



Ministry of Education, Culture and
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Reference
241437

Date **12 OKT 2010**
Subject Medical schools

Dear Madam,

In response to your letter of September 1, 2010, I hereby inform you as follows.

Starting this month, the islands of Bonaire, Sint Eustatius and Saba will become part of the Netherlands and will have a status comparable to that of a Dutch municipality. This implies that Dutch legislation will be applied as of this month.

Over the past period of time, we have been preparing legislation concerning this issue and the further details thereof pertaining to all (education) sectors. This is the reason for the delay in our response to your earlier letter regarding the position of the medical schools.

With regard to the position of the medical schools and the questions with which you presented me, I can inform you as follows.
Several years ago, the Antillean government granted several charters with respect to the Medical Schools on Bonaire, Sint Eustatius and Saba (BES). If requested, both the Minister of Health, Welfare and Sport and I are prepared to extend the statement issued in 1988 on their educational activities. I would like to point out that any such statement from us does not entail a confirmation regarding the provision of any form of recognised or accredited education under Dutch law. The medical schools are, however, free to continue their educational activities in their current form. The latter is a result of the right to freedom to provide education, which applies in the Netherlands.

Higher Education and Research Act

On 10 October 2010, the Dutch Higher Education and Research Act (*Wet op het Hoger onderwijs en Wetenschappelijk onderzoek (Wet HW)*) will take effect for the BES islands.

This Act embodies regulations for higher education institutions relating to, among other things, the quality, registration and organisation of the education provided by and the administration of the institution. In order to be incorporated into the higher education system of the Netherlands, an institution must apply to the Minister of Education, Culture and Science for permission to award degrees. To that end, the institution must meet the statutory requirements regarding the education provided and examinations administered; furthermore, the

administrative and financial continuity of the institution must be guaranteed (to be assessed by the Education Inspectorate).

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The Accreditation Organisation of the Netherlands and Flanders (NVAO) assesses the education provided by the institution in accordance with an official accreditation of an existing programme (in terms of both content and procedure, i.e., including an external assessment). The duration of the programme must equal that stated in the Act. For academic bachelor's programmes this is three years; the duration of medical master's programmes is also three years (180 credits). If the medical schools fail to meet the requirements, they will need to take the necessary steps for improvement, in accordance with the statutory requirements. Until they meet such requirements, they cannot award degrees under Dutch law.

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This procedure can take up to ten months.

As yet, none of the medical schools has requested permission to award degrees. Consequently, we do not know whether they meet the requirements set by law.

The Ministry of Health, Welfare and Sport has informed me that you are considering granting the institutions a period of two years to apply to the Minister of Education, Culture and Science for permission to award degrees. This decision is up to you. I do not play any part in this issue, as the medical schools are free to opt for entry into the Dutch higher education system.

Decree Restricting the Establishment of Medical Practitioners on BES

As of the transition date of 10 October 2010, the above Decree will apply to medical practitioners seeking to establish themselves on the BES islands. The Dutch Individual Health Care Professions Act (BIG) will not yet apply to the three islands; the Antillean National Ordinance on Individual Health Care Professions will cease to exist for the BES islands.

Based on the Decree Restricting the Establishment of Medical Practitioners on BES, a prohibition will apply to establishing oneself as a professional medical practitioner on the BES islands, *unless*:

- 1) The professional practitioner has been granted dispensation by the Minister of Health, Welfare and Sport;
- 2) At the time the Decree enters into force, the professional practitioner is already established and working as such on the BES islands or is established and working as a speech therapist, ergotherapist, kinesiologist, podiatrist or dietician.

For further (general) information about the registration of care providers on the BIG register and declarations of professional competency to care providers with foreign qualifications who wish to work in the Netherlands or on the BES islands after the transition date, we would like to refer you to the web site www.bigregister.nl.

A copy of the letter to the medical schools has been included for your information.

Date

The Secretary of State for Education, Culture and Science
on her behalf,

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Dr L.J. Roborgh
Director-General for Higher Education, Vocational Education, Science and
Emancipation