

Educational and Vocational Guidance Practitioners Act

2009 No 35 3 April

Entry into force: 8 April 2009. Amended by *Act No 77/2009 (entry into force 31 July 2009)*, *Act No 26/2010 (entry into force 1 July 2010; EEA Agreement: Annex VII, Directive 2005/36/EC)* and *Act No 126/2011 (entry into force 30 September 2011)*.

Any reference in this Act to “the Minister” or “the Ministry” not accompanied by express mention of or reference to a specific field of responsibility shall be understood as being a reference to the **Minister of Education, Science and Culture** or to the **Ministry of Education, Science and Culture** as responsible for the implementation of this Act.

■ **Article 1** *The professional title of ‘educational and vocational guidance practitioner’*

The right to use the professional title of ‘educational and vocational guidance practitioner’ and to work in that capacity shall be limited to those who have been granted a licence to do so by the [Minister]⁽¹⁾ pursuant to Article 2.

A licence as referred to in the first paragraph shall be granted to any applicant having completed an educational and vocational guidance training programme from a higher education institution accredited by [the Minister]⁽¹⁾ pursuant to Act No 63/2006.

⁽¹⁾Act No 126/2011, Article 506.

■ **Article 2** *Evaluation committee*

In the case of doubt as to whether an applicant for a licence to use the professional title of ‘educational and vocational guidance practitioner’ meets the requirements of this Act, the application shall be referred to an evaluation committee appointed by the [Minister]⁽¹⁾ for a four-year term.

The evaluation committee shall be composed of three members: one representing the Association of Educational and Vocational Guidance Practitioners, one nominated by the Rectors’ Conference of Higher Education Institutions, and one appointed without nomination, who shall serve as Chair. An equal number of alternates shall be appointed in the same manner.

The committee’s mode of operation shall be further stipulated in a Regulation.

⁽¹⁾Act No 126/2011, Article 506.

■ **Article 3** *Qualifications earned in a country within the EEA or in an EFTA Member State*

[The [Minister]⁽¹⁾ shall confirm the right to use the professional title of ‘educational and vocational guidance practitioner’ in response to an application by a citizen of a country within the European Economic Area, or of the Faroe Islands, if the applicant submits a certificate of recognised qualifications issued by a country within the economic area, or by the Faroe Islands, in accordance with the provisions of Directive 2005/36/EC on the recognition of professional qualifications.]⁽²⁾

In response to an application from a citizen of a State party to the convention establishing the European Free Trade Association, the Minister shall confirm the right to use the professional title of ‘educational and vocational guidance practitioner’ subject to the same

conditions as stipulated in the first paragraph, provided that the applicant submits a certificate of recognised qualifications issued by one of the member states of the Association.

⁽¹⁾Act No 126/2011, Article 506. ⁽²⁾Act No 26/2010, Article 12.

■ **Article 4** *Licensing*

[The Minister]⁽¹⁾ may grant a licence as referred to in Article 1, first paragraph, to persons who are active in the profession on the date of entry into force of this Act while not meeting the requirements laid down in Article 1, second paragraph. Prior to granting such licence, the matter should be referred to the Evaluation Committee for advice.

[The Minister may entrust the granting of licences pursuant to this Act to higher education institutions which have been accredited in accordance with the Higher Education Act and which operate training programmes for educational and vocational guidance practitioners on the basis of a contract with the Ministry. The Minister may similarly grant such authorisations to other competent parties.

The Minister may issue a Regulation containing more detailed provisions on the arrangement and granting of licences.]⁽²⁾

⁽¹⁾Act No 126/2011, Article 506. ⁽²⁾Act 77/2009, Article 1.

■ **Article 5** *Confidentiality*

Educational and vocational guidance practitioners have an obligation to observe confidentiality with regard to any matter of which they gain knowledge in their work and which is covered by a secrecy requirement according to law or by virtue of the nature of the case. The obligation to maintain confidentiality shall continue to apply after the termination of employment.

■ **Article 6** *Obligations of educational and vocational guidance practitioners*

Educational and vocational guidance practitioners have an obligation to be aware of their legally mandated duties, to maintain their professional knowledge, and to familiarise themselves with new developments in their field.

Educational and vocational guidance practitioners shall take full responsibility for the guidance they provide.

■ **Article 7** *Regulatory powers*

The Minister may issue a Regulation⁽¹⁾ further providing for the implementation of this Act, including rules regarding the conditions for granting a licence and the procedure for granting and revoking licences.

⁽¹⁾Rules No 160/2010.

■ **Article 8** *Entry into force*

This Act shall enter into force forthwith.

■ **Article 9** ...

Disclaimer: This is an English translation. The original Icelandic text, as published in the Law Gazette (Stjórnartíðindi) is the authoritative text. Should there be discrepancy between this translation and the authoritative text, the latter prevails.