SCHEDULES

SCHEDULE 2

Regulation 3

Pharmacists and pharmacy technicians

PART 1

Amendments to legislation

Interpretation

1. In this Schedule—

(a) "the 1968 Act" means the Medicines Act 1968(**1**);

(b) "the 2010 Order" means the Pharmacy Order 2010(**2**).

Medicines Act 1968

2. The 1968 Act is amended as follows.

3. In section 67E (interpretation of provisions about defences)(**3**), in the definition of "registrant"—

(a) in paragraph (a), for "2, 4 or 5" substitute "or 2";

(b) in paragraph (b), omit the words from "or the register" to "European State".

4. In section 69 (general provisions about pharmacies)(**4**), omit subsection (1ZA).

5. In section 71 (business carried on by body corporate)(**5**), omit subsection (7).

6. In section 78 (restrictions on use of titles etc.)(**6**)—

(a) in subsection (5), omit the words from "or in the" to "European State";

(b) in subsection (5A), omit "or 4".

Pharmacy Order 2010

7. The 2010 Order is amended as follows.

8. In article 3 (interpretation)(**7**)—

(a) for the definition of "the Directive" substitute—

> ""the Directive" means Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications (OJ

(**1**) 1968 c. 67.
(**2**) S.I. 2010/231.
(**3**) Section 67E was inserted by S.I. 2018/181.
(**4**) Subsection (1ZA) was inserted by S.I. 2007/3101. Relevant amending instrument is S.I. 2010/231.
(**5**) Subsection (7) was substituted by S.I. 2010/231.
(**6**) Subsections (5) and (5A) were substituted by S.I. 2010/231.
(**7**) Relevant amending instruments are S.I. 2011/1043, 2016/1030.

No L255, 30.09.2005, p 22), and any reference in this Order to the Directive or to any provision of the Directive is a reference to the Directive, or to that provision, as it had effect immediately before exit day;";

(b) omit the definitions of "competent authority", "Directive 2002/58/EC", "European mutual recognition area", "European professional card", "exempt person", "General Systems Regulations", "IMI", "IMI file" and "third country";

(c) in the definition of "registered pharmacist", omit "or 4";

(d) in the definition of "registered pharmacy technician", omit "or 5".

9. In article 19 (establishment, maintenance of, and access, to the Register), in paragraph (2)—

(a) in the words before paragraph (a), for "five" substitute "three";

(b) in paragraphs (a) and (b), omit "other than visiting practitioners";

(c) at the end of paragraph (b), insert "and";

(d) omit sub-paragraph (d) (including the final "and");

(e) omit sub-paragraph (e).

10. In article 20 (entitlement to entry in Parts 1 or 2 of the Register), for paragraph (4), substitute—

"(4) The Registrar must treat a person who—

(a) applies to be entered in Part 1 of the Register as a pharmacist,

(b) qualified as a pharmacist in a relevant European State,

(c) was, on exit day, in the register of pharmaceutical chemists for Northern Ireland, or was entered in that register on or after exit day further to an application made before exit day, and

(d) has remained in that register since exit day or, as the case may be, since that entry (disregarding any period in which the person was not in the register as a result of a decision that was later overturned in an appeal or other legal proceeding),

as meeting the requirements of paragraph (1)(a)(i).".

11.—(1) Article 21 (pre-entry requirements in respect of qualifications and additional education, training or experience: pharmacists)(**8**) is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (a), omit the words from "(and" to the end;

(b) omit sub-paragraph (b);

(c) omit sub-paragraph (c) (but not the final "or");

(d) in sub-paragraph (d)—

(i) in the words before paragraph (i), omit "subject to paragraph (2),";

(ii) omit paragraph (ii)(aa) (including the final "or");

(iii) in paragraph (ii)(bb), omit "whether or not P is an exempt person,".

(3) After paragraph (1), insert—

"(1A) A relevant European qualification is to be treated as a qualification which has been approved under paragraph (1)(d)(i).

(1B) In this article "relevant European qualification" means—

(**8**) Relevant amending instrument is 2016/1030.

(a) a qualification that falls within article 21A and has not been designated by the Council for the purposes of this sub-paragraph, or

(b) a qualification in pharmacy that does not fall within article 21A but—

(i) was granted in a relevant European State, and

(ii) attests, in the opinion of the Council, to a comparable standard of proficiency to that attested to by a qualification approved under paragraph (1)(a).

(1C) The Council—

(a) may designate a qualification for the purposes of paragraph (1B)(a) only with the approval of the Privy Council;

(b) must maintain and publish a list of the qualifications that are so designated.".

(4) Omit paragraphs (2) to (5).

12. After article 21, insert—

"**European qualifications: pharmacists**

21A.—(1) Subject to the following provisions of this article, a qualification falls within this article if it was awarded in a relevant European State and is listed in Annex V, point 5.6.2 of the Directive.

(2) A qualification falls within this article only if it is accompanied, where applicable, by the certificate listed in relation to the qualification in the column entitled "Certificate accompanying the diploma" in Annex V, point 5.6.2 of the Directive.

(3) A qualification does not fall within this article if it was awarded before the reference date, or is evidence of training begun before that date.

(4) In paragraph (3) "reference date" means the date listed in relation to the State in which the qualification was awarded in the column entitled "Reference date" in Annex V, point 5.6.2 of the Directive.".

13.—(1) Article 22 (pre-entry requirements in respect of qualifications and additional education, training or experience: pharmacy technicians) is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (a), at the end insert "or";

(b) omit sub-paragraph (b) (including the final "or");

(c) in sub-paragraph (c)—

(i) in paragraph (i), omit the final "or";

(ii) after paragraph (i), insert—

"(ia) holds a qualification which was granted in a relevant European State and, despite its not having been approved under paragraph (i), attests, in the opinion of the Council, to a comparable standard of proficiency to that attested to by a qualification approved under paragraph (1)(a), or";

(iii) omit paragraph (ii)(aa);

(iv) in paragraph (ii)(bb) omit "whether or not T is an exempt person,".

(3) Omit paragraphs (2) and (3).

14.—(1) Article 23 (form, manner and content of applications for entry or for renewal of an entry in the register: pharmacists and pharmacy technicians)(**9**) is amended as follows.

(2) In paragraph (1)(c)—

(a) in paragraph (iii)—

(i) omit "who is not an exempt person";

(ii) at the end insert "and";

(b) omit paragraph (iv);

(c) omit paragraph (vi) (including the final "and").

(3) Omit paragraphs (4) to (11).

15. In article 23A (supplementary provisions as to necessary knowledge of English)(**10**), omit paragraphs (5) and (7).

16.—(1) Article 24 (notification by the Registrar: entry and renewal)(**11**) is amended as follows.

(2) Omit paragraphs (2A) and (2B).

(3) In paragraph (3), for "specified period" substitute "period of three months beginning with the relevant date".

(4) In paragraph (4)—

(a) omit sub-paragraph (a) (including the final "or");

(b) in the words after sub-paragraph (b)—

(i) omit the words from "a decision", where it first occurs, to "or";

(ii) omit "(as the case may be)";

(iii) for "specified period" substitute "period of three months beginning with the relevant date".

(5) Omit paragraph (5).

(6) In paragraph (5A), for "any period of time for the purposes of paragraph (5)" substitute "the period of three months for the purposes of paragraph (3) or (4)".

17. In article 29 (corrections to the Register), in paragraph (3)(a), omit "or in Part 4 or 5 of the Register".

18. In article 32 (indemnity arrangements)(**12**), omit paragraph (11).

19. Omit article 33 (visiting pharmacists and pharmacy technicians from relevant European States).

20. Omit article 33A (European professional card)(**13**).

21. In article 36 (fees in connection with entry)—

(a) in paragraph (1), for "Subject to paragraph (3), the" substitute "The";

(b) omit paragraph (3).

22. In article 37 (restoration to the Register), in paragraph (5), for ", 2, 4 or 5" substitute "or 2".

(**9**) Relevant amending instrument is S.I. 2016/1030.
(**10**) Article 23A was inserted by S.I. 2015/806.
(**11**) Paragraphs (2A), (2B) and (5A) were inserted, and paragraphs (4) and (5) were amended, by S.I. 2015/806.
(**12**) Article 32 was substituted by S.I. 2014/1887.
(**13**) Article 33A was inserted by S.I. 2016/1030. Relevant amendments made by paragraph 354 of Schedule 19 to the Data Protection Act 2018.

23.—(1) Article 38 (offences relating to the Register) is amended as follows.

(2) In paragraph (2)—

(a) in sub-paragraph (a), omit "or 4";

(b) in sub-paragraph (b), omit "or 5".

(3) In paragraph (4)—

(a) in sub-paragraph (a), omit "or 4";

(b) in sub-paragraph (b), omit "or 5".

24.—(1) Article 39 (appealable decisions)(**14**) is amended as follows.

(2) In paragraph (1)—

(a) omit sub-paragraphs (a), (c), (cb) and (e);

(b) in sub-paragraphs (i) and (l), for ", 2, 4 or 5" substitute "or 2";

(c) omit sub-paragraphs (t) and (u).

(3) Omit paragraph (1A).

25. In article 40 (appeals to the Appeals Committee)(**15**)—

(a) omit paragraph (1A);

(b) in paragraph (2), omit sub-paragraph (b) (together with the "or" before it);

(c) in paragraph (7)—

(i) in sub-paragraph (b), omit the words from "or, in" to the end;

(ii) omit sub-paragraph (ca) (but not the final "or").

26. In article 41 (appeals from the Appeals Committee)(**16**), in paragraph (4)—

(a) in sub-paragraph (b), omit the words from "or, in" to the end;

(b) omit sub-paragraph (ca) (but not the final "or").

27. In article 42 (education, training and acquisition of experience)(**17**), in paragraph (1)(a), omit from "except" to "22(1)(b),".

28. Omit article 42A (professional traineeships carried out in other relevant European States, etc)(**18**).

29. In article 43 (continuing professional development)—

(a) omit paragraph (5)(c);

(b) omit paragraph (8)(b);

(c) omit paragraph (9).

30. In article 66 (rules), omit paragraph (2).

31. Omit article 67 (The Directive: designation of competent authority etc)(**19**).

32. Omit article 71 (review)(**20**).

(**14**) Paragraph (1)(cb) was inserted by S.I. 2015/806. Paragraph (1)(t) and (u) and (1A) were inserted by S.I. 2016/1030.
(**15**) Paragraphs (1A) and (7)(ca) were inserted by, and paragraph (7)(b) was amended by, S.I. 2016/1030.
(**16**) Paragraph (4)(ca) was inserted by, and paragraph (4)(b) was amended by, S.I. 2016/1030.
(**17**) Relevant amending instrument is S.I. 2016/1030.
(**18**) Article 42A was inserted by S.I.2016/1030.
(**19**) Relevant amendments made by paragraph 357 of Schedule 19 to the Data Protection Act 2018, S.I. 2016/1030.
(**20**) Article 71 was inserted by S.I. 2016/1030.

33. Omit Schedule 2 (visiting pharmacists and pharmacy technicians from relevant European States)(**21**).

34. Omit Schedule 2A (European professional card)(**22**).

35. Omit Schedule 3 (The Directive: designation of competent authority etc)(**23**).

Medicines for Human Use (Clinical Trials) Regulations 2004

36. In the Medicines for Human Use (Clinical Trials) Regulations 2004(**24**), in regulation 2(1) (interpretation), in the definition of "pharmacist"—

(a) in paragraph (a), omit "or 4";

(b) in paragraph (b), omit the words from ", or the" to "European State,".

Approved European Pharmacy Qualifications Order of Council 2007

37. The Approved European Pharmacy Qualifications Order of Council 2007(**25**) is revoked.

National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009

38. In the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009(**26**), in regulation 2 (interpretation), in paragraph (1), in the definition of "pharmacist", omit "or 4".

General Pharmaceutical Council (Registration) Rules 2010

39.—(1) The General Pharmaceutical Council (Registration) Rules 2010(**27**) are amended as follows.

(2) In rule 10 (entry in the Register)—

(a) in paragraph (3)—

(i) omit sub-paragraphs (e), (f), (h) and (i);

(ii) in sub-paragraph (j)—

(aa) omit paragraph (i) (including the final "or");

(bb) in paragraph (ii), omit from "in", where it first occurs, to "way),";

(iii) in sub-paragraph (k)—

(aa) omit paragraph (i) (including the final "and");

(bb) in paragraph (ii), omit "whether or not the applicant is an exempt person,";

(b) omit paragraph (3ZA);

(c) in paragraph (12), omit the definition of "attesting state" (including the final "and").

(3) In the heading to Part 4, for ", 2, 4 and 5" substitute "and 2".

(4) In rule 18 (notice of intention to remove: stage 1)—

(**21**) Relevant amending instrument is S.I. 2016/1030.
(**22**) Schedule 2A was inserted by S.I. 2016/1030. Relevant amendments made by paragraph 358 of Schedule 19 to the Data Protection Act 2018.
(**23**) Relevant amendments made by paragraph 359 of Schedule 19 to the Data Protection Act 2018, S.I. 2015/806, 2016/1030.
(**24**) S.I. 2004/1031. Paragraph (a) was substituted by S.I. 2010/231, and paragraph (b) was amended by, S.R. 2008 No.192.
(**25**) S.I. 2007/564.
(**26**) S.S.I. 2009/183. Relevant amending instrument is S.I. 2010/231.
(**27**) As set out in the Schedule to the General Pharmaceutical Council (Registration Rules) Order of Council 2010 (S.I. 2010/1617). Paragraph 10(3ZA) was inserted by S.I. 2016/1030. Paragraph 10(12) was substituted by S.I. 2010/2660. Relevant amending instruments are S.I. 2012/3171, 2016/1008, 1030.

(a) in paragraph (1)(a), omit ", 4 or 5";

(b) in paragraph (5)(a)(i), omit ", 4 or 5".

(5) In rule 19 (subsequent action by Registrar: stage 2)—

(a) in paragraph (1), omit ", 4 or 5";

(b) in paragraph (4)(a), omit ", 4 or 5";

(c) in paragraph (5)(b), omit ", 4 or 5".

(6) In rule 20 (decisions in contested cases: stage 3), in paragraph (3)(a), omit ", 4 or 5".

Pharmacy Order 2010 (Approved European Pharmacy Qualifications) Order 2010

40. The Pharmacy Order 2010 (Approved European Pharmacy Qualifications) Order 2010(**28**) is revoked.

General Pharmaceutical Council (Continuing Professional Development and Consequential Amendments) Rules 2011

41.—(1) The General Pharmaceutical Council (Continuing Professional Development and Consequential Amendments) Rules 2011(**29**) are amended as follows.

(2) In rule 5 (steps which the Registrar may take)—

(a) in paragraph (2)(b), for ", 2, 4 or 5" substitute "or 2";

(b) omit paragraph (3).

(3) In rule 6 (remedial measures), in paragraph (1)(f), omit paragraph (ii) and the "or" before it.

(4) In rule 8 (subsequent action by the Registrar: stage 2), in paragraph (1), for ", 2, 4 or 5" substitute "or 2".

(5) In rule 9 (decisions in contested cases: stage 3), in paragraph (5), for ", 2, 4 or 5" substitute "or 2".

(6) In rule 11 (suspension from the register pending appeal), in paragraph (1)(a), for ", 2, 4 or 5" substitute "or 2".

Human Medicines Regulations 2012

42. In the Human Medicines Regulations 2012(**30**), in regulation 8(1) (interpretation)—

(a) in the definition of "health care professional", in paragraph (d), omit "or 5";

(b) in the definition of "pharmacist"—

(i) in paragraph (a), omit "or 4";

(ii) in paragraph (b), omit the words from "or the" to "European State".

National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013

43. In the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013(**31**), in regulation 2(1)—

(a) in the definition of "registered pharmacist", omit "or 4";

(**28**) S.I. 2010/1620.

(**29**) As set out in the Schedule to the General Pharmaceutical Council (Continuing Professional Development and Consequential Amendments) Rules Order of Council 2011 (S.I. 2011/1367).

(**30**) S.I. 2012/1916.

(**31**) S.I. 2013/349.

(b) in the definition of "registered pharmacy technician", omit "or 5".

PART 2

Savings and transitional provision

Pending applications

44. Where an application for entry in, or restoration to, a part of the register kept under the 2010 Order is received before exit day, any provision made by or under that Order (except for provision contained in Schedule 2A to the Order) continues to apply in relation to the application (including any appeal arising from it) without the amendments made by Part 1 of this Schedule.

Visiting pharmacists and pharmacy technicians: saving of old law for up to one year

45.—(1) Where, immediately before exit day—

(a) a visiting pharmacist or pharmacy technician was entitled under paragraph 3, 6, 11 or 14 of Schedule 2 to the 2010 Order to provide occasional pharmacy services, or

(b) the Registrar was in receipt of the required documents (within the meaning of paragraph 4 or 12 of that Schedule) from a pharmacist or pharmacy technician seeking to acquire that entitlement,

any provision made by an Act or instrument amended by Part 1 of this Schedule continues to apply in relation to the pharmacist or technician without the amendments that Part 1 of this Schedule makes to the provisions relating to visiting practitioners from relevant European States.

(2) But a visiting practitioner's entitlement does not continue (or further continue) under paragraph 6 or 14 of Schedule 2 to the 2010 Order on or after exit day (and, accordingly, the entitlement lapses at the end of—

(a) in the case of a pharmacist, the period mentioned in paragraph 7(1) or (2) of that Schedule;

(b) in the case of a pharmacy technician, the period mentioned in paragraph 15(1) or (2) of that Schedule).

(3) The reference in sub-paragraph (1) to "the provisions relating to visiting practitioners from relevant European States" is to the provisions listed in the following table.

Instrument	*Provision relating to visiting practitioners*
The 1968 Act	section 67E
	section 69(1ZA)
	section 71(7)
	section 78(5) and (5A)
The 2010 Order	in article 3(1), the definitions of "competent authority", "exempt person", "General Systems Regulations", "registered pharmacist" and "registered pharmacy technician"
	article 19(2)(d) and (e)
	article 29(3)(a)
	article 32(11)

Instrument	*Provision relating to visiting practitioners*
	article 33
	article 36(3)
	article 37(5)
	article 38(2) and (4)
	article 39(1)(c), (e), (i) and (l)
	article 43(5)(c), (8)(b) and (9)
	Schedule 2
Medicines for Human Use (Clinical Trials) Regulations 2004	regulation 2(1)
National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009	regulation 2(1)
General Pharmaceutical Council (Registration) Rules 2010	rule 18(1)(a) and (5)(a)(i)
	rule 19(1), (4)(a) and (5)(b)
	rule 20(3)(a)
General Pharmaceutical Council (Continuing Professional Development and Consequential Amendments) Rules 2011	rule 5(2)(b) and (3)
	rule 6(f)(ii)
	rule 8(1)
	rule 9(5)
	rule 11(1)(a)
Human Medicines Regulations 2012	regulation 8(1)
National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013	regulation 2(1)

European Professional Card

46.—(1) Sub-paragraph (2) applies where, immediately before exit day—

(a) a person held a valid European professional card for establishment as a pharmacist in Great Britain, or

(b) the General Pharmaceutical Council was in receipt of a person's application for such a card, the application having been transmitted to it under Article 4d(1) of the Directive.

(2) For the purposes of registration in the register kept under the 2010 Order, the person is not required to resubmit any document or evidence held by the Council which is derived from the person's IMI file and which does not appear to the Council to have become invalid.

(3) In this paragraph—

(a) "the Directive" means Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications (OJ No L255, 30.09.2005, p 22), as it had effect immediately before exit day;

(b) "IMI file" has the meaning given by article 3 of the 2010 Order as it had effect immediately before exit day.

47.—(1) Where, immediately before exit day, a person was entitled as mentioned in paragraph 15(2) of Schedule 2A to the 2010 Order, any provision made by or under that Order continues to apply in relation to the person without the amendments made by Part 1 of this Schedule to the provisions relating to the provision of occasional pharmacy services by holders of a European professional card.

(2) For the purposes of paragraph 15(4)(a) of Schedule 2A to the 2010 Order as it continues to apply by virtue of sub-paragraph (1)—

(a) a European professional card that was transmitted as mentioned in paragraph 15(1)(a) of that Schedule is to be treated as becoming invalid on the expiry of the period of 18 months beginning on the day on which it was transmitted;

(b) a European professional card that was issued as mentioned in paragraph 15(1)(b) of that Schedule is to be treated as becoming invalid on the expiry of the period of 12 months beginning with the day on which it was issued.

(3) The reference in sub-paragraph (1) to "the provisions relating to the provision of occasional pharmacy services by holders of a European professional card" is to the provisions listed in the following table.

Instrument	*Provision relating to visiting practitioners*
The 1968 Act	section 67E
	section 69(1ZA)
	section 71(7)
	section 78(5) and (5A)
The 2010 Order	in article 3(1), the definitions of "competent authority", "European professional card", "General Systems Regulations", "IMI", "IMI file" and "registered pharmacist"
	article 19(2)(d)
	article 29(3)(a)
	article 33A
	article 36(3)
	article 37(5)
	article 38(2) and (4)
	article 39(1)(c), (i) and (l)
	article 43(5)(c), (8)(b) and (9)
	in Schedule 2A, paragraphs 2 (except the definitions of "automatically recognised pharmacist", "EPC holder" and "missing document"), 15 and 16
Medicines for Human Use (Clinical Trials) Regulations 2004	regulation 2(1)
National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009	regulation 2(1)

Instrument	*Provision relating to visiting practitioners*
General Pharmaceutical Council (Registration) Rules 2010	rule 18(1)(a) and (5)(a)(i)
	rule 19(1), (4)(a) and (5)(b)
	rule 20(3)(a)
General Pharmaceutical Council (Continuing Professional Development and Consequential Amendments) Rules 2011	rule 5(2)(b) and (3)
	rule 8(1)
	rule 9(5)
	rule 11(1)(a)
Human Medicines Regulations 2012	regulation 8(1)
National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013	regulation 2(1)

48.—(1) A decision within article 39(1)(u) of the 2010 Order taken before exit day, or a failure within article 39(1A) of that Order arising before exit day, continues to be appealable for the purposes of article 40 of that Order (subject to the provisions of the Order) despite the revocation of article 39(1)(u) and (1A).

(2) In disposing of such an appeal (or a further appeal under article 41 of the 2010 Order), the powers of the Appeal Committee (or the relevant court) are, instead of those set out in article 40(7) (or 41(4)) of the 2010 Order, to—

(a) dismiss the appeal, or

(b) allow the appeal and—

(i) direct the Council to take such steps as the Committee (or the relevant court) thinks fit to draw the findings of the Committee (or court) to the attention of the European Commission;

(ii) direct that the person in respect of whom the decision was taken (or the failure arose) is to be treated, for the purposes of paragraph 45(1)(a), as a person who held a valid European professional card for establishment in Great Britain immediately before exit day,

and, in the case of an appeal under article 41, to make such order as to costs (or, in Scotland, expenses) as the court thinks fit.

IMI alerts

49.—(1) Where an alert has been sent by the General Pharmaceutical Council before exit day under regulation 67 of the European Union (Recognition of Professional Qualifications) Regulations 2015 (as they had effect before exit day), the decision to send the alert continues to be appealable for the purposes of article 40 of the 2010 Order (subject to the provisions of that Order) despite the revocation of article 39(1)(t).

(2) In disposing of such an appeal (or a further appeal under article 41 of the 2010 Order), the powers of the Appeal Committee (or the relevant court) are, instead of those set out in article 40(7) (or 41(4)) of the 2010 Order, to—

(a) dismiss the appeal, or

(b) allow the appeal and direct the Council to take such steps as the Committee (or the relevant court) thinks fit to draw the findings of the Committee (or court) to the attention of the European Commission,

and, in the case of an appeal under article 41, to make such order as to costs (or, in Scotland, expenses) as the court thinks fit.

Interpretation of saved provisions

50. Where a provision continues to apply by virtue of this Part, it is to be read as if—

(a) in article 3(1) of the 2010 Order—

(i) there were substituted for the definition of "the Directive"—

""the Directive" means Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications (OJ No L255, 30.09.2005, p 22), and any reference in this Order to the Directive or to any provision of the Directive is a reference to the Directive, or to that provision, as it had effect immediately before exit day;";

(ii) there were inserted at the appropriate place—

""enforceable EU right" means a right recognised and available in domestic law, immediately before exit day, by virtue of section 2(1) of the European Communities Act 1972;";

(iii) in the definition of "exempt person", for paragraphs (a) to (c) there were substituted—

"(a) a person who, immediately before exit day, was a national of a relevant European State,

(b) a person who, immediately before exit day, was a national of the United Kingdom and, at that time, was seeking access to, or pursuing, the profession of pharmacist or pharmacy technician by virtue of an enforceable EU right, or

(c) a person who, immediately before exit day, was not a national of a relevant European State, but at that time was, by virtue of an enforceable EU right, entitled to be treated, for the purposes of access to and pursuit of the profession of pharmacist or pharmacy technician, no less favourably than a national of a relevant European State;";

(iv) in the definition of "General Systems Regulations", after "2015" there were inserted—

"—

(a) in relation to anything done before exit day, as they had effect at that time;

(b) otherwise, as (and only to the extent that) they have effect, on or after exit day, in relation to an entitlement which arose before exit day or arises as a result of something done before exit day;";

(b) in any reference to a relevant European State other than the United Kingdom, the words "other than the United Kingdom" were omitted.