

SCHEDULES

SCHEDULE 9

Social workers in Scotland

PART 2

Savings and transitional provision

Interpretation of saved provisions

14. The modifications of the 2001 Act mentioned in paragraphs 11(2) and 12(2) are as follows—

(a) section 46A(1) is to have effect as if, in the reference to a relevant European State other than the United Kingdom, “other than the United Kingdom” were omitted;

(b) section 77 is to have effect as if—

(i) at the appropriate place, there were inserted—

““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;”;

(ii) in the definition of “exempt person”—

(aa) 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 to engage in relevant social work 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, as regards the right to engage in relevant social work, no less favourably than a national of a relevant European State;”;

(bb) in the words after paragraph (c), for “is not” there were substituted “was not, immediately before exit day”;

(iii) at the end of the definition of “the General Systems Regulations”, 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 anything done before exit day;”.