

Minister for Youth and Sport - MTS - Order no. 711/2019 of June 20, 2019

Order no. 711/2019 regarding the approval of the Methodology for the recognition of professional qualification status for the coaching profession, obtained in a member state of the European Union, of the European Economic Area, in the Swiss Confederation or in a third state.

Effective July 23, 2019

Published in the Official Gazette, Part I no. 607 of July 23, 2019. Applicable form on **August 11, 2019**.

Considering:

- The law of physical education and sport no. 69/2000, as subsequently amended and supplemented;
- Government Decision no. 11/2013 regarding the organization and functioning of the Ministry for Youth and Sport, with the subsequent modifications and additions;
- Government Decision no. 343/2011 regarding the approval of the Statute of the coach;
- Order of the Minister for Youth and Sport no. 542/2008 by which the competence of the issuing of coaches' card is delegated to the National Center for Coaching and Training *;
- * Order of the Minister for Youth and Sport no. 542/2008 and the decision of the director of the National Center for Coaching and Training of the Coaches no. 104/2013 were not published in the Official Gazette of Romania, Part I.
- Regulation of Organization and Functioning of the National Center for Coaching and Training of the Coaches, approved by the Decision of the director of the National Center for Coaching and Training of the Coaches no. 104/2013 *;
- Occupational standard for vocational education and training - occupation of coach code COR 342201 (www.anc.edu.ro);
- Law no. 200/2004 regarding the recognition of professional diplomas and qualifications for the regulated professions in Romania, with the subsequent modifications and additions;
- Report no. 3.293 of 18.06.2019 regarding the preparation of the order on the Methodology for the recognition of professional qualifications for the coaching profession, obtained in a Member State of the European Union, of the European Economic Area, in the Swiss Confederation or in a third state;

- Directive 2013/55 / EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36 / EC on the recognition of professional qualifications and Regulation (EU) no. 1.024 / 2012 on administrative cooperation through the Internal Market Information System ("IMI Regulation");

- Directive 2005/36 / EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications,

based on art. 8 paragraph (4) of the Government Decision no. 11/2013 regarding the organization and functioning of the Ministry for Youth and Sport, with the subsequent modifications and additions,

the Minister for Youth and Sport issues this order.

Art. 1. - The Methodology for the recognition of professional qualifications for the coaching profession is approved, obtained in a member state of the European Union, of the European Economic Area, in the Swiss Confederation or in a third state, provided in the annex that makes it an integral part of this order.

Art. 2. - The National Center for Coaching and Training of the Coaches will carry out the provisions of this order.

Art. 3. - This order is published in the Official Gazette of Romania, Part I, and enters into force on the date of its publication.

Minister for Youth and Sport,

Constantin-Bogdan Matei

Bucharest, June 20, 2019.

Nr. 711.

Minister for Youth and Sport - MTS - Methodology from June 20, 2019

Methodology for the recognition of professional qualifications for the coaching profession, obtained in a Member State of the European Union, of the European Economic Area, in the Swiss Confederation or in a third state, from 20.06.2019

Effective July 23, 2019

Published in the Official Gazette, Part I no. 607 of July 23, 2019. Applicable form on [August 11, 2019](#) .

Art. 1. - (1) The National Center for Coaching and Training of Coaches (CNFPA) is a public institution subordinated to the Minister for Youth and Sport (MTS) and its activity is the training, promotion and improvement of trainers and other specialists in the field of sports, in accordance with the Statute of the trainer and with the other legal provisions in force.

(2) The profession of coach is regulated in Romania by Government Decision [no. 343/2011](#) regarding the approval of the [Statute of the coach](#).

(3) Vocational education and training for the occupation of coach shall be made in accordance with the provisions of the occupational standard for the qualification of coach code COR 342201 (www.anc.edu.ro).

Art. 2. - The present methodology is applied to the professional qualification status attesting the completion of the training courses of the trainers at an accredited or authorized institution of continuous professional training and development from abroad.

Art. 3. - (1) The recognition consists in the evaluation and compatibility of the level, domain and / or of the professional specialization / qualification mentioned in the professional training document obtained abroad with the national vocational training system, taking into account the admission requirements to the the respective vocational training program, which can be completed with the issuance of a certificate. The certificate of recognition grants the holder rights in order to continue the formation, improvement, promotion within the profession and / or access to the labor market, according to the law.

(2) The recognition of the professional qualifications for the coaching profession by the CNFPA allows the beneficiaries to have access, in our country, to the same profession as the one for which they are qualified in the home Member State and to exercise it in Romania under the same conditions as the Romanian citizens.

(3) The profession of coach that the applicant wishes to exercise in Romania is the same as that for which he/she is qualified in the state of origin if the respective activities are comparable.

Art. 4. - (1) CNFPA grants the applicants access to the profession of coach and the right to exercise it under the same conditions as those for Romanian citizens, if they hold a qualification status provided by another Member State to

have access to the same profession or to exercise it in the territory of Romania.

(2) The qualifications meet the following conditions:

a) have been issued by a competent authority of a Member State of the European Union (EU), of the European Economic Area (EEA), of the Swiss Confederation or of a third country designated in accordance with the laws, regulations and administrative provisions of the respective state;

b) attests the preparation of the holder for the exercise of the profession in question.

(3) CNFPA accepts the level attested by the home state, the professional qualification status and the competences acquired in the home state for the coaching profession if the vocational training system in the home state is compatible with the national vocational training system.

(4) Persons benefiting from the recognition of professional qualifications need to have knowledge of Romanian language necessary for practicing coach in Romania.

(5) CNFPA collaborates with the National Center for the Recognition and Equivalence of Diplomas (CNRED) in order to recognize the study papers from abroad.

Art. 5. - The recognition is applied to the following categories of citizens:

a) Romanian citizens, citizens of the Member States of the European Union, the European Economic Area and of the Swiss Confederation, as well as the categories of persons who benefit, according to the law, of equal treatment with the Romanian citizens;

b) to third-country nationals only for access to the Romanian labor market.

Art. 6. - The National Center for Coaching and Training of the Coaches recognizes the status of professional qualification for the profession of coach, provided in art. 2, with a view to accessing the labor market in Romania, as follows:

a) recognizes the professional qualifications obtained in the Member States of the European Union, the European Economic Area and in the Swiss Confederation;

b) recognizes the qualifications obtained in third countries;

c) in order to obtain the right of free practice for exercising the regulated coaching profession in Romania, the CNFPA recognizes the professional qualifications obtained in third countries by the European citizens and by the other categories of citizens provided in the normative acts for the regulation of the profession, as well as the diplomas obtained in the Member States of the European Union, of the European Economic Area and in the Swiss Confederation which give access to the profession of regulated coach, where the regulations governing the profession do not have otherwise.

Art. 7. - (1) In order to recognize the professional qualification for the coaching profession, the CNFPA analyzes and verifies:

a) the access conditions ;

b) the status of the issuing vocational training institution, by the Internal Market Information System - IMI;

- c) the level of the professional qualification status;
- d) duration of studies;
- e) the number of hours spent in the training program related to the occupational standard for the qualification of coach code COR 342201;
- f) specialization in the sports branch obtained by the vocational training program;
- g) the curriculum / the training program;
- h) the workload / the learning outcomes / the acquired skills;
- i) the level of trainer obtained in relation to the Government Decision [no. 343/2011](#) regarding the approval of the [Statute of the](#) coach.

(2) If the evaluation of the elements mentioned in [par. \(1\)](#) highlights substantial differences between the training programs of the coach in Romania and those from abroad, CNFPA:

a) can recognize by applying compensatory measures, respectively the continuation of the vocational training programs, the taking of difference exams and / or the carrying out of internships within the CNFPA, adaptation courses, in order to harmonize the differences between the studies carried out abroad and the program of vocational training from the Romanian system;

b) for the recognition by compensatory measures it applies the aptitude test. The aptitude test consists of a test to verify the applicant's professional knowledge, skills and competences; CNFPA draws up a list of disciplines and competences which, based on a comparison between education and training imposed in Romania by the occupational standard and those followed by the applicant, it is not attested by the qualification status in the applicant's possession;

c) rejects the request for recognition motivated.

(3) The recognition of professional qualification status for the profession of trainer that is the subject of international treaties is carried out in accordance with their provisions.

(4) In the recognition procedure, the CNFPA may take into account the previous decisions made in similar cases.

Art. 8. - (1) The professional qualification status for the coaching profession is not recognized in the following situations:

a) the institution that organizes the professional training course that issued the professional qualification status for the coaching profession is not recognized in the home state;

b) if enrollment in the vocational training program for which recognition is sought was made on the basis of a diploma obtained at an institution not accredited in the home state;

c) if enrollment in the vocational training program for which recognition is sought was made on the basis of a diploma that does not fulfill the access conditions;

d) if there is suspicions regarding the existence of false study documents in the file; in this case the authorized bodies are notified, alerts can be created by the IMI system, in which case the CNFPA informs the applicant in writing

about the decisions regarding the alert sent to other EU Member States, EEA or the Swiss Confederation;

e) the professional qualification status for the coaching profession are not a part of the category of documents issued in the vocational training system in the issuing state.

(2) The situations provided in [par. \(1\)](#) are not limiting; The CNFPA may have the solution of non-recognition also in other cases, in compliance with the national legislation and the best practices and international recommendations.

Art. 9. - In the case of professional training programs jointly organized by two or more institutions accredited or authorized in Romania and abroad, finalized with the issuing of a professional qualification status for the coaching profession by each institution, the documents issued in abroad are not subject to the recognition process, the status of professional qualification issued by the Romanian institution giving the holder all rights.

Art. 10. - (1) The file for the recognition of the status of professional qualification for the profession of coach obtained by the categories of citizens provided in art. 5 lit. a) includes the following documents:

- a)** Typical request;
- b)** valid ID and proof of the name change (if applicable), copy;
- c)** the professional qualification status for the trainer profession obtained after graduating the training course that is the subject of the application, in certified copy and translation or in certified copy (if the professional qualification status for the trainer profession is written in Romanian);
- d)** the registration sheet / the descriptive supplement of the status of vocational training or any other document from which the professional training course, the specialization in the sports branch, copy and legalized translation or legalized copy (if the document is written in Romanian);
- e)** the certificate issued by the competent authorities of the Member State of origin, respectively their confirmation that the official qualification status for the coaching profession is issued by nationally recognized or accredited institutions; confirmation by the IMI system by the competent authority of the issuing state that the official qualification status for the coaching profession is issued by authorized or accredited institutions recognized at national level and that the coaching profession is nationally recognized;
- f)** the diploma that gave access to the study program for which recognition is required, in certified copy and translation, in certified copy (if the respective document is written in Romanian), or the attestation of equivalence or recognition previously obtained, in copy;
- g)** the coach card, in certified copy and translation or in certified copy (if the document is written in Romanian);
- h)** other documents relevant to the recognition of the professional qualification status for the coaching profession (for example, the analytical programs of the courses taken, the complete description of the courses / subjects studied, documents regarding the completion of other courses, etc.);
- i)** certificate for language skills for the Romanian language;

j) the physical and mental health certificate issued by the Member State of origin or a proof equivalent to the health certificate, if the competent authorities of the State of origin do not issue such a certificate;

k) criminal record certificate ;

l) a copy after the proof of payment of the assessment fee of the file, in the amount of 50 RON.

(2) For third-country nationals provided in art. 5 [letter b\)](#) which requires employment in the situations referred to in art. 6, the file contains:

a) Typical request ;

b) the address from the employer stating the purpose of the recognition and the position held by the third citizen within the sports club of public or private law, in original;

c) the registration certificate of the employer, in copy;

d) delegation from the employer for the lifting of the recognition certificate;

e) the professional qualification status for the coaching profession obtained after completing the training course that is the subject of the application, in certified copy and translation or in certified copy (if the professional qualification status for the coaching profession is written in Romanian);

f) the registration sheet / the descriptive supplement of the status of vocational training or any other document from which the professional training course, the specialization in the sports branch, copy and legalized translation or legalized copy (if the document is written in Romanian);

g) the certificate issued by the competent authorities of the Member State of origin or provenance, respectively their confirmation that the official qualification status for the coaching profession is issued by authorized or accredited nationally recognized institutions;

h) the diploma that gave access to the program of studies for which recognition is requested, in certified copy and translation, in certified copy (if the respective document is written in Romanian), or the attestation of equivalence or recognition previously obtained, in copy;

i) the coach card, in certified copy and translation or in certified copy (if the document is written in Romanian);

j) other documents relevant for the recognition of the professional qualification status for the coaching profession (for example, the analytical programs of the courses taken, the complete description of the courses / subjects studied, documents regarding the completion of other courses, etc.);

k) certificate for language skills for the Romanian language;

l) the physical and mental health certificate issued by the Member State of origin or a proof equivalent to the health certificate, if the competent authorities of the State of origin do not issue such a certificate;

m) criminal record certificate ;

n) valid ID and proof of the name change (if applicable), copy;

o) a copy after the proof of payment of the assessment fee of the file, in the amount of 50 RON;

p) other additional documents, if any.

(3) The training documents subject to recognition shall be endorsed with the Hague Apostille for the States which are Parts of the Hague Apostille Convention, and for the other states, the study documents shall be outlawed or shall be accompanied by the certificate of authenticity issued by the competent authorities of the country of origin. Exemption from over-legalization is allowed under the law, of an international treaty to which Romania is a Part or based on reciprocity.

(4) If the study document subject to recognition is a provisional document, since the national law of the state of origin provides for the issuance of the qualification status after a certain period from the completion of the studies, the CNFPA issues, until the certificate is issued, a recognition certificate of the studies that grant the holder the same rights as the certificate.

(5) The exchange of information between the competent authorities of different Member States shall be carried out by IMI.

(6) The procedure for the recognition of professional qualifications for the coaching profession, obtained in an EU Member State, EEA, the Swiss Confederation or in a third state, may also be consulted by the single electronic contact point.

Art. 11. - The file for the recognition of the status of professional qualification for the profession of coach obtained by the categories of citizens mentioned in art. 5 [letter a\)](#) and [b\)](#) can be:

a) filed to the CNFPA secretariat;

b) sent by courier to the CNFPA headquarters

Art. 12. - (1) Within 20 working days from the date of registration of the file, CNFPA verifies the existence of all the documents provided for in [art. 10](#) and notifies the applicant in writing, by courier or electronic mail, if it finds that the file is not complete.

(2) The file must be completed within one (1) year from the date of receipt of the notification, otherwise the CNFPA classifies the file, following the resumption of the procedure based on the submission of a new file.

Art. 13. - (1) The time for solving the files is 30 working days from the date of registration of the complete file to the CNFPA secretariat

(2) The term of settlement provided in Art. (1) can be extended in justified cases, the applicant being notified in writing, by courier or electronic mail. In duly justified cases and in cases of an application accompanied by supporting documentation, those can be dealt with priority, regarding the legal procedures.

(3) The certificate of recognition of the training course shall be issued to the holder or to a person empowered by him by a notary power of attorney, from the CNFPA secretariat .

(4) The certificate of recognition filled and unclaimed shall be kept in the archive of MTS - CNFPA with permanent term.

(5) In case of loss, destruction or partial damage of the certificate of recognition, it shall be issued a duplicate of it.

(6) In order to issue the duplicate, the applicant submits, in writing, a request, accompanied by the following documents: the notice of loss of the

certificate of recognition of the professional training, with its identification data, in the Official Gazette of Romania, Part. III , copy of the identity document, proof of payment of the tax in the amount of 50 RON.

Art. 14. - (1) Requests for re-evaluation of the file are made by a reasoned request, accompanied, as the case may be, by other relevant documents.

(2) The application shall be submitted to the CNFPA secretariat within 30 working days from the date of issue of the certificate regarding the reasons for non-recognition.

(3) In order to resolve the appeal, the CNFPA may request the advisory opinion of the Minister for Youth and Sport and of the national sports federations for the recognition of the profession of coach for the respective sports branch.

(4) The deadline for resolving the re-evaluation requests is 60 working days from the date of their registration with the CNFPA secretariat.

(5) The term of settlement provided in Art. (4) it is extended in justified cases, in which case the applicant will be notified in writing, by courier or electronic mail.

(6) The issuance of the recognition certificate issued following the reassessment shall be made only at the CNFPA headquarters after the issuance of the certificate regarding the reasons for the previously issued non-recognition.

Art. 15. - (1) The decision of the CNFPA can be challenged only once, within 45 working days from the date of the notification, by a reasoned request and, as the case may be, on the basis of a file drawn up and filed in accordance with the present methodology.

(2) The appeals will be evaluated by the specialized experts designated by the Ministry for Youth and Sport in accordance with the legislation in force.

(3) The term for resolving the complaints is 60 working days from the date of their registration with the CNFPA secretariat

(4) The term of settlement provided in Art. (3) is prolonged in justified cases, in which case the applicant will be notified in writing, by courier or electronic mail.

(5) The issue of the recognition certificate issued following the appeal shall be issued only at the headquarters of the CNFPA after handing over the certificate regarding the reasons for the previously issued non-recognition.

Art. 16. - The recognition of the vocational training documents for the persons who have acquired Romanian citizenship and hold a certificate of recognition is made on the basis of the following documents:

- a)** request ;
- b)** copy of the certificate of recognition;
- c)** the certified copy and translation in Romanian of the recognized diploma of studies;
- d)** the copy and the legalized translation in Romanian of the registration sheet / the descriptive supplement of the status of vocational training or any other document from which the training course and the specialization in the sports branch result;

e) copy of the valid identity document and proof of name change (if applicable), in copy;

f) a copy after the proof of payment of the tax amounting to 50 RON;

g) other additional documents, if applicable.

Art. 17. - For third-country nationals referred to in art. 5 [letter. b\)](#) which requires the employment release a new copy of the certificate of recognition in the procedure for obtaining authorization to work is done only upon submission of a new file recognition.

Art. 18. - The recognition of studies for asylum seekers and / or beneficiaries of a form of international protection in Romania is carried out in accordance with the provisions of the present methodology and of the national and international legal norms regarding these categories of persons.

Art. 19. - Obtaining the employment permit for a third-country citizen who wishes to work on the territory of Romania is accomplished by the General Inspectorate for Immigration.

Art. 20. - (1) The provision of services by the providers moving to Romania for the purpose of temporarily or occasionally exercising the profession of coach is accomplished in accordance with the provisions of Law [no. 200/2004](#) regarding the recognition of professional diplomas and qualifications for the regulated professions in Romania, with the subsequent modifications and additions.

(2) The CNFPA requests that, when the provider moves for the first time from an EU Member State, the EEA, the Swiss Confederation or a third state in Romania to provide coaching services, he/she must be informed in this regard in advance by a written declaration which attaches the qualification status, the descriptive supplement or the registration sheet, the coach card, the identity document, the attestation of linguistic competences for the Romanian language, the physical and mental health certificate, the criminal record and the proof of the name change , if applicable, the name of the employer. The provider shall present the documents by any means (submitted to the CNFPA secretariat, per post, courier, electronic, etc.).

Art. 21. - The recognition of the studies carried out by the citizens of third countries, in order to continue the studies in Romania, is achieved by the Department of International Relations and European Affairs within the Minister of National Education on the basis of its own methodology.