
DRAFT STATUTORY INSTRUMENTS

2018 No. XXXX

**EXITING THE EUROPEAN UNION
HEALTH CARE AND
ASSOCIATED PROFESSIONS
PROFESSIONAL QUALIFICATIONS**

The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2018

Made - - - - - ***

Laid before Parliament ***

Coming into force in accordance with regulation 1

**THE EUROPEAN QUALIFICATIONS (HEALTH AND
SOCIAL CARE PROFESSIONS) (AMENDMENT
ETC.) (EU EXIT) REGULATIONS 2018**

1. Citation, commencement and extent
 2. Medical practitioners
 3. Pharmacists and pharmacy technicians
 4. Dentists and dental care professionals
 5. Nurses, midwives and nursing associates
 6. Opticians
 7. Osteopaths
 8. Chiropractors
 9. Health and social work professionals
 10. Social workers in Scotland
 11. Social care workers in Northern Ireland
 12. Social workers in England
 13. References to the General Systems Regulations
 14. Review of continued recognition of certain European qualifications
- Signature

SCHEDULES

SCHEDULE 1 — Medical Practitioners

PART 1 — Amendments to legislation

1. Medical Act 1983
2. In section 2 (registration of medical practitioners), in subsection (2)—...
3. In section 3 (registration by virtue of primary United Kingdom...
4. (1) Section 5 (general functions of the General Medical Council...
5. (1) Section 10B (professional traineeships carried out in other relevant...
6. (1) Section 14 (alternative requirements as to experience in certain...
7. (1) In section 14A (full registration of EEA nationals etc...
8. In section 15A (provisional registration for EEA nationals etc), in...
9. In section 16 (registration of qualifications), in subsection (2), omit...
10. (1) Section 17 (primary qualifications obtained in other relevant European...
11. Omit section 18 (visiting medical practitioners from relevant European states)....
12. (1) Section 19 (full registration of EEA nationals etc by...
13. (1) Section 19A (full registration of EEA nationals etc by...
14. In section 21 (provisional registration of EEA nationals etc with...
15. (1) Section 21B (full registration of persons with an overseas...
16. (1) Section 21C (provisional registration of persons with an overseas...
17. In section 30 (the registers), in subsection (1)—
18. In section 32 (registration fees), in subsection (5), omit “or...
19. In section 34D (the Specialist Register), omit subsection (5).
20. (1) Section 34G (acquired rights of general practitioners) is amended...
21. Omit section 34J (minimum requirements for general practice training).
22. Omit section 34K (minimum requirements for specialist training).
23. In section 34L (award and withdrawal of Certificate of Completion...
24. (1) Section 40 (appeals) is amended as follows.
25. In section 44 (effect of disqualification in another relevant European...
26. (1) Section 44B (provision of information in respect of fitness...
27. In section 44C (indemnity arrangements), omit subsection (11).
28. In section 46 (fees), in subsection (2A), omit paragraph (b)....
29. Omit section 49B (the Directive: designation of competent authority etc)....
30. (1) Section 55 (interpretation) is amended as follows.
31. In Schedule 1 (the General Medical Council etc), in paragraph...
32. Omit Schedule 2A (visiting medical practitioners from relevant European States)....
33. In Schedule 3 (registration: supplementary provisions), omit paragraph 7.
34. (1) Schedule 3A (registration and training) is amended as follows....
35. Omit Schedule 4A (Directive 2005/36: Functions of the General Council...
36. National Health Service Pension Scheme Regulations 2008
37. Postgraduate Medical Education and Training Order of Council 2010
38. (1) Article 3 (persons eligible to be registered in, and...
39. (1) Article 4 (general practitioners eligible for entry in General...
40. Omit article 5 (general systems general practitioners eligible for entry...
41. In article 6 (persons with acquired rights), in paragraph (5),...
42. (1) Article 7 (persons eligible to be registered in, and...
43. (1) Article 8 (specialists eligible for entry in the Specialist...
44. Omit article 9 (general systems specialists eligible for entry in...
45. (1) Article 10 (recognised specialist qualifications granted outside the United...

46. In article 11 (recognised specialities within the United Kingdom), omit...
 47. (1) Article 12 (partial exemption) is amended as follows.
 48. For the Schedule (recognised specialities within the United Kingdom) substitute—...
 49. General Medical Council (Applications for General Practice and Specialist Registration) Regulations 2010
 50. In regulation 2 (interpretation), in paragraph (2)—
 51. In regulation 5 (evidence), in paragraph (1), omit sub-paragraph (i)...
 52. (1) Regulation 6 (collection of information, evidence and advice) is...
 53. Omit regulation 7 (statements of eligibility).
 54. (1) Regulation 8 (determination of applications) is amended as follows....
 55. General Medical Council (Form and Content of the Registers) Regulations No 2 2010
 56. In regulation 2 (interpretation), in the list of defined terms...
 57. In regulation 4 (form and keeping of registers), omit paragraph...
 58. In regulation 5 (entries in the register), omit paragraph (f)....
 59. General Medical Council (Licence to Practise and Revalidation) Regulations 2012
 60. In regulation 3 (grant or refusal of a licence), in...
 61. In regulation 4 (withdrawal of a licence), in paragraph (2)—...
 62. In regulation 6 (revalidation), in paragraph (2)(a), omit “18 (visiting...
 63. The National Health Service Pension Scheme Regulations 2015
 64. The National Health Service (General Medical Services Contracts) Regulations 2015
 65. The National Health Service (Personal Medical Services Agreements) Regulations 2015
- PART 2 — Savings and transitional provision
66. General Practitioner Register and Specialist Register
 67. IMI alerts
 68. Visiting medical practitioners: saving of old law for up to one year

SCHEDULE 2 — Pharmacists and pharmacy technicians

PART 1 — Amendments to legislation

1. Interpretation
2. Medicines Act 1968
3. In section 67E (interpretation of provisions about defences), in the...
4. In section 69 (general provisions about pharmacies), omit subsection (1ZA)....
5. In section 71 (business carried on by body corporate), omit...
6. In section 78 (restrictions on use of titles etc.)—
7. Pharmacy Order 2010
8. In article 3 (interpretation)— (a) for the definition of “the...
9. In article 19 (establishment, maintenance of, and access, to the...
10. In article 20 (entitlement to entry in Parts 1 or...
11. (1) Article 21 (pre-entry requirements in respect of qualifications and...
12. After article 21, insert— European qualifications: pharmacists (1) Subject to the following provisions of this article, a...
13. (1) Article 22 (pre-entry requirements in respect of qualifications and...
14. (1) Article 23 (form, manner and content of applications for...
15. In article 23A (supplementary provisions as to necessary knowledge of...
16. (1) Article 24 (notification by the Registrar: entry and renewal)...
17. In article 29 (corrections to the Register), in paragraph (3)(a),...
18. In article 32 (indemnity arrangements), omit paragraph (11).

19. Omit article 33 (visiting pharmacists and pharmacy technicians from relevant...
20. Omit article 33A (European professional card).
21. In article 36 (fees in connection with entry)—
22. In article 37 (restoration to the Register), in paragraph (5),...
23. (1) Article 38 (offences relating to the Register) is amended...
24. (1) Article 39 (appealable decisions) is amended as follows.
25. In article 40 (appeals to the Appeals Committee)—
26. In article 41 (appeals from the Appeals Committee), in paragraph...
27. In article 42 (education, training and acquisition of experience), in...
28. Omit article 42A (professional traineeships carried out in other relevant...
29. In article 43 (continuing professional development)— (a) omit paragraph (5)(c);...
30. In article 66 (rules), omit paragraph (2).
31. Omit article 67 (The Directive: designation of competent authority etc)....
32. Omit article 71 (review).
33. Omit Schedule 2 (visiting pharmacists and pharmacy technicians from relevant...
34. Omit Schedule 2A (European professional card).
35. Omit Schedule 3 (The Directive: designation of competent authority etc)....
36. Medicines for Human Use (Clinical Trials) Regulations 2004
37. Approved European Pharmacy Qualifications Order of Council 2007
38. National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009
39. General Pharmaceutical Council (Registration) Rules 2010
40. Pharmacy Order 2010 (Approved European Pharmacy Qualifications) Order 2010
41. General Pharmaceutical Council (Continuing Professional Development and Consequential Amendments) Rules 2011
42. Human Medicines Regulations 2012
43. National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013
 - PART 2 — Savings and transitional provision
44. Pending applications
45. Visiting pharmacists and pharmacy technicians: saving of old law for up to one year
46. European Professional Card
47. (1) Where, immediately before exit day, a person was entitled...
48. (1) A decision within article 39(1)(u) of the 2010 Order...
49. IMI alerts
50. Interpretation of saved provisions

SCHEDULE 3 — Dentists and dental care professionals

PART 1 — Amendments to legislation

1. Interpretation
2. Dentists Act 1984
3. In section 12A (degrees and licences), in subsection (2), in...
4. In section 14 (dentists register), in subsection (1A)—
5. In section 15 (qualification for registration)— (a) in subsection (1)—...
6. In section 15A (necessary knowledge of English), omit subsections (5)...
7. In section 16 (overseas diplomas), omit subsections (2A) and (2B)...
8. In section 17 (temporary registration)— (a) omit subsection (3A);
9. In section 18 (registration procedure), omit subsections (2A) and (2B)...

10. In section 19 (registration regulations)— (a) in subsection (1), for...
 11. In section 21A (notification of result of application)—
 12. In section 26A (indemnity requirements), omit subsection (11).
 13. In section 29 (appeals)— (a) in subsection (1), omit paragraph...
 14. Omit section 34AA (professional training and development for visiting dentists)....
 15. In section 35 (effect of disqualification in relevant European States)—...
 16. Omit section 36 (visiting dentists from relevant European states).
 17. Omit sections 36ZA (designation of competent authority) and 36ZB (fees...
 18. In section 36B (dental care professionals register), for subsection (1A)...
 19. In section 36C (qualifications for registration)— (a) in subsection (1),...
 20. In section 36CA (necessary knowledge of English)—
 21. In section 36E (rules relating to the register), in paragraph...
 22. In section 36F (registration fees)— (a) for “Subject to subsection...
 23. In section 36L (indemnity arrangements), omit subsection (11).
 24. In section 36S (appeals)— (a) in subsection (1), omit paragraph...
 25. Omit sections 36Z3 (visiting dental care professionals from relevant European...
 26. In section 53 (interpretation), in subsection (1)—
 27. In Schedule 2 (European Dental Qualifications)— (a) in paragraph 1(1),...
 28. In Schedule 2A (registration appeals)— (a) in paragraph 1—
 29. Omit Schedule 4 (visiting dentists from relevant European states).
 30. Omit Schedule 4ZA (designation of competent authority).
 31. In Schedule 4A (registration appeals)— (a) in paragraph 1—
 32. European Primary and Specialist Dental Qualifications Regulations 1998
 33. General Dental Council (Indemnity Arrangements) (Dentists and Dental Care Professionals) Rules 2015
 34. General Dental Council (Continuing Professional Development) (Dentists and Dental Care Professionals) Rules 2017
- PART 2 — Savings and transitional provision
35. Pending applications
 36. Assessments in relation to specialties
 37. Visiting dentists: saving of old law for up to one year
 38. Visiting dental care professionals: saving of old law for up to one year
 39. IMI alerts
 40. Interpretation of saved provisions

SCHEDULE 4 — Nurses, midwives and nursing associates

PART 1 — Amendments to legislation

1. Interpretation
2. Nursing and Midwifery Order 2001
3. In article 5A (knowledge of English), omit paragraphs (5) and...
4. In article 6 (register of nurses, midwives and nursing associates),...
5. In article 7 (register: supplemental provision), omit paragraph (4).
6. In article 8 (access to register), omit paragraph (5).
7. In article 9 (registration)— (a) in paragraph (1), for “Subject...
8. In article 10 (renewal and readmission)— (a) in paragraph (1),...
9. In article 12A (indemnity arrangements), omit paragraph (11).
10. In article 13 (approved qualifications)— (a) in paragraph (1)—
11. After article 13 insert— European qualifications (1) Subject to the following provisions of this article, a...
12. Omit article 14 (EEA qualifications).
13. In article 15 (education and training), omit paragraph (2).

14. In article 19 (post-registration training), omit paragraphs (2A) to (2D)....
15. In article 37 (appeals against decisions of the Registrar)—
16. In article 38 (other appeals), in paragraph (3)—
17. Omit articles 39 to 40 (EEA provisions).
18. Omit article 55 (review).
19. Omit Schedule 2A (visiting European practitioners).
20. Omit Schedule 2B (European Professional Card).
21. Omit Schedule 3 (competent authority functions).
22. In Schedule 4 (interpretation)— (a) for the definition of “the...
23. Nursing and Midwifery Council (Fees) Rules 2004
24. Nursing and Midwifery Council (Parts of and Entries in the Register) Order of Council 2004
25. European Nursing and Midwifery Qualifications Designation Order of Council 2004
26. Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004
 - PART 2 — Savings and transitional provision
27. Pending applications
28. Visiting nurses, midwives and nursing associates: saving of old law for up to one year
29. (1) Where— (a) a person had, immediately before exit day,...
30. European Professional Card
31. (1) Where, immediately before exit day, a person was entitled...
32. (1) A decision within article 37(1)(g) of the 2001 Order...
33. IMI alerts
34. Interpretation of saved provisions

SCHEDULE 5 — Opticians

PART 1 — Amendments to legislation

1. Interpretation
2. Opticians Act 1989
3. In section 8 (qualifications for registration)— (a) omit subsection (1A);...
4. Omit sections 8B to 8D (registration of visiting European practitioners)....
5. In section 10 (general provisions as to registers and lists)—...
6. In section 10A (indemnity arrangements), omit subsection (11).
7. In section 11A (continuing education and training), omit subsections (5)...
8. In section 11B (failure to satisfy continuing education and training)...
9. In section 23G (appeals)— (a) in subsection (1)—
10. In section 29 (death or bankruptcy), omit subsection (2A).
11. In section 36 (interpretation), in subsection (1)—
12. In Schedule 1 (constitution of the General Council), in paragraph...
13. National Health Service (Scotland) Act 1978
14. National Health Service Act 2006
15. National Health Service (Wales) Act 2006
16. National Health Service (General Ophthalmic Services) Regulations 1986
17. National Health Service (Service Committees and Tribunal) Regulations 1992
18. General Optical Council Testing of Sight by Persons Training as Ophthalmic Opticians Rules 1993
19. Medicines for Human Use (Clinical Trials) Regulations 2004
20. General Optical Council (Registration) Rules 2005
21. National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006

22. National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009
23. Patient Rights (Treatment Time Guarantee) (Scotland) Regulations 2012
24. Human Medicines Regulations 2012
PART 2 — Savings and transitional provision
25. Pending applications
26. Visiting opticians: saving of old law for up to one year
27. IMI alerts
28. Interpretation of saved provisions

SCHEDULE 6 — Osteopaths

PART 1 — Amendments to legislation

1. Interpretation
2. Osteopaths Act 1993
3. Omit section 5A (registration of visiting European osteopaths).
4. In section 6 (supplemental provision about registration)—
5. In section 8 (restoration to the register), in subsection (8),...
6. In section 14 (recognition of qualifications)— (a) after subsection (2),...
7. In section 17 (post registration training), omit subsections (2A) to...
8. In section 29 (appeals against decisions of the Registrar), omit...
9. Omit section 29A (appeals against decisions of the General Council)...
10. In section 37 (indemnity arrangements), omit subsection (2).
11. In section 41 (interpretation)— (a) omit the definitions of “exempt...
12. General Osteopathic Council (Registration) Rules 1998
13. General Osteopathic Council (Application for Registration and Fees) Rules 2000
14. General Osteopathic Council (Recognition of Qualifications) Rules 2000
PART 2 — Savings and transitional provision
15. Pending applications
16. Visiting osteopaths: saving of old law for up to one year
17. IMI alerts
18. Interpretation of saved provisions

SCHEDULE 7 — Chiropractors

PART 1 — Amendments to legislation

1. Interpretation
2. Chiropractors Act 1994
3. Omit section 5A (registration of visiting European chiropractors).
4. In section 6 (supplemental provision about registration)—
5. In section 8 (restoration to the register), in subsection (8),...
6. In section 14 (recognition of qualifications)— (a) after subsection (2),...
7. In section 17 (post registration training), omit subsections (2A) to...
8. In section 29 (appeals against decisions of the Registrar), omit...
9. Omit section 29A (appeals against decisions of the General Council)...
10. In section 37 (indemnity arrangements), omit subsection (2).
11. In section 43 (interpretation)— (a) omit the definitions of “exempt...
12. General Chiropractic Council (Registration) Rules 1999
13. General Chiropractic Council (Registration of Chiropractors with Foreign Qualifications) Rules 2002
PART 2 — Savings and transitional provision
14. Pending applications
15. Visiting chiropractors: saving of old law for up to one year
16. IMI alerts

17. Interpretation of saved provisions

SCHEDULE 8 — Health and social work professionals

PART 1 — Amendments to legislation

1. Interpretation
2. Health and Social Work Professions Order 2001
3. In article 6 (health and social work professions register), omit...
4. In article 7 (register: supplemental provision), omit paragraph (4).
5. In article 8 (access to register), omit paragraph (5).
6. In article 9 (registration)— (a) in paragraph (1), for “Subject...
7. In article 10 (renewal and readmission)— (a) in paragraph (1),...
8. In article 11A (indemnity arrangements), omit paragraph (12).
9. In article 12 (approved qualifications)— (a) in paragraph (1)—
10. Omit article 13A (visiting professionals from relevant European states).
11. In article 19 (post-registration training), omit paragraphs (2A) to (2D)....
12. In article 37 (registration appeals), omit paragraph (1)(aa).
13. In article 38 (other appeals)— (a) in paragraph (1)(b), for...
14. Omit article 49 (review).
15. In Schedule 3 (interpretation), omit the definitions of “European professional...
16. Health Professions (Parts of and Entries in the Register) Order of Council 2003
17. Health and Care Professions Council (Registration and Fees) Rules 2003
18. Health Professions Council (Registration Appeals) Rules 2003
- PART 2 — Savings and transitional provision
19. Pending applications
20. Visiting health and social work professionals: saving of old law for up to one year
21. European Professional Card
22. (1) Where, immediately before exit day, a person was entitled...
23. (1) A decision within article 38(1A)(d) of the 2001 Order...
24. IMI alerts
25. Interpretation of saved provisions

SCHEDULE 9 — Social workers in Scotland

PART 1 — Amendments to legislation

1. Interpretation
2. Regulation of Care (Scotland) Act 2001
3. In section 44 (register of social workers and of other...
4. In section 45 (applications for registration under Part 3)—
5. Omit section 46A (visiting social workers from relevant European States)....
6. In section 46B (qualifications gained outside Scotland), omit paragraph (a)....
7. In section 47(1) (variation etc. of conditions in relation to...
8. In section 51 (appeal against decision of Council)—
9. In section 57 (power of Council to make rules), omit...
10. In section 77 (interpretation)— (a) omit the definitions of “EEA...
11. National Health Service (Primary Medical Services Performers List) (Scotland) Regulations 2004
- PART 2 — Savings and transitional provision
12. Pending applications
13. Visiting social workers: saving of old law for up to one year
14. Interpretation of saved provisions

15. IMI alerts

SCHEDULE 10 — Social care workers in Northern Ireland

PART 1 — Amendments to legislation

1. Interpretation
2. Health and Personal Social Services Act (Northern Ireland) 2001
3. In section 2 (“social care worker” etc.), omit subsections (5)...
4. In section 3 (the register)— (a) in subsections (1) and...
5. Omit section 5A (visiting social workers from relevant European States)...
6. In section 7 (rules about registration), in paragraph (c), omit...
7. In section 7A (power to obtain information etc.), in subsection...
8. In section 8 (registration – enforcement), in subsection (1)—
9. In section 11 (qualifications gained outside Northern Ireland), omit subsection...
10. In section 12 (post registration training), omit subsections (2A) to...
11. In section 15 (appeals to the Care Tribunal)—
12. In section 18 (rules)— (a) in subsection (1), omit “,...
PART 2 — Savings and transitional provision
13. Pending applications
14. Visiting social work professionals: saving of old law for up to one year
15. IMI alerts
16. Interpretation of saved provisions

SCHEDULE 11 — Social workers in England

PART 1 — Amendments to legislation

1. Interpretation
2. Social Workers Regulations 2018
3. In regulation 2 (interpretation)— (a) in paragraph (1), omit the...
4. In regulation 8 (the registrar and the register), omit paragraph...
5. In regulation 9 (content of the register), omit paragraph (1)(c)...
6. In regulation 10 (procedure for registration), omit paragraph (5).
7. In regulation 11 (eligibility for registration)— (a) in paragraph (4),...
8. Omit regulation 18 (visiting professionals from relevant European States).
9. In regulation 19 (registration appeals)— (a) in paragraph (1), omit...
10. In Schedule 1 (recognised qualifications)— (a) in paragraph 1, omit...
PART 2 — Savings and transitional provision
11. Pending applications
12. Visiting social work professionals: saving of old law for up to one year
13. Interpretation of saved provisions

Explanatory Note