

STATUTORY INSTRUMENTS

2023 No. 1286

The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023

PART 1

General provisions

Citation and commencement

1. These Regulations may be cited as the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 and come into force on 1st December 2023.

Commencement Information

I1 Reg. 1 in force at 1.12.2023, see [reg. 1](#)

Extent and application

2.—(1) Subject to paragraph (2) [^{F1}and (3)], these Regulations extend to England and Wales, Scotland and Northern Ireland.

(2) Any amendment, repeal or revocation made by these Regulations has the same extent and application as the provision amended, repealed or revoked.

[^{F2}(3) Paragraphs 1, 2, 6 and 7 of Schedule 3 do not apply in relation to Wales.]

Textual Amendments

F1 Words in [reg. 2\(1\)](#) inserted (W.) (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Wales\) \(Amendment etc.\) Regulations 2023 \(S.I. 2023/1294\)](#), [regs. 1, 14\(2\)\(a\)](#)

F2 [Reg. 2\(3\)](#) inserted (W.) (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Wales\) \(Amendment etc.\) Regulations 2023 \(S.I. 2023/1294\)](#), [regs. 1, 14\(2\)\(b\)](#)

Commencement Information

I2 Reg. 2 in force at 1.12.2023, see [reg. 1](#)

Interpretation

3.—(1) In these Regulations—

“adaptation period” means a period of supervised practice, subject to an assessment and which may be accompanied by further training, of a regulated profession⁽¹⁾ under the responsibility of a qualified member of that profession;

“applicant” means a specified state professional who—

- (a) wishes to access and pursue a regulated profession for which the possession of professional qualifications is required;
- (b) possesses professional qualifications for the same profession in a specified state; and
- (c) makes an application;

“application” means an application to a regulator⁽²⁾ of a regulated profession, by an applicant, for recognition of their professional qualifications;

“aptitude test” means a test limited to the professional knowledge of a specified state professional, made by the regulator with the aim of assessing the ability of the professional to pursue a regulated profession;

“EEA EFTA free trade agreement” means the free trade agreement between Iceland, the Principality of Liechtenstein and the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland done at London on 8th July 2021⁽³⁾;

“medical regulator” means one of the following—

- (a) the General Chiropractic Council;
- (b) the General Dental Council;
- (c) the General Medical Council;
- (d) the General Optical Council;
- (e) the General Osteopathic Council;
- (f) the General Pharmaceutical Council;
- (g) the Health and Care Professions Council;
- (h) the Nursing and Midwifery Council;

“professional activity” means an activity which forms part of a regulated profession;

“professional experience” means the lawful and effective practice of the relevant profession;

“professional qualifications” includes qualifications⁽⁴⁾ or professional experience;

“specified state” means a state specified in Schedule 1;

“specified state professional” means a natural person who has obtained professional qualifications in a specified state;

(2) For the purposes of these Regulations, “regulator” does not include the regulators for the regulated professions specified in Schedule 2 ^[F3] or a “Welsh regulator” as defined by the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023].

(1) “Regulated profession” is defined in section 19 of the 2022 Act.

(2) “Regulator” is defined in section 19 of the 2022 Act.

(3) Volumes 1 and 2 were published on 16th July 2021, ISBN 978-1-5286-2805-1, CP 496, and are available electronically at <https://www.gov.uk/government/publications/free-trade-agreement-between-iceland-the-principality-of-liechtenstein-and-the-kingdom-of-norway-and-the-united-kingdom-of-great-britain-and-northern>. A hard copy can be obtained free of charge on request by calling the Department for Business and Trade on 020 4551 0011 or may be inspected free of charge at Old Admiralty Building, Admiralty Place, London, SW1A 2DY.

(4) “Qualification” is defined in section 19 of the 2022 Act.

Textual Amendments

- F3** Words in [reg. 3\(2\)](#) inserted (W.) (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Wales\) \(Amendment etc.\) Regulations 2023 \(S.I. 2023/1294\)](#), regs. 1, [14\(3\)](#)

Commencement Information

- I3** Reg. 3 in force at 1.12.2023, see [reg. 1](#)

Amendments to legislation for the purpose of, and in connection with, the EEA EFTA free trade agreement

4. Schedule 3 contains amendments to legislation for the purpose of, and in connection with, implementing Chapter 12 of the EEA EFTA free trade agreement (recognition of professional qualifications).

Commencement Information

- I4** Reg. 4 in force at 1.12.2023, see [reg. 1](#)

Amendments to legislation consequent upon the commencement of section 5(1) of the Professional Qualifications Act 2022 and revoking other retained EU recognition law

5. Schedule 4 contains amendments to legislation—
- (a) consequent upon the commencement of section 5(1) of the 2022 Act (revocation of general EU system of recognition of overseas qualifications); and
 - (b) revoking other retained EU recognition law⁽⁵⁾.

Commencement Information

- I5** Reg. 5 in force at 1.12.2023, see [reg. 1](#)

(5) “Retained EU recognition law” is defined in section 6(2) of the 2022 Act.

Changes to legislation:

There are currently no known outstanding effects for the The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023, PART 1.