ministerial Order no. 1145 of 29 September 2015

⁶³ The Chemical Substances and Products Act 849/2014, article 38 b.

⁶⁴ The Statutory Order 825/2013 about professional use of plant protection products



the EU framework directive on sustainable use of pesticides (2009/128/EC) and also focuses on the work in connection with the new pesticides regulation which entered into force in June 2011(1107/2009/EC). The new regulation in Denmark concerning training for professional users of pesticides is expected early 2016. Minor changes to improvement of the system are considered at Danish level. For example, the education will undergo changes for the purpose of modernising the regulation and further digitalisation will be introduced in relation to a new authorisation process administered by the Danish Environmental Protection Agency.

Time frame

Changes are expected early 2016.

Pet shops (DA - Dyrehandler)

Danish Agency for Higher
Education

Competent authority: The Danish Veterinary and Food Administration

Cluster category: Wholesale and retail

Type of action: 5

Current situation

The profession is regulated by reserves of activities. According to the Animal Welfare Act⁶⁵ section 18, a pet store must have permission from the authorities. The conditions of a pet store must be checked and approved as acceptable before it opens.

In order to get access to the profession, the person in question must have a 2 year vocational education at the secondary education level or single courses that upgrade the owner and staff to the same level.

The objectives with the regulation are animal health and welfare.

New situation/actions

No actions are planned within this profession since the system is working as intended.

Bandagist (DA - Bandagist), optometrist (DA – kontaktlinseoptiker/optometrist) and audiometry (DA – Audiometri og høreapparat-tilpasning) (These professions are accounted for together).

Competent authority: Danish Patient Safety Authority.

Cluster category: Health.

Type of action: 5

Current situation

These professions are regulated by reserves of activities. Educational requirements consist of post-secondary formal education leading to the profession in question.

⁶⁵ Ministerial order on the Animal Welfare Act no. 1150 of 12 September 2015



The duration of the education/training programmes is 3.5 years for optometrists, 2.5 years for audiometry and 5.5 years for bandagists. The objective with the regulations is public health. In order to secure the protection of patients, it is necessary to make sure that only people who have the necessary qualifications and training can receive an authorisation. To perform the reserved activities, a certain level of professional knowledge is required. This specific professional knowledge is achieved by relevant education and training.

New situation/ actions

It has not been considered to use alternative mechanisms to achieve the objective as the current system is working as intended. Changing the system is thus not considered to be beneficial.

Danish Agency for Higher
Education

Cluster 2 – PUBLIC SERVICES AND EDUCATION

Firefighter (DA – Brandmand)

Competent authority: Danish Emergency Management Agency

Cluster category: Public Services and Education

Type of action: 5

Current situation

The training is regulated by national law⁶⁶. In order to become a firefighter, the following courses must be completed: First Aid Training (12 hours); Basic Training, Incident response (74 hours) and Advanced Training, Incident response (148 hours).

The legally regulated training qualifies the person to carry out the operational tasks as a firefighter in connection with incidents covered by the Emergency Management Act, encompassing manual tasks in connection with the response by the rescue services to fire-, rescue and chemical incidents. Other tasks that a firefighter may carry out are not reserved activities and thus not legally regulated and hence not covered by the training requirement. The objective with the regulation is the protection of public security, public health, the environment and the urban environment, including town and country planning.

New situation/ actions

No action has been taken recently and no action is planned as the reasons for regulating the training remains valid.

⁶⁶ The Emergency Management Act (Consolidation Act no. 660 of June 10, 2009, as amended by act no. 514 of May 26, 2014) and the Ministerial Order on Personnel in the Fire and Rescue Services (Order no. 41 of January 21, 1998, as amended by Order no. 49 of January 27, 2006, Order no. 192 of March 18, 2008, Order no. 1395 of December 10, 2010, Order no. 331 of March 30, 2012, Order no. 154 of February 12, 2013, Order no. 1481 of December 19, 2014 and Order no. 1843 of December 18, 2015)



Team leader in the Emergency Service/Fire brigade (DA - Holdleder i redningsberedskabet/brandvæsnet)

Competent authority: Danish Emergency Management Agency

Cluster category: Public Services and Education

Type of action: 5

Current situation

The training is regulated by national law⁶⁷. In order to become a team leader in the emergency service/fire brigade, completion of the following courses is a prerequisite: First Aid Training (12 hours); Basic Training, Incident response (74 hours) and Advanced Training, Incident response (148 hours). Furthermore, the following courses must be completed: Basic team leader training (37 hours) and Advanced team leader training (148 hours).

Danish Agency for Higher
Education

The legally regulated training qualifies the person to carry out the professional operational tasks as a team leader in the emergency service/fire brigade in connection with incidents covered by the Emergency Management Act, encompassing management of the team during an incident response, the responsibility for the safety of the fire fighters (the team) during the turn out, and under certain circumstances being in charge of the technical response and participating in the inter-agency cooperation and coordination that takes place within the incident area. Other tasks that a team leader in the emergency service/fire brigade may carry out are not reserved activities and thus not legally regulated and hence not covered by the training requirement. The objective with the regulation is the protection of public security, public health, the environment and the urban environment, including town and country planning.

New situation/ actions

No action has been taken recently and no action is planned as the reasons for regulating the training remains valid.

Incident Commander in the municipal fire brigade (DA - Indsatsleder i redningsberedskabet)

Competent authority: Danish Emergency Management Agency

Cluster category: Public Services and Education

Type of action: 5

Current situation

The training is regulated by national law⁶⁸. In order to become an incident commander in the municipal fire brigade, completion of the following courses is a prerequisite: First Aid Training (12 hours); Basic Training - Incident response (74 hours); Advanced Training - Incident response (148 hours); Basic team leader

⁶⁷ Ibid

⁶⁸ Ibid



training (37 hours) and Advanced team leader training (148 hours). Furthermore, the following courses must be completed: Basic incident commander training (148 hours) and Interdisciplinary incident commander training (111 hours).

The legally regulated training qualifies the person to carry out the operational tasks as an incident commander in the municipal fire brigade in connection with incidents covered by the Emergency Management Act, encompassing the responsibility for the technical response of the municipal fire brigade to fire, rescue and chemical incidents, the coordination and cooperation with other authorities during an incident response, responsibility for the safety of the personnel within the incident area and responsibility for cooperation and coordination with other authorities on site. Other tasks that the incident commander in the municipal fire brigade may carry out are not reserved activities and thus not legally regulated and hence not covered by the training requirement. The objective with the regulation is the protection of public policy, public security, the environment and the urban environment, including town and country planning.

Danish Agency for Higher
Education

New situation/ actions

No action has been taken recently and no action is planned as the reasons for regulating the training remains valid.

Fire safety inspector (DA – Brandteknisk sagsbehandler)

Competent authority: Danish Emergency Management Agency

Cluster category: Public Services and Education

Type of action: 5

Current situation

The training is regulated by national law⁶⁹. In order to become a fire safety inspector, completion of the following courses is a prerequisite: Basic team leader training (37 hours) and Advanced team leader training (148 hours). Furthermore, the following courses must be completed: Basic technical fire safety training (144 hours) and Advanced technical fire safety training (144 hours).

The legally regulated training qualifies the person to carry out the administrative and technical tasks as a municipal fire safety inspector in buildings etc. covered by the Emergency Management Act. Other tasks that the fire safety inspector may carry out are not reserved activities and thus not legally regulated and hence not covered by the training requirement. The objective with the regulation is the protection of public policy, public security, the environment and the urban environment, including town and country planning.

New situation/ actions

No action has been taken recently and no action is planned as the reasons for regulating the training remains valid.

⁶⁹ Ibid



Primary school teacher (DA – folkeskolelærer)

Competent authority: the Danish Ministry of Higher Education and Science/the Danish Agency for Higher Education

Cluster category: Public Service and education

Type of action: 1 (decided)

Current situation

The profession is regulated by education. The diploma is obtained by a full-time degree programme (240 ECTS) at bachelor/graduate level at a University College in Denmark. The BA of Education is a 240 ECTS concurrent teacher education programme that combines four main elements: (1) The teacher's foundational competences (general didactics, pedagogy, special needs education, Danish as second language and general education), (2) Teaching subjects, (3) Teaching practice (30 ECTS points) and (4) The Bachelor of Education project⁷⁰.

Danish Agency for Higher
Education

The license is obtained upon the successful completion of the BA of Education programme. This involves completing modules equal to 240 ECTS, passing all exams in the obligatory elements and passing the exams of at least two teaching subjects. There is no separate certification process.

The education gives right to educate pupils in an age range from 5/6-16/17 in a variety of subjects such as Danish, English, Mathematics, creative subjects and many more. All permanently employed teachers have to be qualified to teach at least two different subjects. Teachers prepare pupils for further education in an upper secondary level and prepare pupils for citizenship by understanding their rights and duties in an open democratic society. Teachers educate children about Danish history and culture as well about respect and understanding for other cultures and societies in a globalised world. Guidance counsellors and swimming instructors must complete further education to perform their duties as guidance counsellors and swimming instructors.

The requirements regarding formal educational background and pedagogical and didactic training for teachers in the primary and lower secondary school are based on the fact that teaching in these schools is carried out at a highly professional level which requires well-trained teachers. The main purpose of primary and lower secondary education is to ensure that pupils have the right basis for further education.

The requirements make sure that primary school teachers have the necessary qualifications to teach primarily through games and other developing activities.

New situation/actions

With the reform of the municipal primary and lower secondary schools (DA: folkeskolereformen)⁷¹ in 2014, it is possible for staff with different training and qualifications to be included in the organisation of teaching pupils and specific training requirements relating to for example the function as school librarian has been repealed. Pedagogues can to a limited extent within their qualifications carry out teaching assignments in the first years of primary school.

⁷⁰ Ministerial order no. 1068 of 8 September 2015

⁷¹ Consolidated Act no. 665 of 20 June 2014



The teacher education programme was reformed in 2012/13. The main components of the reform were (a) the introduction of entrance exams (for applicants with below average GPA), (b) a shift from content-based curriculum to output-based competence-oriented curriculum and (c) a shift from a static subject-based organisation of the programme to a flexible, module-based structure.

Alternative pathway to a teaching license

The so-called “merit-teacher” programme is an alternative pathway to become a certified teacher in primary and lower secondary schools. The merit-teacher programme is a two and a half year programme, corresponding to 150 ECTS points. The programme consists of the following three main elements: Pedagogy and the teaching profession; 2-4 main subjects and teaching practice

Danish Agency for Higher
Education

Upper secondary school teacher (DA – lærer i de gymnasiale uddannelser)

Competent authority: The Danish Ministry of Higher Education and Science/the Danish Agency for Higher Education

Cluster category: Public service and education

Type of action: 5

Current situation

The profession is regulated by education. To gain access to the profession the candidate must hold a university degree in an academic discipline that corresponds with the teaching subject(s) and with an academic level at least similar to the Danish Academic Minimum Requirements (DA - “de faglige mindstekrav”) related to the specific teaching subjects (e.g. minimum requirements regarding Chemistry or History)⁷². In addition to this, the candidate has to complete the one year “pædagogikum”. In other words, teaching in Danish upper secondary schools can only be performed by teachers who have completed the Danish professional postgraduate teacher training for upper secondary school teachers (DA - “pædagogikum”). The Danish upper secondary education system includes The Gymnasium (DA - stx), The Higher Commercial Examination Programme (DA - hhx), The Higher Technical Examination Programme (DA - htx), The Higher Preparatory Examination (DA - hf), and upper secondary level subjects in connection with vocational education and training (DA - eux).

The “pædagogikum” is a one year education aimed at providing newly hired candidates (DA - “pædagogikumkandidater”) in upper secondary schools with the didactical teaching skills, the educational theory, and the regulatory and organisational knowledge necessary for functioning as a teacher in these institutions. The aim is also to teach the candidate how to actively engage in decision-making processes in relation to their subject-related teaching activities in the organisation and in interaction with the surrounding society. The education consists of both a theoretical and a practical part. The theoretical part and the practical part must be organised

⁷² Executive Order on Professional Postgraduate Teacher Training for Upper Secondary School Teachers (“Pædagogikumbekendtgørelsen”), § 4



in complementation of each other⁷³. The “pædagogikum” diploma gives the candidate the right to function as a teacher in an upper secondary education institution in Denmark and the right to function as internal and external examiner during the examination of the pupils in all upper secondary education institutions in Denmark.

The diploma is obtained after completion of the theoretical and the practical part of education⁷⁴. The Danish Agency for Higher Education can decide that a high school teacher from another country can gain access to the profession without a “pædagogikum” diploma if the candidate is an EU/EEA citizen or a family member of an EU/EEA citizen⁷⁵, and already is qualified as a secondary school teacher in another EU/EEA country⁷⁶. If the candidate’s qualifications differ much from the Danish academic minimum requirements, the candidate can either complete a selection of tests arranged by the Agency for Higher Education or gain access to the profession for a limited period of time (typically one year).⁷⁷ The requirements regarding formal educational background and pedagogical and didactic training for upper secondary school teachers are based on the fact that teaching in upper secondary schools is carried out at a highly professional level, which requires well-trained teachers.

Danish Agency for Higher
Education

The aim of the regulation of the profession is to maintain a high level of quality assurance of this facilitated teaching and learning in the Danish upper secondary schools⁷⁸.

New situation/actions

No actions of deregulation are planned in the area of the regulated education. The reason for maintaining the regulation of the Danish upper secondary profession by law is to maintain a high quality in the teaching and learning held by teachers in the Danish upper secondary education system. The formal requirements of access to the profession regarding formal educational background and the “pædagogikum” diploma ensure that the teaching in upper secondary schools is carried out at the highest professional level.

The upper secondary education is a central part of the Danish school system as it qualifies the students for admission to the higher education system and provides students with basic academic knowledge and skills essential for all citizens in Denmark and in the European Union.

Teacher, Danish Language Training Programmes for Adult Foreigners (DA – Lærer i dansk for voksne udlændinge)

⁷³ Executive Order on Professional Postgraduate Teacher Training for Upper Secondary School Teachers (“Pædagogikumbekendtgørelsen”), § 3

⁷⁴ Executive Order on Professional Postgraduate Teacher Training for Upper Secondary School Teachers (“Pædagogikumbekendtgørelsen”), § 31

⁷⁵ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004

⁷⁶ Executive Order on Professional Postgraduate Teacher Training for Upper Secondary School Teachers (“Pædagogikumbekendtgørelsen”), § 29

⁷⁷ Executive Order on Professional Postgraduate Teacher Training for Upper Secondary School Teachers (“Pædagogikumbekendtgørelsen”), § 29

⁷⁸ Executive Order on Professional Postgraduate Teacher Training for Upper Secondary School Teachers (“Pædagogikumbekendtgørelsen”), § 2



The competent authority: The Ministry of Immigration, Integration and Housing.

Cluster category: Public services and education.

Type of action: 5

Current situation

The profession of teacher in Danish Language Training Programmes for Adult Foreigners is regulated by reserves of activities⁷⁹ (Teaching in “Danish Education 1-3” and labour market-oriented Danish). Getting access to the profession as a teacher in Danish language targeted adult foreigners requires that the person has undertaken and completed a specific additional study/education on teaching the Danish language for foreigners.

Access to the education as teacher of Danish for adult foreigners normally requires an education as teacher with the main subject training in languages, a B.A. that includes language as a core subject, or another programme where similar conditions have been acquired. The education programme as teacher of Danish for adult foreigners normally takes 1 year.

If a person does not have the required qualifications he or she can be permitted to work as a teacher on the condition that the person is enrolled for and actively undertaking the study. Furthermore, the study has to be completed within a period of three years.

The objective with the regulation is to ensure that persons teaching adult foreigners in the Danish Language have the required qualifications for the benefit of integration of immigrants and refugees in Denmark.

Mastering Danish is a prerequisite for successful integration in Denmark. Likewise is the knowledge of culture and society in Denmark.

New situation/actions

No actions are planned as the regulation is considered to be suitable in order to secure the needed and adequate qualifications.

Pedagogues in 1st–3rd grade (DA – pædagog i børnehaveklasse – 3. klassestrin (skolepædagog))

Competent authority: The Danish Ministry of Higher Education and Science/the Danish Agency for Higher Education

Cluster category: Public services and education

Type of action: 4 (decided)

Current situation

The profession is regulated by education. The diploma is obtained by a full-time degree programme (210 ECTS) at bachelor/graduate level at a University College in Denmark (Bachelor’s degree programme in Social Education/Bachelor in Social Education). The purpose of the education is for the student to acquire relevant professional competences, knowledge and skills and to be able to manage, develop

⁷⁹ Consolidation Act on Danish Language Courses for Adult Foreigners no. 772 of 10 June 2015 and Ministerial Order on Danish Language Courses for Adult Foreigners etc. no. 65 of 22 February 2014



and convey development, learning and care assignments in a social perspective, both independently and in collaboration with others. With a starting point in the conditions and perspectives of children, adolescents and adults, the student is able to establish, assess and evaluate pedagogical environments and activities that support the development of children, adolescents and adults, and to account for professional evaluation and choices.

Pedagogues and pre-school teachers (with an education as pedagogue) can perform teaching in kindergarten classes. In 1st - 3rd grade pedagogues can undertake defined teaching assignments in the subjects within their skills and qualifications in general. In addition, pedagogues can perform supportive teaching at all grade levels.

New situation/actions

In September 2013, a political agreement was reached on a reform of the Bachelor's Degree Programme in Social Education aimed at supporting the goal of social mobility and breaking the intergenerational transmission of disadvantage through early action, with the aim of ensuring that more young people develop the ability needed to complete an education. The reform was implemented in the legislation in January 2014. The main components of the reform were: improved skills and quality, action competencies and coherence to practice, increased specialisation with more relevance for the labour market and a strengthening of the inter-professional competences.

Furthermore, with the reform of the municipal primary and lower secondary schools (DA: folkeskolereformen)⁸⁰ in 2014, it is possible for staff with different training and qualifications to be included in the organisation of teaching pupils and specific training requirements. Pedagogues can to a limited extent within their qualifications carry out teaching assignments in the first years of primary school.

The profession has become regulated because it is considered necessary to use the pedagogical professionalism in teaching pupils in primary school. In connection with the latest reform of the municipal primary and lower secondary schools and the introduction of the longer school day, the need to create new and better opportunities to involve teachers and staff to support and complement teachers with other relevant qualifications in the school was stated (sections 29 a and 30 in the Consolidation Act on primary and lower secondary schools⁸¹). The competences of pedagogues will, for example, be particularly relevant in connection with activities related to the overall development of pupils where pedagogues can pay particular attention to the social well-being of the students, their concentration, understanding of assignments etc. To ensure the quality of the supportive teaching carried out by pedagogues, it must be carried out in collaboration with teachers, pedagogues and staff with other relevant skills.

Time frame

The regulation was introduced in 2014.

Danish Agency for Higher
Education

⁸⁰ Consolidated Act no. 1534 of 11 December 2015

⁸¹ Consolidation Act no. 1534 of 11 December 2015

***Driving instructor (DA - Kørelærer)***

Competent authority: Ministry of Transport and Building

Cluster category: Public services and education

Type of action: 4 (decided)

Current situation

The driving instructor profession is regulated by reserves of activities. According to Ministerial Order on Approval of Driving Instructors⁸², it is required that driving instructors obtain a driving instructor's license from the Danish National Police before engaging in the reserved activities.

A driving instructor is responsible for teaching driving students about the driving theory, i.e. road traffic regulations and risk factors related to various road conditions and risks involved in the movement and driving of various types of vehicles. A driving instructor is also responsible for instructing driving students in the driving training facility and slippery road facility and practical driving on the road. A driving instructor is the key person in transmitting road safety to driving students. It is the responsibility of the driving instructor to influence the later behavior of the driving students to a safe and responsible way of driving.

Danish Agency for Higher
Education

New situation/ actions

In 2013, the Danish Ministry of Justice appointed a committee to discuss and propose amendments to the rules governing the driving instructor education. The deliberations of the committee resulted in a report providing recommendations to new requirements for approval and supplementary training of driving instructors. Subsequently, the Danish Ministry of Justice submitted an amending act of the Road Traffic Act implementing the recommendations of the committee. The amending act⁸³ was passed and came into force on 1 April 2014. The objective of the regulation is road safety, and the amending act of the Danish Road Traffic Act introduces a number of new requirements that must be met as a precondition for obtaining a driving instructor license. The purpose of these conditions is to improve the quality of the education of driving instructors and to make sure that the driving instructors continue their professional development through training. The conditions relate to age, eligibility, driving experience and completed pedagogical training. This has also been reflected in the sector report from Denmark for the mutual evaluation of driving instructors.

Furthermore, the Ministerial Order on approval of Driving Instructors⁸⁴ has implemented the Directive 2005/36/EF of 7 September 2015 on the recognition of professional qualifications.

Time frame

Since the amending act of the Road Traffic Act in 2014, no new actions are foreseen.

⁸² Ministerial Order no. 99 of 29 January 2015

⁸³ Amending Act no. 245 of 19 March 2014

⁸⁴ Ministerial Order no. 99 of 29 January 2015



Cluster 2 - OTHER

Zoological Taxidermist (DA – Zoologisk konservator)

Competent authority: The Danish Nature Agency

Cluster category: Other

Type of action: 5

Current situation

The profession is regulated by reserves of activities. To obtain authorisation as a zoological taxidermist, a formal education and examination is required. In order for a person to be authorised, he/ she must therefore have acquired a diploma from either the Danish Association of Zoological Taxidermists/an authorised zoological taxidermist company (four years of craft's apprenticeship) or from School of Conservation, The Royal Danish Academy of Fine Arts (a three year's bachelor programme). The profession is regulated in the Ministerial Order on commercial taxidermy of certain species⁸⁵.

The objectives with the regulation are protection and conservation of protected and endangered species. In order to secure the protection of these species, it is necessary to ensure that only persons with the necessary qualifications and training are authorised. Experience demonstrates that companies not having a Zoological Taxidermist with proper knowledge about legislation and species employed have difficulties with fulfilling the obligations regarding legal marking and registration.

To fulfill Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, the Danish legislation regarding the authorisation as Zoological Taxidermist has a strict system of registration and marking of the species received by the Zoological Taxidermist.

Danish Agency for Higher
Education

New situation/actions

Implementation of directive 2005/36/EC is planned to enter into force in the national legislation in January 2016 making it possible for persons who have qualifications from other EU member states to practice in Denmark according to art. 49 EUF and Art 56 EUF.

Rearing of certain types of animals (persons responsible for rearing deer/ratites/foxes and feathered game) (DA – opdræt af visse dyrearter: hjortedyr, strudsefugle, ræve og fjervildt)

Competent authority: The Danish Veterinary and Food Administration

Cluster category: Cluster 2, other

Type of action: 5

Current situation

⁸⁵ Ministerial Order no. 328 of 19 March 2013



The profession is regulated by reserves of activities which consist of running the operation of a rearing with one of the above mentioned animal species.

Practice of this profession requires a specific professional knowledge, and it is therefore required that the breeder should have completed a course in keeping the specific species.

The keeping of one of the above mentioned species for agricultural purposes shall initially be registered by the owner at The Danish Veterinary and Food Administration. As a keeper, you can run the operation of a holding with these animals. According to the Act on ban on the keeping of foxes⁸⁶, keeping foxes is no longer allowed, and it has not been allowed to establish fox farms since 1 August 2009, at which time the Act came into force.

Persons in charge of a keeping with one of the species must have completed a course approved by The Danish Veterinary and Food Administration on farming of the species in question. The course must be completed within 1 year after the person has assumed responsibility for the breeding. However, for farms with ratites, the course must be completed prior to taking over responsibility for the farm.

Danish Agency for Higher
Education

Courses: Deer: A total of 2 days (1 full day + 2 half days); Feathered/poultry: 3 days; Ratites: The courses have a duration of 3 days, but due to lack of interest in ratite farming in Denmark, it is several years since the last approved course was held, and there has not been basis for reviving the courses.

The objectives with the regulation are protection of animal welfare, protection of the original genetics of the wild game population and prevention of contagious diseases.

By requiring that the keeper has gone through a specific course, it is ensured that the keeper has sufficient knowledge of rearing these species for agricultural purposes so that it can be carried out with due respect for the animals' natural behavior, ensuring the free game population and preventing contagious diseases. The aim of the legislation includes implementing the basic provisions of the animal welfare act in practical terms, specifically aimed at the species in question, which are not traditionally kept for farming purposes and may have special needs.

New situation/actions

Apart from the ban on fox keeping as of 1 August 2009, there have not been any amendments of the requirements for training of keepers of certain types of animals (deer, feathered game and ratites). Neither are such amendments planned. The current system is working as intended, and changing the system is not considered to be beneficial.

Farmer of genetically modified crops (DA – dyrker af genetisk modificerede afgrøder)

Competent authority: The Danish AgriFish Agency

⁸⁶ No. 466 of 12 June 2009



Cluster category: Cluster 2 - Other

Type of action: 5

Current situation

Farmers who wish to cultivate or handle genetically modified crops must have an authorisation or a similar official recognition issued by the Danish AgriFish⁸⁷. In order to receive an authorisation, the farmer must have an education in the cultivation and handling of genetically modified crops in coexistence with conventional and organic crops. The education must provide the farmer with competence regarding active observation of cultivation distances to neighbouring fields with a crop of the same species as the genetically modified species or a genus that can be crossed with it and cultivation intervals between cultivation of a genetically modified crop and subsequent cultivation of a conventional or organic crop of the same species. Furthermore, the education should make the farmer aware of the obligation to inform neighbours of the intended cultivation of genetically modified crops and of the need to report to the Danish AgriFish Agency on location of fields with genetically modified crops etc. Eventually the education should draw farmers' attention to the necessary cleaning of machinery used for sowing, harvest and transport of genetically modified crops.

Danish Agency for Higher
Education

The requirements make sure that a farmer possesses the necessary qualifications to handle and avoid the risks of genetically modified crops, as the farmer is responsible for the presence of genetically modified material above a certain limit in conventional or organic crops, as a result of, e.g., pollen dispersal from his/her fields with genetically modified crops. This would result in economic loss for the conventional or organic farmers - and specifically for organic farmers the loss of the organic status of their fields in question. The farmer cultivating the genetically modified crops can be held responsible for the admixture, if he/she does not comply with the specific rules which are set to minimise the dispersal of genetically modified material.

The measures (e.g., certain distances between fields with genetically modified crops and conventional or organic crops) are designed to minimise the risk of economic loss which conventional or organic farmers might experience in case of mixing with genetically modified material.

So far, there have been no commercial cultivation of genetically modified crops in Denmark and therefore, no information is available as to the operation of the rules.

New situation/actions

The activities in question intend to minimise the presence of genetically modified material in neighbouring fields which are cultivated with conventional or organic crops. Due to the specific rules of organic farming, which prohibit the presence of genetically modified material in organic products, it is important that farmers who cultivate genetically modified crops have been educated to handle this specific situation.

There are no current plans, therefore, to dismantle the present demand for an education of farmers in the cultivation and handling of genetically modified crops.

⁸⁷ Act no. 193 of 12 March 2009. Ministerial Order no. 176 of 28 February 2008 as amended by Ministerial Order no. 1217 of 11 December 2009



Authorised Slurry Tank Inspector (DA - Autoriseret gyllebeholderkontrollant)

Competent authority: Environmental Protection Agency, The Ministry of Environment and Food of Denmark

Cluster category: Cluster 2 Other

Type of action: 5

Current situation

The profession is regulated by reserves of activities. The regulation requires that a person seeking to work as a “gyllebeholderkontrollant” must require⁸⁸ an authorisation. In order to obtain this authorisation, the person must document certain skills with regard to building technology in relation to slurry tanks. Furthermore, the person must document professional experience within relevant areas such as building assignments in relation to agriculture or similar sectors. The person seeking to obtain the authorisation must also complete an introduction course; be registered as liable to pay VAT and must document to be covered by a professional indemnity insurance.

The regulated activities include, among others, establishing a team of authorised and registered inspectors, completing 5 and 10 years’ inspection of slurry tanks at the request from the owner of the tank in order to make sure that the slurry tank meets with the requirements for strength and density under the ministerial order.

The authorised “gyllebeholderkontrollant” inspects slurry tanks in order to make sure that these tanks with regard to strength and imperviousness are in line with the standard required by the environmental protection regulation as leaks from slurry tanks or actual collapses of slurry tanks causes a great risk of contamination of the aquatic environment. The objective with the regulation is protection of the environment.

New situation/actions

No actions have been taken. The regulation is still in place in order to secure the protection of the environment.

Danish Agency for Higher
Education

Cluster 2 – FINANCIAL SERVICES

Financial advisor (DA - Finansiell rådgiver)

Competent authority: The Danish Financial Supervisory Authority (Danish FSA)

Cluster category Financial Services.

Type of action: 4 (decided)

⁸⁸ Statutory Act no. 1322 of 14th of December 2012 regarding Inspection of Slurry Tanks for storage of Livestock Manure and Silage Juice
The statutory act has its legal base in the Danish Environmental Protection Act (Act. No. 1317 of 19th of November 2015)



Current situation

The profession is regulated by a Licensing system based on qualification for advice on some types of financial instruments. The authorisation gives right to advice consumers on all financial products. The advice can be given on credit agreements, deposits, insurance, pensions and investment products.

As part of the application procedure, an investment advisor must present business procedures for e.g. counselling, best practice, policy for handling of conflicts of interests etc. Furthermore The DFSA makes a fit & proper assessment of the members of the management.

Theoretical education (typical having a background in banking/financial services) or minimum 2 years of practical experience by employment in a company where the employee has given advice on financial products as mentioned above. License is obtained by the Danish FSA. The objective with the regulations is protection of consumers who receive financial advice.

Danish Agency for Higher
Education

New situation/actions

The law on financial advisors⁸⁹ is new. It was introduced in January 2014 with the purpose of regulating financial advisors that are not employed in banks/the financial sector. The regulation minimises the risk of consumers making decisions regarding financial products on a uniformed basis and taking unnecessary risks on their personal finances.

Time frame

The regulation is still new since it entered into force in January 2014. It has not been considered to change the system.

Investment advisor (DA – Investeringsrådgiver)

Competent authority: The Danish Financial Supervisory Authority (Danish FSA).

Cluster category: Financial Services.

Type of action: 5

Current situation

The profession is regulated by a licensing system based on qualification for advice on some types of financial instruments. The authorisation gives right to advice on some types of financial instruments such as stocks, shares, bonds, options, futures and swaps.

As part of the application procedure, an applicant for investment advisor must present business procedures for e.g. counselling, policy for handling of conflicts of interests etc. Furthermore, the Danish FSA makes an assessment of the members of the management.

An investment advisor must have sufficient qualifications on relevant legislation, investment products and financial understanding. Whether an applicant for in-

⁸⁹ Act no. 599 of 12 June 2013



vestment advisor has the “sufficient qualifications” required by the Ministerial Order⁹⁰ on competence requirements for persons who give advice about investment products, is based on a specific assessment of the circumstances.

Furthermore, an investment advisor must be acquainted with the Ministerial Order on Risk-Labeling of Investment Products⁹¹ which divides investment products in categories of “green”, “yellow” and “red”. The investment advisor must be able to explain the substance, risks and prices of investment products that are labelled “green” or “yellow”. Regarding investment products labelled “red”, an investment advisor must complete a test at an educational establishment in Denmark that ensures that the advisor has the necessary capabilities to advice on the product.

The objective with the regulation is protection of consumers and recipients of services. The regulation minimises the risk of consumers making decisions of investments on an uninformed basis and decisions of investments that do not fit the consumer’s risk profile.

Danish Agency for Higher
Education

New situation/actions

The present rules on investment advisors comply with the Professional Qualification Directive (2013/55/EU). At the moment, there are no plans of changing the regulation.

Responsible actuary (DA – ansvarshavende aktuar)

Competent authority: the Danish Financial Supervisory Authority

Cluster category: financial services

Type of action: 5

Current situation

The profession is regulated by reserves of activities. The requirements needed to occupy a position as responsible actuary are the following⁹²:

- 1) A university degree in actuarial mathematics from a Danish university (MSc Actuarial Mathematics).
- 2) A similar degree, for example from another country.

Courses in the following subjects are mandatory: actuarial mathematics, life insurance mathematics, Danish insurance law and insurance accounting. The responsible actuary shall furthermore have performed fulltime practical actuarial work for a life assurance company or the like for not less than six years within the past ten years. Furthermore, one of the six years must have been in close cooperation with a responsible actuary.

The responsible actuary shall as a minimum have obtained in-depth knowledge of the preparation of notifications; bonus schemes; technical statements, including

⁹⁰Ministerial Order no. 346 of 15 April 2011

⁹¹Ministerial Order no. 345 of 15 april 2011

⁹²Ministerial Order no. 1089 on Responsible Actuary, Ministerial Order no. 1014 on Responsible Actuary in Company Pension Funds. Furthermore, please see the Danish Financial Act art. 108.



calculation of solvency requirements; calculation of provisions; and preparation of the annual report to the Danish FSA ⁹³.

The objectives with these regulations are protection of consumers and recipients of service. The requirements needed to occupy a position as responsible actuary are rather extensive due to the fact that the responsible actuary has a double role. On the one hand, the responsible actuary is working for the company by overseeing all the actuarial aspects. On the other hand, the actuary needs to make reports to the board of directors and an annual report to the Danish FSA. These reports need to address any wrongdoings taking place in the company.

New situation/ actions

No new actions regarding responsible actuaries are planned. The reason for keeping the regulation as it is is that the current regulation sets out reasonable requirements for responsible actuaries.

Danish Agency for Higher
Education

Average Adjuster (DA - Dispachør)

Competent authority: The Danish Business Authority

Cluster category: Financial services

Type of action: 1 (decided)

Current situation

The profession is regulated by a protected title (without the reserves of activities). An average adjuster provides statements (dispatcher) about damages on ships or cargo in relation to collisions or accidents in open sea. It is according to the Danish Maritime Act that average adjusters shall provide the above mentioned statements. The Danish Business Authority provides the certification of average adjusters. In order to obtain a certification, applicants shall pass a special exam which is conducted by the Average Adjuster Commission (DA: Dispachørkommissionen). Article 1, section 2 of the Average Adjuster Act⁹⁴ lists the conditions for the certification as average adjuster. The conditions are among others that you hold a master degree in law and have 3 years of relevant working experience. As of today (December 2015), 3 people are certified as average adjusters in Denmark. The objectives with the regulation are protection of consumers and recipients of services. The demand of a law education and a special exam makes sure that average adjusters have the necessary qualifications to ensure a high level of education, impartiality, independence and protection of the recipients of the services.

New situation/ actions

The former Danish Government launched in October 2012 its competition policy programme, “Styrket konkurrence til gavn for Danmark ” (EN – “Strengthened competition to the benefit of Denmark”). This work has resulted in an initiative about abolishing the authorisation scheme to help promote strengthened competition.

In 2015, it has been decided that from 1 January 2016, the current system will be

⁹³Ministerial Order no. 1089 on Responsible Actuary article 3.

⁹⁴ Consolidation Act on Average Adjusters no. 184 of 25 March 1988



removed without replacement. This means that after 1 January 2016, average adjuster is no longer a protected title and it will no longer require a certification to use the title of average adjuster or conduct the activities connected herewith. All certifications will cease to exist and the public register of average adjusters on VIRK.dk is deleted. The proposal is part of "Aftale om en vækstpakke", from June 2014, where The government, V, DF, SF and K agreed to a number of initiatives that should ease market access and remove unnecessary obstacles for a couple of smaller professions.

Time frame

From 1 January 2016, the current system will be removed without replacement.

Insurance Intermediary (DA – Forsikringsformidler)

Danish Agency for Higher
Education

Competent authority: The Danish Financial Supervisory Authority (Danish FSA).

Cluster category: Financial Services.

Type of action: 2 (expected)

Current situation

The profession is regulated by reserved activities. The authorisation as insurance intermediary gives the right to provide advice on the basis of an analysis of a large number of available insurance solutions on the market and present the results for the consumer. An insurance intermediary specialises in either in non-life insurance or life insurance. As part of the application procedure The Danish FSA makes a fit & proper assessment of the members of the management.

In order to obtain authorisation, the following education and training requirements apply:

a. Theoretical education: Theoretical education on part-time basis of 3-4 years' duration. Duration of education depends on whether it is the "non-life insurance Intermediary education" or the "life insurance Intermediary education". Some insurance intermediaries complete both the non-life insurance and the life insurance education and can thus provide advice within both areas. By January 2016, there is only one educational establishment in Denmark (Forsikringsakademiet) that provides the insurance Intermediary education.

b. Practical experience: In addition to the theoretical education, 2 years of practical experience by full-time employment at an insurance company, insurance intermediary company or other occupation, where similar knowledge is acquired.

The objective with the regulation is to minimise the risk of consumers making decisions regarding insurance on an uninformed basis.

New Situation/actions

In October 2012, the government launched its competition policy programme, "Styrket konkurrence til gavn for Danmark" (EN – "Strengthened competition to the benefit of Denmark"). In this connection, the regulation on Insurance Intermediary has been reviewed in order to establish whether the current regulation is still



necessary, e.g. whether the general interest objective can be reached by less strict measures.

In connection with the implementation of the new Insurance Distribution Directive (IDD), which is to be implemented in the period 2016-2018, it is planned to modernise the insurance intermediary education.

The present rules on insurance intermediaries comply with the Professional Qualification Directive (2013/55/EU).

Time frame

Within the next two years, it is planned to modernise the insurance intermediary education.

Danish Agency for Higher
Education

Cluster 2 – HEALTH AND SOCIAL SERVICES

Physician (DA – læge), Dental Practitioner (DA – Tandlæge), Chiropractor (DA - Kiropraktor) and Pharmacist (DA - Farmaceut)

Competent authority: Danish Patient Safety Authority

Cluster category: Health

Type of action: 5

Current situation

These professions are regulated by reserves of activities. Educational requirements consist of post-secondary formal education leading to the profession in question. The duration of the education/training programmes mentioned is 5 to 6 years. The objective with the regulations is public health. In order to secure the protection of patients, it is necessary to make sure that only people who have the necessary qualifications and training can receive an authorisation. To perform the reserved activities, a certain level of professional knowledge is required. This specific professional knowledge is achieved by relevant education and training.

New situation/ actions

It has not been considered to use alternative mechanisms to achieve the objective as the current system is working as intended. It is thus not considered to be beneficial to change the system.

Dental hygienist (DA - Tandplejer), Dietitian (DA – Klinisk diætist), Clinical Dental Technician (DA – Klinisk tandtekniker), Medical Laboratory Technologist (DA – Bioanalytiker), Midwife (DA - Jordemoder), Nurse (DA – Sygeplejerske), Occupational Therapist (DA - Ergo-



***therapeut), Physiotherapist (DA - Fysioterapeut) and Radiographer
(DA - Radiograf)***

Competent authority: Danish Patient Safety Authority.

Cluster category: Health.

Type of action: 5

Current situation

These professions are regulated by reserves of activities. Educational requirements consist of post-secondary formal education leading to the profession in question. The duration of the mentioned education/training programmes is between 3 and 3.5 years. The objective with the regulations is public health. In order to secure the protection of patients, it is necessary to make sure that only people who have the necessary qualifications and training can receive an authorisation. To perform the reserved activities, a certain level of professional knowledge is required. This specific professional knowledge is achieved by relevant education and training.

Danish Agency for Higher
Education

New situation/ actions

It has not been considered to use alternative mechanisms to achieve the objective as the current system is working as intended. It is thus not considered to be beneficial to change the system.

Pharmacist (DA - Farmakonom)

Competent authority: Danish Patient Safety Authority

Cluster category: Health

Type of action: 5

Current situation

The professions is regulated by reserves of activities. Educational requirements consist of Vocational education at secondary education level leading to the profession in question. The duration of the mentioned education/training programmes is 3 years. The objective with the regulation is public health. In order to secure the protection of patients, it is necessary to make sure that only people who have the necessary qualifications and training can receive an authorisation. To perform the reserved activities, a certain level of professional knowledge is required. This specific professional knowledge is achieved by relevant education and training.

New situation/ actions

It has not been considered to use alternative mechanisms to achieve the objective as the current system is working as intended. It is thus not considered to be beneficial to change the system.

***Chiropodist (DA – Fodterapeut) and Social and Healthcare Assistant
(DA – Social- og sundhedsassistent)***

Competent authority: Danish Patient Safety Authority.



Cluster category: Health.

Type of action: 5

Current situation

These professions are regulated by reserves of activities. Educational requirements consist of General Secondary Education leading to the profession in question. The duration of the education/training programmes is 1.5 years for a Chiropodist and 3 years for a Social and Healthcare Assistant. The objective with the regulation is public health. In order to secure the protection of patients, it is necessary to make sure that only people who have the necessary qualifications and training can receive an authorisation. To perform the reserved activities, a certain level of professional knowledge is required. This specific professional knowledge is achieved by relevant education and training.

New situation/ actions

It has not been considered to use alternative mechanisms to achieve the objective as the current system is working as intended. It is thus not considered to be beneficial to change the system.

Danish Agency for Higher
Education

Specialised Nurse in Infection Control (DA – Specialsygeplejerske i infektionshygijne), Specialised Nurse in Oncology (DA – Specialsygeplejerske i kræftsygepleje), , Specialised Nurse in Intensive Care (DA – Specialsygeplejerske i intensive sygepleje), Specialised Nurse in Psychiatry (DA – Specialsygeplejerske i psykiatrisk sygepleje), Public Health Nurse (DA - Sundhedsplejerske).

Competent authority: Danish Patient Safety Authority.

Cluster category: Health.

Type of action: 5

Current situation

These professions are regulated by reserves of activities. Educational requirements consist of post-secondary formal education leading to the profession in question. The duration of education/training programmes is 1-1.5 years after training as a nurse. The objective with the regulation is public health. In order to secure the protection of patients, it is necessary to make sure that only people who have the necessary qualifications and training can receive a registration. To perform the reserved activities, a certain level of professional knowledge is required. This specific professional knowledge is achieved by relevant education and training.

New situation/ actions

It has not been considered to use alternative mechanisms to achieve the objective as the current system is working as intended. Changing the system is thus not considered to be beneficial.

Specialist in Anaesthesiology (DA - Anæstesiologi), Occupational medicine (DA - Arbejdsmedicin), Child and adolescent psychiatry (DA –



Børne- og ungdomspsykiatri), Dermatology (DA – Dermatovenerologi), Diagnostic Radiology (DA – Diagnostik radiologi), General medical practitioner, (DA – speciallæge i almen medicin), Gynaecology and Obstetrics (DA – Gynækologi og obstetrik), Clinical Biochemistry (DA – Klinisk biokemi), Clinical Pharmacology (DA – Klinisk farmakologi), Clin. Physiology and Nuclear Medicine (DA – Klinisk fysiologi og nuklearmedicin), Clinical Genetics (DA - Klinisk genetik), Clinical Immunology (DA – Klinisk immunologi), Clinical Microbiology (DA – Klinisk mikrobiologi), Neurology (DA – Neurologi), Neurosurgery (DA – Neurokirurgi), Ophthalmology (DA – Oftalmologi), Clinical Oncology (DA – Klinisk onkologi), Orthopaedic Surgery (DA – Ortopædisk kirurgi), Oto-rhino-laryngology (DA – Oto-rhino-laryngologi), Histopathology and Cytology (DA – Patologisk anatomi og cytologi), Psychiatry (DA - Psykiatri), Paediatrics (DA - Pædiatri), Community Medicine/Public Health (DA - Samfundsmedicin), Internal medicine:haematology (DA – Intern medicin: hæmatologi), Internal medicine:infectious diseases (DA - Intern medicin: infektionsmedicin), Internal medicine:cardiology (DA - Intern medicin: kardiologi), Internal medicine:endocrinology (DA - Intern medicin: endokrinologi), Internal medicine:gastroenterology and hepatology (DA - Intern medicin: gastroenterology og hepatologi), Internal medicine:respiratory diseases (DA - Intern medicin: lungesygdomme), Internal medicine:nephrology (DA - Intern medicin: nefrologi), Internal medicine:geriatrics (DA - Intern medicin: geriatric), Internal medicine:rheumatology (DA - Intern medicin: reumatologi), Surgery (DA - Kirurgi), Vascular Surgery (DA - Karkirurgi), Plastic Surgery (DA - Plastikkirurgi), Forensic Medicine (DA - Retsmedicin), Thoracic Surgery (DA - Thoraxkirurgi), Urology (DA - Urologi), and Specialised dentist (DA - Specialtandlæge).

Danish Agency for Higher
Education

Competent authority: Danish Patient Safety Authority.

Cluster category: Health.

Type of action: 5

Current situation

These professions are regulated by reserves of activities. Educational requirements consist of general post-secondary formal education leading to the profession in question. The duration of the mentioned education/training programmes is between 5 and 6 years after training as a Physician or a Dentist. The objective with the regulation is public health. In order to secure the protection of patients, it is necessary to make sure that only people who have the necessary qualifications and training can receive a registration as a specialist. To perform the reserved activities, a certain level of professional knowledge is required. This specific professional knowledge is achieved by relevant education and training.

New situation/ actions

It has not been considered to use alternative mechanisms to achieve the objective as the current system is working as intended. It is thus not considered to be beneficial to change the system.



Paramedic Assistant (DA – Ambulanceassistent), Paramedic (DA - Ambulancebehandler) and Paramedic with special competences (DA – Ambulancebehandler med særlig kompetence).

Competent authority: Danish Patient Safety Authority.

Cluster category: Health.

Type of action: 5

Current situation

These professions are regulated by reserves of activities. Educational requirements consist of General Secondary Education leading to the profession in question. The duration of the mentioned education/training programmes is between 2 and 3.5 years. The objective with the regulation is public health. In order to secure the protection of patients, it is necessary to make sure that only people who have the necessary qualifications and training are allowed to work as a Paramedic. To perform the reserved activities, a certain level of professional knowledge is required. This specific professional knowledge is achieved by relevant education and training.

Danish Agency for Higher
Education

New situation/ actions

It has not been considered to use alternative mechanisms to achieve the objective as the current system is working as intended. Changing the system is thus not considered to be beneficial.

Psychologist (DA Autoriseret psykolog)

Competent authority: The Danish Supervisory Board of Psychological Practice

Cluster category: Health and social services

Type of action: 2 (expected)

Current situation

The profession is regulated by title protection according to the Act on Psychologists⁹⁵ and reserves of activities.

Persons with a degree equivalent to the Danish degree in psychology can apply for authorisation provided they have completed the supplementary two years of practical education after graduation and provided that they as a first have applied to the Supervisory Board for recognition of their qualifications from abroad. Application for authorisation also requires documentation for supervision received in connection with the psychologist's work. Supervision received must amount to a total of at least 160 hours.

Authorisation is not mandatory for the practice of psychology in Denmark, but it is requested within certain areas of work. These areas include practicing psychology under contributor number according to agreement on psychological assistance⁹⁶, and assisting in child protection examination according to article 50 in the Act on Social Services.⁹⁷

⁹⁵ Consolidated Act no. 229 of 8 March 2012⁹⁵, article 1

⁹⁶ http://www.dp.dk/wp-content/uploads/praksisoverenskomsten_11_14.pdf

⁹⁷ Consolidated Act no. 1053 of 8 September 2015



The objective of the regulation is to protect consumers and recipients of services. At the legislative level, measures are in place to minimise the risks of misleading the general public in the pursuit of the profession authorised psychologist.

The 2 years' authorisation scheme that is required in order to become an authorised psychologist ensures a high level of applied psychology, as the psychologist under the license training receives guidance on the practical work of a more experienced authorised psychologist. The measure includes a protection at the legislative level in order to minimise the risks of misleading the general public in the pursuit of the profession authorised psychologist. Furthermore, the Danish Supervisory Board of Psychological Practice supervises the professional work of authorised psychologists in Denmark. The board handles complaints of the work carried out by authorised psychologist, but the board may also on its own initiative take necessary action against an authorised psychologist.

Unauthorised use of the professional title "authorised psychologist" is punishable by fine according to the regulation.

Danish Agency for Higher
Education

New situation/actions

In 2013, the profession was examined by a governmental task force (established as a part of the Governments' competitiveness policy package from 2012) in order to identify simplification potential. It was proposed to create a more clear and simple application process including digitalisation of the application process. This work has been launched, but has not been completed. No further actions have been planned.

Time frame

The work has been launched, but there is no specific timeframe at the moment.

Psychologist (DA Psykolog – beskyttet titel)

Competent authority: The Danish Supervisory Board of Psychological Practice

Cluster category: Health and social services

Type of action: 5

Current situation

The profession is regulated by title protection (without reserves of activities) according to the Act on Psychologists⁹⁸. Only persons who hold a Master's degree level in Psychology or persons who hold an equivalent degree from a university or another institution of higher learning abroad are entitled to make use of the title Psychologist. In Denmark, the degree is a general degree which gives access to work within all areas of psychology. This means that specialised foreign degree holders who have only studied certain areas of psychology are not immediately entitled to make use of the title Psychologist in Denmark, as these degrees do not equate to the Danish Master's degree level in Psychology.

⁹⁸ cf. Consolidated Act no. 229 of 8 March 2012⁹⁸, article 21



Psychology is the scientific study of psychological processes and behavior and use of this knowledge in various areas of human life. The protection of the profession title psychologist must be interpreted accordingly.

The objective of the regulation is to protect consumers and recipients of services. At the legislative level, measures are taken to minimise the risks of misleading the general public in their pursuit of the profession psychologist. Thus, a person who does not have a university degree in psychology from an institution of higher education in Denmark or abroad is not entitled to use the profession title "psykolog". Unauthorised use of the professional title "psychologist" is punishable by fine according to the regulation.

New situation/actions

In 2013, the profession was examined by a governmental task force (established as a part of the Governments' competitiveness policy package from 2012). It was concluded that there is no proposal for simplification potential/improvement for the profession. No further actions have been planned.

Danish Agency for Higher
Education

Cluster 2 – NETWORK SERVICES

Water Service Manager (DA – Driftsleder på renseanlæg)

Competent authority: The Danish Nature Agency

Cluster category: Network services

Type of action: 2 (expected)

Current situation

The profession is regulated by education, so that running a wastewater treatment plant is only possible if you have got the right education, according to the regulation, as Management Assistant.

The authorisation gives the person in question the right to run a wastewater treatment plant. The license is obtained by persons who have received a special education. The objectives with the regulation are public health, protection of consumers and recipients of services and protection of the environment and the urban environment, including town and country planning. Regulation is thus based on the fact that running a wastewater treatment plant is associated with significant risks if it is not handled in a professional and skilled manner. The consequence of improper or inadequate handling of the cleaning facility can result in serious safety and health problems for people and the employee as well (i.e. the working environment) when getting in touch with the polluted water. The requirements make sure that the water service manager has the necessary qualifications to make decisions based on qualified and educated grounds and that the person in question knows how to act correctly according to the relevant national legislation.

New situation/ actions



In 2015 it has been decided that the current regulation in 2016 should be generally revised to make sure that it is up-to-date and – if possible – more simple. The regulation⁹⁹ has not been changed since 2007.

Time frame

The revision of the regulation will take place in 2016.

Training of operators and staff employed at landfill sites (DA – Uddannelse af ansatte på deponeringsanlæg/ledere på deponeringsanlæg)

Competent authority: The Danish Environmental Protection Agency

Cluster category: Network services

Type of action: 5

Danish Agency for Higher
Education

Current situation

The profession is regulated by reserves of activities cf. the Ministerial Order on Training of Employees at landfills¹⁰⁰. All employees at Danish landfills shall obtain either an A-Certificate (landfill operators) or a B-Certificate (other employees). The certificate gives the right to work at a landfill site. It takes between nine days to eleven days to obtain the certificates.

The objective with the regulation is to ensure correct operation and safe handling of the waste at the landfill. Thus, the requirements make sure that employees have the necessary qualifications to work at landfill. The Danish Environmental Protection Act¹⁰¹ and the Ministerial Order on Training of Employees at Landfills¹⁰² aim to maximise the protection of the environment and the urban environment in regard to landfilling and, at the same time, minimise the risks regarding the safety of the employees and public health.

The nature as well as the complexity of the activities covered by the Ministerial Order on Training of Employees at Landfills¹⁰³ both, to a high degree, imply that in order to reach the objectives, it is essential that the activities are exclusively performed by individuals possessing the professional qualifications set out in the order.

New situation/ actions

No actions are foreseen at the moment.

⁹⁹Ministerial Order no. 1446 of 11 December 2007 on the teaching of staff who operates wastewater treatment plant

¹⁰⁰Ministerial Order no. 718 of 24 June 2011

¹⁰¹Act no. 1317 of 19 November 2015

¹⁰²Ministerial Order no. 718 of 24 June 2011

¹⁰³Ministerial Order no. 718 of 24 June 2011

**Obtaining collector certificate (DA – Krav om opnåelse af indsamlerbevis/Indsamlere)**

Competent authority: Danish Environmental Protection Agency

Cluster category: Network services

Type of action: 4 (decided)

A collector of recyclable industrial waste must have the necessary professional, technical and financial capacity to obtain a collector certificate. Companies that seek to be recognised as a collector of recyclable industrial waste should have at least one person employed with a valid collector certificate. If the collector in multiple locations (P) numbers where there are 10 employees or more, there must be at least one person per P-number with a collector certificate. The collector certificate is personal and is valid for five years after which it has to be renewed. The certificate is achieved by passing an online test. It is a multiple choice test with twenty five questions and a time frame of one hour. The certificate test costs a fee. There has to be at least one day between each trial of passing the test and a maximum of ninety days from the first attempt. There are three chances to pass the test with new questions for every test that is started. After passing the test, the person has status as a person who has achieved collector certificate with respect to requirements on collection companies pertaining to registration in The Danish National Waste Register. Moreover, collectors of recyclable waste must on demand e.g. show evidence that the waste is delivered to the required treatment in a registered and approved recycling facility. The objective with the regulation is to protect public health and the environment.

Danish Agency for Higher
Education**New situation/ actions**

In 2008, the Danish Government introduced a new requirement in the Environmental Act¹⁰⁴ based on recommendations in a report on the organisation of the waste sector: collectors of recyclable industrial waste must have the necessary professional, technical and financial capacity to be approved as collectors of recyclable industrial waste. This requirement is met by the implementation of appropriate education by introducing a test. The requirement was implemented in the Ministerial Order on Obtaining Collector Certificate¹⁰⁵ which became effective from 1 January 2015. No further actions have been planned.

¹⁰⁴ Act no. 1317 of 19 November 2015¹⁰⁵ Ministerial Order no. 1326 of 10 December 2014



Summary – Review of the Danish regulated professions

First, this section briefly lists all the regulated professions in relation to decided, expected and none foreseen actions (A). Secondly, the decided and expected actions will be categorised in relation to the categories introduced earlier (B).

A. Overview of the professions with actions **decided**, **expected** and **none foreseen**.

Professions with actions decided

- Auditor/accountant (DA – Statsautoriseret revisor)
- Energy engineer (DA – Energikonsulent)
- Measurement and control technologist (DA – Certificeret støjmåler)
- Translator and interpreter (DA – Translatør og tolk)
- Authorised Veterinary Nurse (DA – Veterinærsygeplejerske)
- Security guard/ Warden (DA – Vagtvirksomhed)
- Security guard/ Warden (DA – Autoriseret kontrollør ved bestemte idrætsbegivenheder)
- Certified Building Expert (DA – Beskikket bygningsagkyndig)
- Well driller (DA – Brøndborer)
- Electrical Contractor (DA – Elinstallatør)
- Gas, Plumbing and Sanitation Fitter (DA – Gas-, vand- og sanitetsmester (vvs-installatør)
- Sewage contractor (DA – Kloakmester)
- Nine Off shore-professions (DA – Arbejde på offshoreanlæg)
- Real Estate Agent (DA – Ejendomsmægler)
- Harbour Pilot (DA – Lods)
- Primary school teacher (DA – Folkeskolelærer)
- Pedagogues in 1st–3rd grade (DA – Pædagog i børnehaveklasse–3. klassetrin)
- Driving instructor (DA – Kørelærer)
- Financial advisor (DA – Finansiell rådgiver)
- Average Adjuster (DA – Dispachør)
- Obtaining collector certificate (DA – Krav om opnåelse af indsamlerbevis/Indsamlere)

Danish Agency for Higher
Education

Professions with actions expected

- Surveyor (DA – Landinspektør)
- Four types of inseminator professions (DA – fire inseminørhverv)
- Rat controller (DA – Rottebekæmpelse)
- Structural Engineer (DA – Anerkendt statiker)
- Lift inspection (DA – Elevatoreftersyn)
- Work with mobile cranes and tower cranes (DA – Arbejde med mobil- og tårnkraner)
- Certified Pyrotechnician (DA – Festfyrværker)
- Insurance Intermediary (DA – Forsikringsformidler)
- Psychologist (DA – Autoriseret psykolog)
- Water Service Manager (DA – Driftsleder på renseanlæg)
- Fertiliser sample expert (Professional user of pesticides) (DA – sprøjtecertifikat)
- Vermin controller (Persons using gas for vermin control must be licensed)/ (DA – Skadedyrsbekæmper (desinfektør)



Professions with no foreseen actions

- Lawyer/ barristor/ solicitor (DA – advokat)
- Trikinseeker (DA – Trikinsøger)
- Veterinary Technician (DA – Veterinærtekniker)
- Veterinary Surgeon (DA – Dyrslæge)
- Worker in mink farms (DA – Erhverv i pelsfarme)
- Implantation of transponders in equidae (DA – ID-mærkere af dyr af hestefamilien)
- Doorman (DA – Dørmand i virksomheder med alkoholbevilling)
- Chimney sweep (DA – Skorstensfejer)
- 12 profession under the Danish Working Environment Authority
- Eight Offshore-professions (DA – Arbejde på offshoreanlæg)
- Commercial diver (DA – Erhvervsdykker)
- 11 maritime professions (DA – 11 erhverv inden for det maritime område)
- Pet shops (DA - Dyrehandler)
- Four professions under the Danish Emergency Management Agency (DA – fire erhverv under Beredskabsstyrelsen)
- Teacher, Danish Language Training Programmes for Adult Foreigners (DA – Lærer i dansk for voksne udlændinge)
- Upper secondary school teacher (DA – Lærer i de gymnasiale uddannelser)
- Rearing of certain types of animals (persons responsible for rearing deer/ratites/foxes and feathered game) (DA – Opdræt af visse dyrearter: hjortedyr, strudsefugle, ræve og fjervildt)
- Farmer of genetically modified crops (DA – Dyrker af genetisk modificerede afgrøder)
- Authorised Slurry Tank Inspector (DA – Autoriseret gyllebeholderkontrollant)
- Investment advisor (DA – Investeringsrådgiver)
- Responsible actuary (DA – Ansvarshavende aktuar)
- 23 health professions under the Danish Patient Safety Authority (23 erhverv under Arbejdstilsynet)
- Psychologist (DA – Psykolog – beskyttet titel)
- Training of operators and staff employed at landfill sites (DA – Uddannelse af ansatte på deponeringsanlæg/ledere på deponeringsanlæg)
- Zoological Taxidermist (DA - Zoologisk konservator)

Danish Agency for Higher
Education

B. Categorisation of the decided and expected¹⁰⁶ actions

Category 1-3 is deregulation that is introduced to make it easier to get access to work as a professional. Category 4 is further regulation. Some of the professions are listed in more than one category.

1. Abolishment of the scheme, change of rules and requirements, change in reserved activities

- Auditor/accountant (DA – Statsautoriseret revisor): Change of rules and simplification of system
- Surveyor (DA – Landinspektør): Reform of restriction on ownership of land surveying companies
- Translator and interpreter (DA – Translatør og tolk): The scheme will be removed/abolished completely

¹⁰⁶ As per 18 December 2015



- Authorised Veterinary Nurse (DA – Veterinær-sygeplejerske): Allowed to do more tasks that would otherwise be preserved for veterinary surgeons.
- Certified Building Expert (DA – Beskikket bygningssagkyndig): Abolishment of the rules concerning the building experts' maximum price for a report.
- Three professions in the Electrical, gas, plumbing and sewer fields: Overall simplification of the authorisation scheme – introduction of part-authorisation scheme
- Offshore-professions (DA – Arbejde på offshoreanlæg): Eight offshore professions are no longer categorised as regulated professions
- Certified Pyrotechnician (DA – Festfyrværker): An analysis of how to lower the educational requirements has been launched
- Real Estate Agent (DA – Ejendomsmægler): Buyer-counselling is no longer a reserved activity
- Primary school teacher (DA – Folkeskolelærer): It is now possible for staff with different training and qualifications to be included in the organisation of teaching of pupils
- Average Adjuster (DA – Dispachør): From 1 January 2016, the current system will be removed without replacement.

2. Change of administration, further digitalisation, simplified guidance, modernisation etc.

- Surveyor (DA – Landinspektør): Better opportunities in relation to the education and transfer of credits
- Measurement and control technologist (DA – Certificeret Støjmåler): Simplification in relation to obtaining the certificate
- Four types of inseminator professions (fire inseminørerhverv): Simplification of the system in order to lift the administrative burdens
- Security guard/ Warden (DA – Vagtvirksomhed): Specification of documentation requirements
- Rat controller (DA - Rottebekæmpelse): Modernisation
- Vermin controller (Persons using gas for vermin control must be licensed)/ (DA – Skadedyrsbekæmper (desinfektør): more digitalisation
- Certified Building Expert (DA – Beskikket bygningssagkyndig): Digitalisation of the building experts work will be implemented to make the scheme more effective
- Structural Engineer (DA – Anerkendt statiker): The system will be modernised by introducing a certification system that is more comprehensive and flexible than the existing one
- Well driller (DA – Brøndborer): Modernising of the education to keep up with the technological development in the field
- Three professions in the Electrical, gas, plumbing and sewer fields: Overall simplification of the authorisation scheme (introduction of a single company authorisation scheme)
- Lift inspection (DA – elevator eftersyn): Introduction of a new and simplified version of the education
- Work with mobile cranes and tower cranes (DA – Arbejde med mobil- og tårnkraner): Simplification and merger of six different crane certificates
- Certified Pyrotechnician (DA – Festfyrværker): Approvals and licenses within the area of fireworks will be combined in a common application system
- Fertiliser sample expert (Professional user of pesticides) (DA – sprøjtecertifikat): modernisation and further digitalisation
- Harbour Pilot (DA – Lods): Simplification and electrification in documentation
- Insurance Intermediary (DA – Forsikringsformidler): Modernisation of the insurance intermediary education.
- Psychologist (DA – Autoriseret psykolog): To create a more clear and simple application process including digitalisation of the application process.



- Water Service Manager (DA – Driftsleder på renseanlæg): Modernisation of the regulation

3. Merger of schemes

- Auditor/accountant (DA – Statsautoriseret revisor): Merger of two professions into one
- Four types of inseminator professions (fire inseminørerhverv): Merger of educations and authorisations
- Three professions in the Electrical, gas, plumbing and sewer fields: Overall simplification of the authorisation scheme: merger of schemes
- Work with mobile cranes and tower cranes (DA – Arbejde med mobil- og tårnkraner): Simplification and merger of six different crane certificates
- Two offshore professions have been merged and therefore consist of one regulated offshore profession/skill. In the future, the profession is called 'responsible for drilling operations (well control course)'

Danish Agency for Higher
Education

4. Further regulations

- Auditor/accountant (DA – Statsautoriseret revisor): The educational requirements are strengthened
- Energy engineer (DA – Energikonsulent): A new education has increased and sharpened the required entrance qualifications + refreshing course and exam every third year in order to uphold their certificate
- Authorised Veterinary Nurse (DA – Veterinærpsygeplejerske): The non-authorised nurses are allowed to do fewer tasks
- Vermin controller (Persons using gas for vermin control must be licensed)/ (DA – Skadedyrsbekæmper (desinfektør): more control related to the reserved activities
- Security guard/ warden (DA – Autoriseret kontrollør ved bestemte idrætsbegivenheder): Dispensation from the education criteria is only given when the applicant without doubt is qualified.
- Pedagogues in 1st–3rd grade (DA – Pædagog i børnehaveklasse–3. klassetrin): The profession has become regulated because it is considered necessary to use the pedagogical professionalism in teaching pupils in primary school
- Driving instructor (DA – Kørelærer): A number of new requirements have been introduced
- Financial advisor (DA – Finansiell rådgiver): The regulation was introduced in 2014 to minimise the risk of consumers making decisions regarding financial products
- Obtaining collector certificate (DA – Krav om opnåelse af indsamlerbevis/Indsamlere): Educational requirements were implemented on 1 January 2015.



Chapter 3 – Conclusion

This final Danish Action Plan reports on the regulated professions included in both the first and second cluster indicating the screening process of the regulated professions and measures Denmark has taken or intend to take relating to the transparency exercise making it easier to work as a professional. The exercise took place in accordance with Communication from the Commission, COM (2013) 676, dated 2. October 2013¹⁰⁷ and article 59 of the revised directive

To sum up, the first chapter in the report has described the process Denmark has been going through in relation to the transparency exercise. It has highlighted the fact that a governmental task force for regulated professions was established in 2013 as a part of the Government's competitiveness policy initiatives. The task force initiated a screening process of the regulated professions. This process has resulted in deregulation, modernisation and simplification initiatives of a number of the regulated professions. Some initiatives to remove regulatory restrictions were already being taken when the task force was established.

Furthermore, Denmark has participated in the ongoing Frontrunners initiative on professional qualifications in collaboration with a number of other EU member states. In relation to the political initiatives of the Nordic Council of Ministers, freedom of movement is an important agenda for the Nordic countries and these countries have agreed to work towards removing cross-border obstacles, in particular the informal ones, e.g. industry regulation, in order to create jobs and growth in the Nordic region.

The second chapter in this national action plan has included a review of all the Danish regulated professions (both cluster 1 and 2) and has concluded on the patterns in the actions taken/to be taken.

To conclude, the review has shown that about a third (approximately 44 out of 120 of the Danish regulated professions recently have been going through changes or are expected to do so in the near future. The actions primarily include deregulation in the form of lift of reserved activities, simplification, modernisation, mergers, further digitalisation etc.

For 78 professions, the competent authorities find that the current measures related to the overriding reasons of general interest such as safety and health should not be removed. Therefore, no actions are currently foreseen for these 78 professions.

It is worth highlighting that for two professions, Average Adjuster (DA – Dispachør) and Translator and interpreter (DA – Translatør og tolk), the schemes will be removed/abolished completely. Furthermore, three new professions have had completely new regulation introduced: Financial advisor (DA – Finansielt rådgiver), Obtaining collector certificate (DA – Krav om opnåelse af indsamlerbevis/Indsamlere) and Pedagogues in 1st–3rd grade (DA – pædagog i børnehaveklasse – 3. Klassesetning).

¹⁰⁷ Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee on Evaluating national regulations on access to professions, COM(2013) 676 final, dated 2. October 2013



Proportionality of the legislative acts regulating access to and exercise of the regulated profession is subject to regular control of all draft legislation in Denmark and has been evaluated again as a part of the transposition process during 2015.

By January 18 2016, Denmark shall also notify to the Commission the list of professions for which a prior check of qualifications remain unchanged under Article 7(4) and will provide justification of the inclusion of those professions on that list.