



## Regulation of professions in the field of

# Psychology and psychotherapy

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### Introduction

Under the Agreement on the Free Movement of Persons (AFMP<sup>1</sup>), professionals from the EU can have their qualifications recognised if the profession for which they are qualified in their country of origin is regulated in Switzerland.

This document aims to describe the Swiss regulations in the sector concerned. Regulated professions are those that are subject to specific training requirements and where access to the profession in question is only possible for professionals holding a specific qualification that is defined in relation to the Swiss education system. Foreign professionals can only access a regulated profession or occupation once their qualifications have been recognised.

If holders of foreign professional qualifications wish to pursue a profession or occupation other than those described in this document, they are free to do so without obtaining recognition of their qualifications (non-regulated profession). In this case it is the job market which will dictate their chances of finding employment or being awarded jobs in the case of self-employed persons.

The specific aspects of the procedure relating to **service providers** (as opposed to cases of permanent establishment in Switzerland) are described at the end of this document.

### What professional activities require verification of qualifications?

Psychology and psychotherapy professions are regulated in Switzerland; therefore, holders of foreign professional qualifications must have these qualifications recognised or verified before beginning to provide services.

Psychology and psychotherapy professions are regulated at both the federal and cantonal levels:

The Confederation regulates access to the psychotherapy profession. In addition, while the Confederation only authorises holders of a Master's degree (or equivalent) in psychology to use the professional title of "psychologist", it does not regulate access to the psychology profession itself. In other words, anyone wishing to work as a psychologist in Switzerland may do so under federal legislation. The only restriction is on usage of the professional title of "psychologist".

<sup>1</sup> Bilateral agreement of 21 June 1999 between the Swiss Confederation and the European Community and its Member States on the free movement of persons, RS 0.142.112.681.

In addition to federal law, some cantons (based on SERI's current understanding: AR, FR, GE, GL, JU, LU, NE, OW, SG, SH, TI) do indeed regulate access to the psychology profession. In these cantons, the right to carry out this profession is subject to prior verification of professional qualifications.

Other psychology-related activities are not regulated and may therefore be carried out without verification of professional qualifications. These include:

- human resources psychologists,
- traffic psychologists,
- educational psychologists,
- preventive psychologists,
- counsellors,
- etc.

### **Specific details for EU/EFTA citizens who wish to provide services in Switzerland**

#### *Basic principle*

In accordance with the Agreement on the Free Movement of Persons (AFMP), professionals who are legally established in the EU/EFTA may provide services in Switzerland without permanently establishing themselves in the country. In such cases, the duration of service provision is limited to 90 days per calendar year.

If the profession they wish to pursue is regulated, they can take advantage of a fast-track verification procedure for their professional qualifications, as set out in the EU directive 2005/36/EC<sup>2</sup> and the DRPA<sup>3</sup>. The service provision **must be declared in advance to SERI**<sup>4</sup>.

#### *Other obligations*

**In all cases**, persons intending to provide services **must also register with the State Secretariat for Migration** ([www.bfm.admin.ch](http://www.bfm.admin.ch) > Registration procedure CH-EU/EFTA) and follow the *registration procedure for short-term work in Switzerland*: <https://meweb.admin.ch/meldeverfahren>. This obligation also applies to non-regulated professions.

#### *Who is a service provider?*

Service provision is an economic activity that is practised on a self-employed basis or without conclusion of an employment contract with a Swiss employer. It is remunerated work of a temporary or occasional nature (limited to 90 working days per calendar year) carried out in Switzerland by an individual who is established in a country of the EU or EFTA. If you require further information, SERI provides a more detailed note on the concept of a service provider on its website.

Persons who are not service providers within the meaning of the AFMP will not be able to take advantage of the fast-track qualification verification procedure. They should instead have their qualifications recognised in accordance with Title III of directive 2005/36/EC by contacting the competent authority.

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<sup>2</sup> Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, OJ L 255 of 30.9.2005, p. 22, in the current version in accordance with the agreement on the free movement of persons and the revised EFTA Convention.

<sup>3</sup> Federal Act of 14 December 2012 on the Declaration Requirement and the Verification of Service Provider Qualifications in Regulated Professions, SR 935.01.

<sup>4</sup> [www.sbf.admin.ch/declaration](http://www.sbf.admin.ch/declaration).