

## SCHEDULE 3

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

### PART 5

Amendments in relation to healthcare professions

#### Amendments to the Medical Act 1983

10. The Medical Act 1983(1) is amended as follows.

##### Commencement Information

11 Sch. 3 para. 10 in force at 1.12.2023, see [reg. 1](#)

11. In section 21B (full registration of persons with an overseas qualification)(2)—

(a) in subsection (1)—

(i) for “subsection (1A)”, substitute “subsections (1A) and (1AA)”;

(ii) for paragraph (a), substitute—

“(a) that the person—

(i) holds, or has passed all the qualifying examinations necessary for obtaining, an acceptable overseas qualification, or

(ii) holds a specified state qualification that is not an acceptable overseas qualification and has met the requirement specified in relation to the person under section 21BA;”;

(iii) for paragraph (d), substitute—

“(d) that—

(i) in the case of a person who is not a specified state professional, the person has the necessary knowledge of English; or

(ii) in the case of a person who is a specified state professional, the person has satisfied such requirement as to language skills as is imposed on the person under section 21BA(7);”;

(b) after subsection (1A), insert—

“(1AA) Subsection (1)(b) does not apply in the case of a person who makes an application under this section in reliance on the holding of a specified state qualification and on having met the requirement specified in relation to the person under section 21BA.”;

(c) after subsection (4), insert—

“(5) The General Council may designate a specified state qualification for the purposes of subsection (3)(a) only where one or more of Conditions 1 to 3 are met.

(1) 1983 c. 54.

(2) Section 21B was inserted by [S.I. 2006/1914](#). The relevant amendment was made by [S.I. 2019/593](#).

**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 5. (See end of Document for details)

(6) The General Council may designate that a specified state qualification does not meet the standard in subsection (3)(b)(ii) or (c)(ii) only where one or more of Conditions 1 to 3 are met.

(7) Condition 1 is met where there exists a substantial difference between the knowledge and skill evidenced by the specified state qualification and the prescribed knowledge and skill.

(8) Condition 2 is met where the professional activities to which a primary UK qualification relates include one or more professional activities that cover substantially different matters from those covered by the specified state qualification.

(9) Condition 3 is met where requiring a person who holds the specified state qualification to pass an aptitude test or successfully to complete an adaptation period, or to do both, would amount to requiring the person to acquire a primary United Kingdom qualification.”.

**Commencement Information**

**I2** Sch. 3 para. 11 in force at 1.12.2023, see [reg. 1](#)

**12.** After section 21B, insert—

**“21BA Further provision relating to the registration of specified state professionals**

(1) This section applies where a specified state professional applies to be registered under section 21B and the person’s specified state qualification is not an acceptable overseas qualification.

(2) This section does not apply if the specified state qualification is not an acceptable overseas qualification because Condition 3 is met in relation to it (see section 21B(9)).

(3) Where this section applies, the General Council must specify what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person.

(4) An aptitude test or adaptation period specified under this section, or an aptitude test and adaptation period together specified under this section, must be proportionate to the difference sought to be addressed.

(5) The General Council must give a person their reasons for specifying an aptitude test or an adaptation period, or both, in relation to the person under this section, if the person makes a written request for them.

(6) If the General Council specify aptitude tests in relation to persons under this section, the Council must ensure that such tests are scheduled with reasonable frequency and at least once a year.

(7) The General Council may require a specified state professional who wishes to be registered under section 21B to demonstrate that the person possesses the language skills necessary to the practice of a fully registered medical practitioner.

(8) A language test required by the General Council under subsection (7) must be proportionate to the level of language skills referred to in that subsection.”.

**Commencement Information**

**I3** Sch. 3 para. 12 in force at 1.12.2023, see [reg. 1](#)

**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 5. (See end of Document for details)

13. After section 29G (guidance)(3), insert—

**“29GA Information for specified state professionals**

(1) The General Council must make information about the following matters available to specified state professionals—

- (a) the relevant laws to be applied regarding disciplinary action, financial responsibility or liability and other relevant matters;
- (b) the principles of discipline and enforcement of professional standards, including disciplinary jurisdiction and consequential effects on practising professional activities;
- (c) the processes and procedures for the ongoing verification of competence;
- (d) the criteria for, and procedures relating to, erasure from the register;
- (e) the documentation required of specified state professionals and the form in which it should be presented; and
- (f) the documents and certificates issued in relation to professional qualifications or other conditions that apply to the practice of registered medical practitioners that are acceptable to the General Council.

(2) The General Council must deal promptly with enquiries from specified state professionals about conditions that apply to the practice of registered medical practitioners.”.

**Commencement Information**

**I4** Sch. 3 para. 13 in force at 1.12.2023, see [reg. 1](#)

14. In section 32 (registration fees)(4), after subsection (1), insert—

“(1A) Any fee prescribed by the General Council under subsection (1) in connection with the making of an entry in the register relating to a specified state professional must be—

- (a) reasonable and proportionate to the cost of dealing with such a person’s application;
- (b) transparent and made public in advance; and
- (c) payable by electronic means through the General Council’s website.”.

**Commencement Information**

**I5** Sch. 3 para. 14 in force at 1.12.2023, see [reg. 1](#)

15. In section 55 (interpretation)(5), in subsection (1), at the appropriate places, insert—

““adaptation period” means a period of practice, subject to an assessment and, where necessary, accompanied by further training, which is supervised by a fully registered medical practitioner;”;

(3) Section 29G was inserted by [S.I. 2002/3135](#). There are amendments to section 29G but none is relevant to these Regulations.

(4) There are amendments to section 32 but none is relevant to these Regulations.

(5) Section 55 was renumbered as section 55(1) by [S.I. 1996/1591](#), and amended by paragraph 23 of Schedule 19 to the Data Protection Act 2018 (c. 12) and [S.I. 1996/1591](#), [2002/3135](#), [2006/1914](#), [2007/3101](#), [2008/1774](#), [2010/234](#), [2014/1101](#), [2015/794](#), [2016/1030](#), [2019/419](#) and [593](#). There are other amendments to section 55 but none is relevant to these Regulations.

**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 5. (See end of Document for details)

““aptitude test” means an assessment, with the aim of determining whether a specified state professional has the knowledge, skills and experience that the General Council consider to be required for practising as a fully registered medical practitioner.”;

““specified state professional” means a person who holds a specified state qualification.”;

““specified state qualification” means a medical qualification granted in one of the states specified in Schedule 1 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023.”.

#### Commencement Information

**I6** Sch. 3 para. 15 in force at 1.12.2023, see [reg. 1](#)

**16.** In Schedule 3 (registration: supplementary provisions)—

(a) in paragraph 3 (proof of qualifications)(6), at the end, insert—

“(4) The evidence of professional qualifications or other particulars required of a specified state professional in order to be registered under section 21B must be no more than is necessary to satisfy the Registrar as to the matters in section 21B(1)(a) to (d) in relation to the specified state professional.

(5) Where documents fall to be provided in connection with the registration of a specified state professional under section 21B, the Registrar must accept certified copies of documents in place of original documents, unless the Registrar requires original documents to protect the integrity of the application process.

(6) For the purposes of sub-paragraph (5), a certified copy of a document is one which is certified to be a true copy of the original by a solicitor practising in any part of the United Kingdom.”;

(b) in paragraph 4B(7) (acknowledgment of applications), after “this Act” insert “or where a specified state professional makes an application for registration under section 21B of this Act”;

(c) after paragraph 4B insert—

*“Duty to deal promptly with registration applications by specified state professionals*

**4C.** On an application for the registration of a specified state professional under section 21B of this Act, the appropriate registrar must deal promptly with the person’s application.”;

(d) after paragraph 4C (inserted by sub-paragraph (c) above) insert—

*“Time allowed for specified state professionals in relation to application process*

**4D.** Where a specified state professional makes an application for registration under section 21B of this Act, the appropriate registrar must give that person adequate time to meet the requirements and complete the procedures of the application process.”;

(6) Paragraph 3(3) was repealed by [S.I. 2006/1914](#). There are other amendments by paragraph 3 but none is relevant to these Regulations.

(7) Paragraph 4B was inserted by [S.I. 2007/3101](#).

**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 5. (See end of Document for details)

- (e) in paragraph 5 (issue of certificates of registration)(8), in sub-paragraph (1A)(a), after “this Act” insert “or an application by a specified state professional under section 21B of this Act.”.

**Commencement Information**

**I7** Sch. 3 para. 16 in force at 1.12.2023, see [reg. 1](#)

**17.** In Schedule 3A (registration and training appeals)—

- (a) in paragraph 3(9), after sub-paragraph (2), insert—

“(2A) Failure to notify an applicant of a decision in respect of an application for registration under section 21B of this Act (full registration of persons with an overseas qualification) within the requisite period shall, where a specified state professional makes the application, be treated as a decision from which the applicant may appeal under paragraph 4 below.”;

- (b) in paragraph 4(4), after “3(2)” insert “, (2A)”.

**Commencement Information**

**I8** Sch. 3 para. 17 in force at 1.12.2023, see [reg. 1](#)

**Commencement Information**

**I1** Sch. 3 para. 10 in force at 1.12.2023, see [reg. 1](#)  
**I2** Sch. 3 para. 11 in force at 1.12.2023, see [reg. 1](#)  
**I3** Sch. 3 para. 12 in force at 1.12.2023, see [reg. 1](#)  
**I4** Sch. 3 para. 13 in force at 1.12.2023, see [reg. 1](#)  
**I5** Sch. 3 para. 14 in force at 1.12.2023, see [reg. 1](#)  
**I6** Sch. 3 para. 15 in force at 1.12.2023, see [reg. 1](#)  
**I7** Sch. 3 para. 16 in force at 1.12.2023, see [reg. 1](#)  
**I8** Sch. 3 para. 17 in force at 1.12.2023, see [reg. 1](#)

**Amendments to the Dentists Act 1984**

- 18.** The Dentists Act 1984(10) is amended as follows.

**Commencement Information**

**I9** Sch. 3 para. 18 in force at 1.12.2023, see [reg. 1](#)

**19.** In section 15 (qualification for registration in the dentists register)(11)—

- (a) in subsection (1), omit the “and” following paragraph (a);  
(b) in subsection (1)(c), for “overseas diplomas))” substitute “overseas diplomas)); and”;  
(c) after subsection (1)(c), insert—

(8) Paragraph 5 was amended by S.I. 1996/1591, 2000/3041, 2002/3135, 2006/1914 and 2007/3101.

(9) There are amendments to paragraph 3 but none is relevant to these Regulations.

(10) 1984 c. 24.

(11) Relevant amending instruments are S.I. 2007/3101, 2019/593, 2020/394 and 2023/162.

**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 5. (See end of Document for details)

- “(d) any person who—
- (i) holds a specified state qualification in dentistry that is not a relevant European diploma, and
  - (ii) has met the requirement specified in relation to that person under section 15ZA.”;
- (d) after subsection (1A), insert—
- “(1B) Subsection (1)(c)(ii) does not apply to a person who is entitled to be registered under subsection (1)(d).”;
- (e) in subsection (2ZA), in paragraph (b)(ii), omit “(within the meaning given by section 12A(2))”;
- (f) before subsection (3), insert—
- “(2B) The Council may determine that a specified state qualification in dentistry does not meet the standard in subsection (2ZA)(b)(ii) only where one or more of Conditions 1 to 3 are met.
- (2C) Condition 1 is met where there exists a substantial difference between the level of knowledge and skill demonstrated by the specified state qualification and the level of knowledge and skill demonstrated by a UK diploma in dentistry.
- (2D) Condition 2 is met where the professional activities to which a UK diploma in dentistry relates include one or more professional activities that cover substantially different matters from those covered by the specified state qualification.
- (2E) Condition 3 is met where requiring an applicant to take an aptitude test or to complete an adaptation period, or to do both, would amount to requiring the applicant to acquire a UK diploma in dentistry.”;
- (g) at the end, insert—
- “(8) In this section—
- “adaptation period” means a period of practice, subject to an assessment and, where necessary, accompanied by further training, which is supervised by a registered dentist;
  - “aptitude test” means an assessment with the aim of determining whether a person has the requisite knowledge and skill;
  - “UK diploma in dentistry” has the meaning given by section 12A(2).”.

**Commencement Information**

**I10** Sch. 3 para. 19 in force at 1.12.2023, see [reg. 1](#)

**20.** After section 15, insert—

**“15ZA Section 15: further provision relating to specified state professionals**

(1) The Council must specify in relation to a person who applies to be registered in the dentists register under section 15(1)(d) what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person.

(2) Subsection (1) does not apply if the specified state qualification held by the person is determined not to meet the standard in section 15(2ZA)(b)(ii) because Condition 3 is met in relation to it (see section 15(2E)).

**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 5. (See end of Document for details)

(3) Where the Council specify under this section an aptitude test or adaptation period, or both, in relation to a person, the aptitude test or the adaptation period, or the aptitude test and adaptation period together, must be proportionate to the difference sought to be addressed.

(4) The Council must give a person their reasons for specifying an aptitude test or an adaptation period, or both, in relation to the person under this section, if the person makes a written request for them.

(5) If the Council specify aptitude tests in relation to persons under this section, the Council must ensure that such tests are scheduled with reasonable frequency and at least once a year.

(6) In this section, “adaptation period” and “aptitude test” have the same meaning as in section 15.”.

#### Commencement Information

**I11** Sch. 3 para. 20 in force at 1.12.2023, see [reg. 1](#)

**21.** In section 15A (supplementary provisions as to the necessary knowledge of English)(**12**)—

(a) after subsection (4), insert—

“(4A) Where the applicant is applying in reliance on a specified state qualification, the registrar may not request more evidence, information or documents than is necessary to demonstrate to the registrar that the applicant has the necessary knowledge of English.”;

(b) after subsection (6), insert—

“(6A) Where the registrar requires an applicant who makes an application in reliance on a specified state qualification to undergo an examination or other assessment, the examination or assessment must be proportionate to the knowledge of English referred to in section 15(3)(ba).”.

#### Commencement Information

**I12** Sch. 3 para. 21 in force at 1.12.2023, see [reg. 1](#)

**22.** In section 18 (procedure for registration)(**13**)—

(a) in subsection (1), for “subsection (3)”, substitute “subsections (3) to (5)”;

(b) after subsection (3), insert—

“(4) Where the person applying to be registered under section 15 is the holder of a specified state qualification in dentistry, the person is not required to produce or send to the registrar more evidence than is necessary to demonstrate that the conditions falling to be satisfied before the person may be registered are satisfied.

(5) Where the person applying to be registered under section 15 is the holder of such a qualification, the registrar must accept certified copies of documents in place of original documents, unless the registrar requires original documents in order to preserve the integrity of the application process.

(6) For the purposes of subsection (5), a certified copy of a document is one which is certified to be a true copy of the original by a solicitor practising in any part of the United Kingdom.”.

(12) Section 15A was inserted by [S.I. 2015/806](#). There are amendments to section 15A but none is relevant to these Regulations.

(13) Relevant amending instruments are [S.I. 1996/1496](#), [2005/2011](#), [2007/3101](#), [2014/1887](#) and [2019/593](#).

**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 5. (See end of Document for details)

**Commencement Information**

**I13** Sch. 3 para. 22 in force at 1.12.2023, see [reg. 1](#)

- 23.** In section 19 (regulations with respect to the register)(**14**), after subsection (1), insert—
- “(1ZA) If regulations under this section prescribe a fee to be charged on the entry of a person’s name in the register in a case where the person applies for registration as the holder of a specified state qualification in dentistry, the fee must be—
- (a) reasonable and proportionate to the cost of dealing with such a person’s application;
  - (b) transparent, and made public in advance; and
  - (c) payable by electronic means through the Council’s own website.”.

**Commencement Information**

**I14** Sch. 3 para. 23 in force at 1.12.2023, see [reg. 1](#)

- 24.** In section 21A (notification of results of application)(**15**)—
- (a) after subsection (2), insert—

“(2ZA) Where A holds a specified state qualification in dentistry, the registrar must—

    - (a) give A adequate time to complete the requirements and procedures of the application process; and
    - (b) deal promptly with A’s application.”;
    - (b) in subsection (3), for the words from “within” to the end, substitute—

“—

      - (a) where A holds a specified state qualification, within the period of four months beginning with the relevant date;
      - (b) in any other case, within the period of three months beginning with that date.”.

**Commencement Information**

**I15** Sch. 3 para. 24 in force at 1.12.2023, see [reg. 1](#)

- 25.** After section 26B (guidance)(**16**), insert—
- “26C Information for specified state professionals**
- (1) The Council must make information about the following matters available to specified state professionals who hold specified state qualifications in dentistry—
- (a) the relevant laws to be applied regarding disciplinary action, financial responsibility or liability and other relevant matters;

(14) Relevant amending instruments are [S.I. 2007/3101](#), [2015/806](#) and [2019/593](#).  
(15) Section 21A was inserted by [S.I. 1998/811](#) and substituted by [S.I. 2007/3101](#). Section 21A was amended by [S.I. 2015/806](#) and [2019/593](#).  
(16) Section 26B was inserted by [S.I. 2005/2011](#). There are amendments to section 26B but none is relevant to these Regulations.

**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 5. (See end of Document for details)

- (b) the principles of discipline and enforcement of professional standards, including disciplinary jurisdiction and consequential effects on practising professional activities;
  - (c) the processes and procedures for the ongoing verification of competence;
  - (d) the criteria for, and procedures relating to, erasure of registration;
  - (e) the documentation required of specified state professionals of that description and the form in which it should be presented; and
  - (f) the documents and certificates issued in relation to professional qualifications or other conditions that apply to the practice of a registered dentist that are acceptable to the Council.
- (2) The Council must deal promptly with enquiries from specified state professionals of that description about conditions that apply to the practice of registered dentists.”.

#### Commencement Information

**I16** Sch. 3 para. 25 in force at 1.12.2023, see [reg. 1](#)

#### 26. In section 36C (qualifications for registration)(17)—

- (a) after subsection (4A), insert—

“(4B) Subsection (4)(b) does not apply to a person whose application for registration is made in reliance on a relevant qualification that is a specified state qualification or relevant qualifications that are specified state qualifications where—

- (a) the relevant qualification demonstrates or the relevant qualifications taken together demonstrate, in the opinion of the Council, a comparable level of knowledge and skill to that demonstrated by a qualification approved (or qualifications together approved) in respect of the same profession or class under section 36D(2), or
- (b) the person has met the requirement specified in relation to the person under subsection (4E).

(4C) The Council may determine that the person’s relevant qualification does not or relevant qualifications taken together do not meet the standard in subsection (4B)(a) only where one or more of Conditions 1 to 3 are met.

- (4D) For the purposes of this section—

- (a) Condition 1 is met where there exists a substantial difference between the level of knowledge and skill demonstrated by the person’s relevant qualification or qualifications taken together and the level of knowledge and skill demonstrated by a qualification approved (or qualifications together approved) in respect of the same profession or class under section 36D(2);
- (b) Condition 2 is met where the professional activities to which the qualification approved (or qualifications together approved) by the Council under section 36D(2) in respect of the same profession or class relates (or relate) include one or more professional activities that cover substantially different matters from those covered by the person’s relevant qualification or qualifications;
- (c) Condition 3 is met where requiring the person to take an aptitude test or complete an assessment period, or to do both, would amount to requiring the person to

(17) Section 36C was inserted by [S.I. 2005/2011](#). Relevant amending instruments are [S.I. 2015/806](#), [2019/593](#) and [2023/162](#).

**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 5. (See end of Document for details)

acquire a qualification approved (or qualifications together approved) by the Council under section 36D(2) in respect of the same profession or class.

(4E) If the person applies to be registered by virtue of subsection (4B)(b), the Council must specify in relation to the person what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person.

(4F) Subsection (4E) does not apply if the person’s relevant qualification is or relevant qualifications taken together are determined not to meet the standard in subsection (4B) (a) because Condition 3 is met in relation to the qualification or qualifications.

(4G) Where the Council specify under subsection (4E) an aptitude test or adaptation period, or both, in relation to a person, the aptitude test or the adaptation period, or the aptitude test and the adaptation period together, must be proportionate to the difference sought to be addressed.

(4H) The Council must give a person their reasons for specifying an aptitude test or an adaptation period, or both, in relation to the person under this section, if the person makes a written request for them.

(4I) If the Council specify aptitude tests in relation to persons under this section, the Council must ensure that such tests are scheduled with reasonable frequency and at least once a year.”;

(b) at the end, insert—

“(8) In this section—

“adaptation period”, in relation to registration under a particular title in the dental care professionals register, means a period of practice subject to an assessment and, where necessary, accompanied by further training, which is supervised by a registered dental care professional of the profession, or class of members of a profession, to which the title applies;

“aptitude test”, in relation to registration under a particular title in the dental care professionals register, means an assessment with the aim of determining whether a person has the knowledge and skill that the Council consider to be required for a person to practise as a member of the profession or class to which the title relates.”.

#### Commencement Information

**I17** Sch. 3 para. 26 in force at 1.12.2023, see [reg. 1](#)

**27.** In section 36CA (supplementary provisions as to necessary knowledge of English)(**18**)—

(a) after subsection (4), insert—

“(4A) Where the applicant applies in reliance on a specified state qualification or qualifications, the registrar may not request more evidence, information or documents than is necessary to demonstrate to the registrar that the applicant has the necessary knowledge of English.”;

(b) after subsection (6), insert—

“(6A) Where the registrar requires an applicant who applies in reliance on a specified state qualification or qualifications to undergo an examination or other assessment, the examination or assessment must be proportionate to the knowledge of English referred to in section 36C(6)(aa).”.

(18) Section 36CA was inserted by [S.I. 2015/806](#). There are amendments to section 36CA but none is relevant to these Regulations.

**Commencement Information**

**I18** Sch. 3 para. 27 in force at 1.12.2023, see [reg. 1](#)

**28.** In section 36E (rules relating to the dental care professionals register)(**19**)—

- (a) the existing text becomes subsection (1);
- (b) after subsection (1), insert—  
“(2) Subsection (1) is subject to section 36EA.”.

**Commencement Information**

**I19** Sch. 3 para. 28 in force at 1.12.2023, see [reg. 1](#)

**29.** After section 36E, insert—

**“36EA Applications by specified state professionals under section 36C**

(1) Where a person applies for registration under section 36C in reliance on a specified state qualification or qualifications, the registrar must—

- (a) within the period of one month beginning with the date of receipt of the application—
  - (i) acknowledge receipt of the application; and
  - (ii) inform the applicant of any missing document required for the purposes of the application;
- (b) give the applicant adequate time to complete the requirements and procedures of the application process;
- (c) ensure that the evidence and information which the applicant must supply in support of the application is no more than is necessary to demonstrate to the registrar that the applicant satisfies the requirements for registration;
- (d) accept certified copies of documents in place of original documents, unless the Council require original documents to protect the integrity of the application process; and
- (e) deal promptly with the application and notify the applicant of the result of the application within the period of four months beginning with the relevant date.

(2) For the purposes of subsection (1)(d), a certified copy of a document is one which is certified to be a true copy of the original by a solicitor practising in any part of the United Kingdom.

(3) In subsection (1)(e), “the relevant date”, in relation to an application, is—

- (a) the date when the registrar receives the application, or
- (b) if any document required for the purposes of the application is missing when the registrar receives the application, the date on which the registrar first has all the documents required for those purposes.

(4) If the registrar makes a request for further evidence, information or documents from the applicant, the period beginning with the date on which the registrar makes that request and ending with the date on which the applicant complies with that request is to be

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(19) Section 36E was inserted by [S.I. 2005/2011](#). Section 36E was amended by [S.I. 2007/3101](#), [2015/806](#) and [2019/593](#).

**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 5. (See end of Document for details)

disregarded in determining whether the period of four months referred to in subsection (1) (e) has expired.

(5) If the registrar imposes a requirement on the applicant under section 36CA(6), the period beginning with the date on which the registrar imposes that requirement and ending with the date on which the applicant satisfies that requirement is to be disregarded in determining whether that period of four months has expired.

(6) A document which is requested or required under section 36CA(4) or (6)(b) is not to be treated as missing for the purposes of this section.”.

**Commencement Information**

**I20** Sch. 3 para. 29 in force at 1.12.2023, see [reg. 1](#)

**30.** In section 36F (fees)(**20**), after subsection (1), insert—

“(1ZA) If regulations under this section prescribe a fee to be charged on the entry of a person’s name in the register in a case where the person applies for registration in reliance on a specified state qualification or qualifications, the fee must be—

- (a) reasonable and proportionate to the cost of dealing with such a person’s application;
- (b) transparent, and made public in advance; and
- (c) payable by electronic means through the Council’s own website.”.

**Commencement Information**

**I21** Sch. 3 para. 30 in force at 1.12.2023, see [reg. 1](#)

**31.** After section 36M (guidance)(**21**), insert—

**“36MA Information for specified state professionals**

(1) The Council must make information about the following matters available to persons who are eligible to apply for registration in the dental care professionals register in reliance on their specified state qualifications—

- (a) the relevant laws to be applied regarding disciplinary action, financial responsibility or liability and other relevant matters;
- (b) the principles of discipline and enforcement of professional standards, including disciplinary jurisdiction and consequential effects on practising professional activities;
- (c) the processes and procedures for the ongoing verification of competence;
- (d) the criteria for, and procedures relating to, erasure of registration;
- (e) the documentation required of such specified state professionals and the form in which it should be presented; and
- (f) the documents and certificates issued in relation to professional qualifications or other conditions that apply to the practice of registered dental care professionals that are acceptable to the Council.

(20) Section 36F was inserted by [S.I. 2005/2011](#). There are amendments to section 36F but none is relevant to these Regulations.

(21) Section 36M was inserted by [S.I. 2005/2011](#). There are amendments to section 36M but none is relevant to these Regulations.

(2) The Council must deal promptly with enquiries from such specified state professionals about conditions that apply to the practice of registered dental care professionals.”

**Commencement Information**

**I22** Sch. 3 para. 31 in force at 1.12.2023, see [reg. 1](#)

**32.** In section 37 (definition of practice of dentistry)(**22**), after subsection (2B), insert—

“(2C) Subsection (2) does not have effect in relation to dental work that is done by a person as part of an adaptation period specified in relation to the person by the Council under section 15ZA or 36C(4E).”

**Commencement Information**

**I23** Sch. 3 para. 32 in force at 1.12.2023, see [reg. 1](#)

**33.** In section 38(**23**) (prohibition on practice of dentistry by laymen), after subsection (1), insert—

“(1A) A specified state professional undertaking an adaptation period specified in relation to the person by the Council under section 15ZA or 36C(4E) does not contravene subsection (1) by practising dentistry or by holding out as regards practising or being prepared to practise dentistry if the practising of dentistry is done as part of the adaptation period or (as the case may be) the holding out relates only to the practising of dentistry as part of the adaptation period.”

**Commencement Information**

**I24** Sch. 3 para. 33 in force at 1.12.2023, see [reg. 1](#)

**34.** In section 53 (interpretation)(**24**), in subsection (1), at the appropriate places insert—

““specified state professional” means a person who holds a specified state qualification;”;

““specified state qualification” means a qualification in dentistry or in a profession complementary to dentistry awarded in one of the states specified in Schedule 1 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023;”.

**Commencement Information**

**I25** Sch. 3 para. 34 in force at 1.12.2023, see [reg. 1](#)

**35.** In Schedule 2A (registration appeals: dentists register)(**25**)—

(a) in paragraph 1, for the definition of “the requisite period”, substitute—

(22) Section 37 was amended by [S.I. 2005/2011](#). There are other amendments but none is relevant to these Regulations.

(23) There are amendments to section 38 but none is relevant to these Regulations.

(24) Section 53 was amended by paragraph 31 of Schedule 19 to the Data Protection Act [2018 \(c. 12\)](#) and [S.I. 2005/2011](#), [2007/3101](#), [2015/806](#), [2019/419](#), [2019/593](#) and [2023/162](#). There are other amendments to regulation 53 but none is relevant to these Regulations.

(25) Schedule 2A was inserted by [S.I. 2005/2011](#) and amended by [S.I. 2007/3101](#) and [2019/593](#). There are other amendments to Schedule 2A but none is relevant to these Regulations.

**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 5. (See end of Document for details)

““the requisite period”—

- (a) in relation to a decision as to the registration of a specified state professional under section 15(1)(c), means the period of four months beginning with the date when the registrar is first in possession of sufficient information to make the decision;
- (b) in relation to any other decision of a kind specified in paragraph 2(1)(a) or a decision of a kind specified in paragraph 2(1)(b), (d), (f), (g) or (i), means the period of three months beginning with the date when the registrar is first in possession of sufficient information to make the decision.”; and

(b) in paragraph 2(1)(a), for “or (c)”, substitute “, (c) or (d)”.

#### Commencement Information

**I26** Sch. 3 para. 35 in force at 1.12.2023, see [reg. 1](#)

#### Commencement Information

**I9** Sch. 3 para. 18 in force at 1.12.2023, see [reg. 1](#)  
**I10** Sch. 3 para. 19 in force at 1.12.2023, see [reg. 1](#)  
**I11** Sch. 3 para. 20 in force at 1.12.2023, see [reg. 1](#)  
**I12** Sch. 3 para. 21 in force at 1.12.2023, see [reg. 1](#)  
**I13** Sch. 3 para. 22 in force at 1.12.2023, see [reg. 1](#)  
**I14** Sch. 3 para. 23 in force at 1.12.2023, see [reg. 1](#)  
**I15** Sch. 3 para. 24 in force at 1.12.2023, see [reg. 1](#)  
**I16** Sch. 3 para. 25 in force at 1.12.2023, see [reg. 1](#)  
**I17** Sch. 3 para. 26 in force at 1.12.2023, see [reg. 1](#)  
**I18** Sch. 3 para. 27 in force at 1.12.2023, see [reg. 1](#)  
**I19** Sch. 3 para. 28 in force at 1.12.2023, see [reg. 1](#)  
**I20** Sch. 3 para. 29 in force at 1.12.2023, see [reg. 1](#)  
**I21** Sch. 3 para. 30 in force at 1.12.2023, see [reg. 1](#)  
**I22** Sch. 3 para. 31 in force at 1.12.2023, see [reg. 1](#)  
**I23** Sch. 3 para. 32 in force at 1.12.2023, see [reg. 1](#)  
**I24** Sch. 3 para. 33 in force at 1.12.2023, see [reg. 1](#)  
**I25** Sch. 3 para. 34 in force at 1.12.2023, see [reg. 1](#)  
**I26** Sch. 3 para. 35 in force at 1.12.2023, see [reg. 1](#)

#### Amendments to the Opticians Act 1989

**36.** The Opticians Act 1989(26) is amended as follows.

#### Commencement Information

**I27** Sch. 3 para. 36 in force at 1.12.2023, see [reg. 1](#)

**37.** In section 8 (qualifications for being registered)(27)—

- (a) omit subsection (2C);

(26) 1989 c. 44.

(27) Relevant amending instruments are [S.I. 2005/848](#) and [2019/593](#).

(b) after that subsection, insert—

“(2D) Subsections (2E) to (2H) apply instead of subsections (2) to (2B) in the case of a person whose qualification is a specified state qualification.

(2E) Subject to subsection (2F), a person is entitled to have the person’s name in the appropriate register if the person satisfies the Council that—

- (a) the person holds a qualification as an optometrist or as a dispensing optician which is a specified state qualification;
- (b) the person has had adequate practical experience in the work of an optometrist or dispensing optician; and
- (c) the person is a fit person to practise as an optometrist or dispensing optician.

(2F) A person is not entitled to have the person’s name in the appropriate register by virtue of subsection (2E) if the Council determine that one or more of Conditions 1 to 3 are met in relation to the person’s specified state qualification, unless the person satisfies the Council that the person has met the requirement specified in relation to the person under section 8ZA.

(2G) For the purpose of this section and section 8ZA—

- (a) Condition 1 is met where there exists a substantial difference between the knowledge and skill evidenced by a person’s specified state qualification and the knowledge and skill demonstrated by an approved UK qualification;
- (b) Condition 2 is met where the professional activities to which an approved UK qualification relates include one or more professional activities that cover substantially different matters from those covered by the person’s specified state qualification;
- (c) Condition 3 is met where requiring the person to take an aptitude test or complete an adaptation period would amount to requiring the person to acquire an approved UK qualification.

(2H) The Council may determine in relation to a person who holds a qualification as an optometrist or as a dispensing optician which is a specified state qualification that, before being entitled to have the person’s name in the appropriate register, the person must pass such test, approved in accordance with section 12(7)(c), as they consider appropriate.

(2I) Where the Council make a determination that a specified state professional must take a test approved in accordance with section 12(7)(c), the test must be proportionate to the language skills necessary to practise as an optometrist or a dispensing optician.”;

(c) at the end, insert—

“(11) In this section “approved UK qualification” means a qualification that is—

- (a) approved under section 12(7)(b), and
- (b) granted by an establishment in the United Kingdom that is approved under section 12(7)(a).”.

**Commencement Information**

**128** Sch. 3 para. 37 in force at 1.12.2023, see [reg. 1](#)

**38.** After section 8, insert—

**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 5. (See end of Document for details)

**“8ZA Section 8: further provision relating to specified state qualifications**

(1) This section applies where a person who holds a specified state qualification applies to have the person’s name in the appropriate register under section 8 and the Council determine that one or both of Conditions 1 and 2 are met in relation to the person’s qualification.

(2) This section does not apply if the Council determine that Condition 3 is met in relation to the person’s specified state qualification.

(3) Where this section applies, the Council must specify what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person before the person is entitled to have the person’s name in the appropriate register.

(4) An aptitude test or adaptation period specified under this section, or an aptitude test and adaptation period together specified under this section, must be proportionate to the difference sought to be addressed.

(5) The Council must give a person their reasons for specifying an aptitude test or an adaptation period, or both, in relation to the person under this section, if the person makes a written request for them.

(6) If the Council specify aptitude tests in relation to persons under this section, the Council must ensure that such tests are scheduled with reasonable frequency and at least once a year.”

**Commencement Information**

**I29** Sch. 3 para. 38 in force at 1.12.2023, see [reg. 1](#)

- 39.** In section 10 (general provisions as to registers and lists)(**28**), after subsection (1), insert—
- “(1ZB) If rules under this section prescribe a fee to be charged on the entry of a person’s name in the register in a case where the person applies for registration in reliance on a specified state qualification, the fee must be—
- (a) reasonable and proportionate to the cost of dealing with such a person’s application;
  - (b) transparent, and made public in advance; and
  - (c) payable by electronic means through the Council’s own website.
- (1ZC) Where a person applies for registration under section 8 in reliance on a specified state qualification, the Council must—
- (a) within the period of one month beginning with the date of receipt of the application—
    - (i) acknowledge receipt of the application; and
    - (ii) inform the applicant of any missing document required for the purposes of the application;
  - (b) give the applicant adequate time to complete the requirements and procedures of the application process;
  - (c) ensure that the documentary and other evidence which is to accompany applications for registration is no more than is necessary to demonstrate to the Council that the applicant satisfies each of the requirements imposed by or under section 8;

(28) Relevant amending instruments are [S.I. 2005/848](#), [2007/3101](#) and [2019/593](#).

**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 5. (See end of Document for details)

- (d) accept copies of documents in place of original documents (subject to such provision about verifying copies as is made by rules under subsection (1)) unless the Council require original documents to protect the integrity of the application process;
- (e) deal promptly with the application; and
- (f) as soon as reasonably practicable and in any event within four months beginning with the relevant date, notify the applicant in writing of the result of the application.

(1ZD) In subsection (1ZC)(f), “the relevant date”, in relation to an application, is—

- (a) the date on which the Council receive the application; or
- (b) if any document required for the purposes of the application is missing when the Council receive the application, the date on which the Council first have all the documents required for those purposes.

(1ZE) If the Council make a request for further evidence, information or documents from the applicant, the period beginning with the date on which the Council make that request and ending with the date on which the applicant complies with that request is to be disregarded in determining whether the period of four months referred to in subsection (1ZC)(f) has expired.”.

#### Commencement Information

**I30** Sch. 3 para. 39 in force at 1.12.2023, see [reg. 1](#)

**40.** After section 13A (the Council’s duty to provide guidance on fitness to practise)(**29**) insert—

#### “13AA Information to be provided to specified state professionals

(1) The Council must make information about the following matters available to specified state professionals—

- (a) the relevant laws to be applied regarding disciplinary action, financial responsibility or liability and other relevant matters;
- (b) the principles of discipline and enforcement of professional standards, including disciplinary jurisdiction and consequential effects on practising professional activities;
- (c) the processes and procedures for the ongoing verification of competence;
- (d) the criteria for, and procedures relating to, erasure or removal from the appropriate register;
- (e) the documentation required of specified state professionals and the form in which it should be presented; and
- (f) the documents and certificates issued in relation to professional qualifications or other conditions that apply to the practice of registered optometrists or registered dispensing opticians that are acceptable to the Council.

(2) The Council must deal promptly with enquiries from specified state professionals about conditions that apply to the practice of registered optometrists or registered dispensing opticians.”.

(29) Section 13A was inserted by [S.I. 2005/848](#).

**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 5. (See end of Document for details)

**Commencement Information**

**I31** Sch. 3 para. 40 in force at 1.12.2023, see [reg. 1](#)

**41.** In section 36 (interpretation)(**30**), at the appropriate places, insert—

““adaptation period” means a period of practice, subject to an assessment and, where necessary, accompanied by further training, which is supervised by a registered optometrist or registered dispensing optician;”;

““aptitude test” means an assessment with the aim of determining whether a person has the competencies for the time being established under section 12(1)(a) in relation to being granted a qualification as an optometrist or a dispensing optician;”;

““specified state professional” means a person who holds a specified state qualification;”;

““specified state qualification” means a qualification as an optometrist or as a dispensing optician granted in one of the states specified in Schedule 1 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023;”.

**Commencement Information**

**I32** Sch. 3 para. 41 in force at 1.12.2023, see [reg. 1](#)

**Commencement Information**

**I27** Sch. 3 para. 36 in force at 1.12.2023, see [reg. 1](#)

**I28** Sch. 3 para. 37 in force at 1.12.2023, see [reg. 1](#)

**I29** Sch. 3 para. 38 in force at 1.12.2023, see [reg. 1](#)

**I30** Sch. 3 para. 39 in force at 1.12.2023, see [reg. 1](#)

**I31** Sch. 3 para. 40 in force at 1.12.2023, see [reg. 1](#)

**I32** Sch. 3 para. 41 in force at 1.12.2023, see [reg. 1](#)

**Amendments to the Osteopaths Act 1993**

**42.** The Osteopaths Act 1993(**31**) is amended as follows.

**Commencement Information**

**I33** Sch. 3 para. 42 in force at 1.12.2023, see [reg. 1](#)

**43.** In section 3 (full registration)(**32**)—

(a) for subsection (2)(d), substitute—

“(d) is a person who—

(i) has a recognised qualification, or

(30) Relevant amending instruments are [S.I. 2005/848](#), [2007/3101](#), [2008/1774](#) and [2019/593](#).

(31) [1993 c. 21](#).

(32) There are amendments to section 3 but none is relevant to these Regulations.

- (ii) has a specified state qualification which is not a recognised qualification and has met the requirement specified in relation to the person under section 14A.”; and
- (b) after subsection (2), insert—
  - “(2A) The General Council may require a specified state professional who wishes to be registered under this section to demonstrate that the person possesses the language skills necessary to the practice of a registered osteopath.
  - (2B) A language test required by the General Council under subsection (2A) must be proportionate to the level of language skills referred to in that subsection.”.

**Commencement Information**

**I34** Sch. 3 para. 43 in force at 1.12.2023, see [reg. 1](#)

- 44.** In section 6 (registration: supplemental provision)(**33**), after subsection (4), insert—
- “(4B) Subsections (2) to (4) are subject to subsection (4C) and section 6A.
  - (4C) Any fee prescribed in connection with the making of an entry in the register relating to a specified state professional must be—
    - (a) reasonable and proportionate to the cost of dealing with such a person’s application;
    - (b) transparent, and made public in advance; and
    - (c) payable by electronic means through the General Council’s website.”.

**Commencement Information**

**I35** Sch. 3 para. 44 in force at 1.12.2023, see [reg. 1](#)

- 45.** After section 6, insert—
- “6A Registration: provision relating to specified state professionals**
- (1) Where a specified state professional makes an application for full registration, the Registrar must—
    - (a) within the period of one month beginning with the date of receipt of the person’s application—
      - (i) acknowledge receipt of the application; and
      - (ii) inform the person of any missing document required for the purposes of the application;
    - (b) give the person adequate time to complete the requirements and procedures of the application process;
    - (c) ensure that the documentary and other evidence which is to accompany applications for registration is no more than is necessary to demonstrate to the Registrar that the person satisfies the conditions in section 3(2);
    - (d) accept certified copies of documents in place of original documents, unless it requires original documents to protect the integrity of the application process; and

(33) There are amendments to section 6 but none is relevant to these Regulations.

**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 5. (See end of Document for details)

- (e) deal promptly with the person’s application and notify the person of the result of the application within the period of four months beginning with the relevant date.
- (2) For the purposes of subsection (1)(d), a certified copy of a document is one which is certified to be a true copy of the original by a solicitor practising in any part of the United Kingdom.
- (3) In subsection (1)(e), “the relevant date”, in relation to an application, is—
- (a) the date when the Registrar receives the application; or
  - (b) if any document required for the purposes of the application is missing when the Registrar receives the application, the date on which the Registrar first has all the documents required for those purposes.
- (4) If the Registrar makes a request for further evidence, information or documents from such a specified state professional, the period beginning with the date on which the Registrar makes that request and ending with the date on which the person complies with that request is to be disregarded in determining whether the period of four months referred to in subsection (1)(e) has expired.”.

#### Commencement Information

**I36** Sch. 3 para. 45 in force at 1.12.2023, see [reg. 1](#)

**46.** In section 14 (recognition of qualifications)(**34**), after subsection (2A), insert—

“(2B) The General Council may determine that a specified state qualification is not evidence of having reached a standard of proficiency comparable to that evidenced by a qualification recognised under subsection (2) only where one or more of Conditions 1 to 3 are met.

(2C) Condition 1 is met where there exists a substantial difference between the standard of proficiency evidenced by the specified state qualification and the required standard of proficiency.

(2D) Condition 2 is met where the professional activities to which a recognised qualification relates include one or more professional activities that cover substantially different matters from those covered by the specified state qualification.

(2E) Condition 3 is met where requiring a person who holds the specified state qualification to pass an aptitude test or successfully to complete an adaptation period, or to do both, would amount to requiring the person to acquire a recognised qualification.”.

#### Commencement Information

**I37** Sch. 3 para. 46 in force at 1.12.2023, see [reg. 1](#)

**47.** After section 14, insert—

#### “14A Section 14: further provision relating to specified state professionals

(1) This section applies where a person who holds a specified state qualification applies to be registered under section 3(2)(d) and the person’s qualification is not a recognised qualification.

(34) The relevant amending instrument is [S.I. 2019/593](#).

**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 5. (See end of Document for details)

(2) This section does not apply if the person’s specified state qualification is not a recognised qualification because Condition 3 is met in relation to it (see section 14(2E)).

(3) Where this section applies, the General Council must specify what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person.

(4) An aptitude test or adaptation period specified under this section, or aptitude test and adaptation period together specified under this section, must be proportionate to the difference sought to be addressed.

(5) The General Council must give a person its reasons for specifying an aptitude test or an adaptation period, or both, in relation to the person under this section, if the person makes a written request for them.

(6) If the General Council specifies aptitude tests under this section, the General Council must ensure that such aptitude tests are scheduled with reasonable frequency and at least once a year.”.

**Commencement Information**

**I38** Sch. 3 para. 47 in force at 1.12.2023, see [reg. 1](#)

**48.** After section 19 (the Code of Practice), insert—

**“19A Information to be made available to specified state professionals**

(1) The General Council must make information about the following matters available to specified state professionals—

- (a) the relevant laws to be applied regarding disciplinary action, financial responsibility or liability and other relevant matters;
- (b) the principles of discipline and enforcement of professional standards, including disciplinary jurisdiction and consequential effects on practising professional activities;
- (c) the processes and procedures for the ongoing verification of competence;
- (d) the criteria for, and procedures relating to, removal of an entry in the register;
- (e) the documentation required of specified state professionals and the form in which it should be presented; and
- (f) the documents and certificates issued in relation to professional qualifications or other conditions that apply to the practice of a registered osteopath that are acceptable to the General Council.

(2) The General Council must deal promptly with enquiries from specified state professionals about conditions that apply to the practice of registered osteopaths.”.

**Commencement Information**

**I39** Sch. 3 para. 48 in force at 1.12.2023, see [reg. 1](#)

**49.** In section 29 (appeals against decisions of the Registrar)(**35**)—

- (a) after subsection (1)(a) insert—

(35) The relevant amending instrument is [S.I. 2019/593](#).

**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 5. (See end of Document for details)

- “(aa) fails to notify an applicant for full registration who is a specified state professional of the result of the application in accordance with section 6A(1)(e);”;
- (b) in subsection (3), after “General Council” insert “under subsection (1)(a), (b), (c), (d) or (e)”;
- (c) after subsection (3) insert—
- “(3A) An appeal to the General Council under subsection (1)(aa) must be made before the end of the period of 28 days beginning with the day on which the period for notifying the specified state professional of the result of the application expires (see section 6A(1)(e)).”.

**Commencement Information**

**I40** Sch. 3 para. 49 in force at 1.12.2023, see [reg. 1](#)

**50.** In section 41 (interpretation)(**36**), at the appropriate places, insert—

““adaptation period” means a period of practice, subject to an assessment and, where necessary, accompanied by further training, which is supervised by a fully registered osteopath;”;

““aptitude test” means an assessment with the aim of determining whether the person has reached the required standard of proficiency;”;

““specified state professional” means a person who holds a specified state qualification;”;

““specified state qualification” means a qualification in osteopathy granted in one of the states specified in Schedule 1 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023;”.

**Commencement Information**

**I41** Sch. 3 para. 50 in force at 1.12.2023, see [reg. 1](#)

**Commencement Information**

- I33** Sch. 3 para. 42 in force at 1.12.2023, see [reg. 1](#)
- I34** Sch. 3 para. 43 in force at 1.12.2023, see [reg. 1](#)
- I35** Sch. 3 para. 44 in force at 1.12.2023, see [reg. 1](#)
- I36** Sch. 3 para. 45 in force at 1.12.2023, see [reg. 1](#)
- I37** Sch. 3 para. 46 in force at 1.12.2023, see [reg. 1](#)
- I38** Sch. 3 para. 47 in force at 1.12.2023, see [reg. 1](#)
- I39** Sch. 3 para. 48 in force at 1.12.2023, see [reg. 1](#)
- I40** Sch. 3 para. 49 in force at 1.12.2023, see [reg. 1](#)
- I41** Sch. 3 para. 50 in force at 1.12.2023, see [reg. 1](#)

**Amendments to the Chiropractors Act 1994**

**51.** The Chiropractors Act 1994(**37**) is amended as follows.

(36) Section 41 was amended by paragraph 9 of Schedule 2 to the Chiropractors Act 1994 (c. 17) and S.I. 2007/3101, 2008/1774 and 2019/593.

(37) 1994 c. 17.

**Commencement Information**

**I42** Sch. 3 para. 51 in force at 1.12.2023, see [reg. 1](#)

**52.** In section 3 (full registration)(**38**)—

(a) for subsection (2)(d), substitute—

“(d) is a person who—

(i) has a recognised qualification, or

(ii) has a specified state qualification which is not a recognised qualification and has met the requirement specified in relation to the person under section 14(A).”;

(b) after subsection (2), insert—

“(2A) The General Council may require a specified state professional who wishes to be registered under this section to demonstrate that the person possesses the language skills necessary to the practice of a fully registered chiropractor.

(2B) A language test required by the General Council under subsection (2A) must be proportionate to the level of language skills referred to in that subsection.”.

**Commencement Information**

**I43** Sch. 3 para. 52 in force at 1.12.2023, see [reg. 1](#)

**53.** In section 6 (registration: supplemental provision)(**39**), after subsection (4), insert—

“(4B) Subsections (2) to (4) are subject to subsection (4C) and section 6A.

(4C) Any fee prescribed in connection with the making of an entry in the register relating to a specified state professional must be—

(a) reasonable and proportionate to the cost of dealing with such a person’s application;

(b) transparent, and made public in advance; and

(c) payable by electronic means through the General Council’s website.”.

**Commencement Information**

**I44** Sch. 3 para. 53 in force at 1.12.2023, see [reg. 1](#)

**54.** After section 6, insert—

**“6A Registration: provision relating to specified state professionals**

(1) Where a specified state professional makes an application for full registration, the Registrar must—

(a) within the period of one month beginning with the date of receipt of the application—

(i) acknowledge receipt of the application; and

(38) There are amendments to section 3 but none is relevant to these Regulations.

(39) There are amendments to section 6 but none is relevant to these Regulations.

**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 5. (See end of Document for details)

- (ii) inform the person of any missing document required for the purposes of the application;
  - (b) give the person adequate time to complete the requirements and procedures of the application process;
  - (c) ensure that the documentary and other evidence which is to accompany applications for registration is no more than is necessary to demonstrate to the Registrar that the person satisfies the conditions in section 3(2);
  - (d) accept certified copies of documents in place of original documents, unless it requires original documents to protect the integrity of the application process; and
  - (e) deal promptly with the person's application and notify the person of the result of the application within the period of four months beginning with the relevant date.
- (2) For the purposes of subsection (1)(d), a certified copy of a document is one which is certified to be a true copy of the original by a solicitor practising in any part of the United Kingdom.
- (3) In subsection (1)(e), "the relevant date", in relation to an application, is—
- (a) the date when the Registrar receives the application; or
  - (b) if any document required for the purposes of the application is missing when the Registrar receives the application, the date on which the Registrar first has all the documents required for those purposes.
- (4) If the Registrar makes a request for further evidence, information or documents from such a specified state professional, the period beginning with the date on which the Registrar makes that request and ending with the date on which the person complies with that request is to be disregarded in determining whether the period of four months referred to in subsection (1)(e) has expired."

#### Commencement Information

**I45** Sch. 3 para. 54 in force at 1.12.2023, see [reg. 1](#)

**55.** In section 14 (recognition of qualifications)(**40**), after subsection (2A), insert—

"(2B) The General Council may determine that a specified state qualification is not evidence of having reached a standard of proficiency comparable to that evidenced by a qualification recognised under subsection (2) only where one or more of Conditions 1 to 3 are met.

(2C) Condition 1 is met where there exists a substantial difference between the standard of proficiency evidenced by the specified state qualification and the required standard of proficiency.

(2D) Condition 2 is met where the professional activities to which a recognised qualification relates include one or more professional activities that cover substantially different matters from those covered by the specified state qualification.

(2E) Condition 3 is met where requiring a person who holds the specified state qualification to pass an aptitude test or successfully to complete an adaptation period, or to do both, would amount to requiring the person to acquire a recognised qualification."

(40) The relevant amending instrument is [S.I. 2019/593](#).

**Commencement Information**

**I46** Sch. 3 para. 55 in force at 1.12.2023, see [reg. 1](#)

**56.** After section 14, insert—

**“14A Section 14: further provision relating to specified state professionals**

(1) This section applies where a person who holds a specified state qualification applies to be registered under section 3(2)(d) and the person’s qualification is not a recognised qualification.

(2) This section does not apply if the person’s specified state qualification is not a recognised qualification because Condition 3 is met in relation to it (see section 14(2E)).

(3) Where this section applies, the General Council must specify what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person.

(4) An aptitude test or adaptation period specified under this section, or an aptitude test and adaptation period together specified under this section, must be proportionate to the difference sought to be addressed.

(5) The General Council must give a person its reasons for specifying an aptitude test or adaptation period, or both, in relation to the person under this section, if the person makes a written request for them.

(6) If the General Council specifies aptitude tests under this section, the General Council must ensure that such aptitude tests are scheduled with reasonable frequency and at least once a year.”.

**Commencement Information**

**I47** Sch. 3 para. 56 in force at 1.12.2023, see [reg. 1](#)

**57.** After section 19 (the code of practice), insert—

**“19A Information for specified state professionals**

(1) The General Council must make information about the following matters available to specified state professionals—

- (a) the relevant laws to be applied regarding disciplinary action, financial responsibility or liability and other relevant matters;
- (b) the principles of discipline and enforcement of professional standards, including disciplinary jurisdiction and consequential effects on practising professional activities;
- (c) the processes and procedures for the ongoing verification of competence;
- (d) the criteria for, and procedures relating to, removal from the register;
- (e) the documentation required of specified state professionals and the form in which it should be presented; and
- (f) the documents and certificates issued in relation to professional qualifications or other conditions that apply to the practice of registered chiropractors that are acceptable to the General Council.

**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 5. (See end of Document for details)

(2) The General Council must deal promptly with enquiries from specified state professionals about conditions that apply to the practice of registered chiropractors.”

**Commencement Information**

**I48** Sch. 3 para. 57 in force at 1.12.2023, see [reg. 1](#)

**58.** In section 29 (appeals against decisions of the Registrar)(**41**)—

(a) after subsection (1)(a), insert—

“(aa) fails to notify an applicant for full registration who is a specified state professional of the result of the application in accordance with section 6A(1)(e),”;

(b) in subsection (3), after “General Council”, insert “under subsection (1)(a), (b), (c), (d) or (e)”;

(c) after subsection (3), insert—

“(3A) An appeal to the General Council under subsection (1)(aa) must be made before the end of the period of 28 days beginning with the day on which the period for notifying the specified state professional of the result of the application expires (see section 6A(1)(e)).”.

**Commencement Information**

**I49** Sch. 3 para. 58 in force at 1.12.2023, see [reg. 1](#)

**59.** In section 43 (interpretation)(**42**), at the appropriate places, insert—

““adaptation period” means a period of practice, subject to an assessment and, where necessary, accompanied by further training, which is supervised by a registered chiropractor;”;

““aptitude test” means an assessment with the aim of determining whether a person has reached the required standard of proficiency;”;

““specified state professional” means a person who holds a specified state qualification;”;

““specified state qualification” means a qualification in chiropractic granted in one of the states specified in Schedule 1 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023;”.

**Commencement Information**

**I50** Sch. 3 para. 59 in force at 1.12.2023, see [reg. 1](#)

**Commencement Information**

**I42** Sch. 3 para. 51 in force at 1.12.2023, see [reg. 1](#)

**I43** Sch. 3 para. 52 in force at 1.12.2023, see [reg. 1](#)

**I44** Sch. 3 para. 53 in force at 1.12.2023, see [reg. 1](#)

**I45** Sch. 3 para. 54 in force at 1.12.2023, see [reg. 1](#)

(41) The relevant amending instrument is [S.I. 2019/593](#).

(42) Relevant amending instruments are [S.I. 2007/3101](#), [2008/1774](#) and [2019/593](#).

**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 5. (See end of Document for details)

- I46 Sch. 3 para. 55 in force at 1.12.2023, see [reg. 1](#)
- I47 Sch. 3 para. 56 in force at 1.12.2023, see [reg. 1](#)
- I48 Sch. 3 para. 57 in force at 1.12.2023, see [reg. 1](#)
- I49 Sch. 3 para. 58 in force at 1.12.2023, see [reg. 1](#)
- I50 Sch. 3 para. 59 in force at 1.12.2023, see [reg. 1](#)

## Amendments to the Nursing and Midwifery Order 2001

60. The Nursing and Midwifery Order 2001(43) is amended as follows.

### Commencement Information

- I51 Sch. 3 para. 60 in force at 1.12.2023, see [reg. 1](#)

61. In article 5A (supplementary provisions as to necessary knowledge of English)(44), after paragraph (6), insert—

“(6A) A requirement imposed by the Council under sub-paragraph (6)(a) must be proportionate to the level of language skills referred to in article 9(2)(ba).”.

### Commencement Information

- I52 Sch. 3 para. 61 in force at 1.12.2023, see [reg. 1](#)

62. In article 7 (the register: supplemental provisions)(45), after paragraph (2), insert—

“(2A) Where the applicant applies in reliance on a specified state qualification or qualifications, the Registrar may not request more documentary and other evidence than is necessary to demonstrate to the Registrar that the applicant has satisfied the conditions specified in article 9(2).

(2B) Where documentary or other evidence falls to be provided in connection with the registration of a specified state professional under article 9, the Council must accept certified copies of documents in place of original documents unless it requires original documents to protect the integrity of the application process.

(2C) For the purposes of paragraph (2B), a certified copy of a document is one which is certified to be a true copy of the original by a solicitor practising in any part of the United Kingdom.

(2D) Any fee prescribed by the Council under paragraph (1) in connection with the making of an entry in the register relating to a specified state professional must be—

- (a) reasonable and proportionate to the cost of dealing with such an applicant’s application;
- (b) transparent, and made public in advance; and
- (c) payable by electronic means through the Council’s website.”.

### Commencement Information

- I53 Sch. 3 para. 62 in force at 1.12.2023, see [reg. 1](#)

(43) [S.I. 2002/253](#).

(44) Article 5A was inserted by [S.I. 2015/806](#). There are amendments to article 5A but none is relevant to these Regulations.

(45) There are amendments to article 7 but none is relevant to these Regulations.

**63.** In article 9 (registration)(**46**)—

(a) after paragraph (4), insert—

“(4A) Where a specified state professional makes an application under paragraph (1), the Registrar must—

- (a) give the applicant adequate time to complete the requirements and procedures of the application process;
- (b) within the period of one month beginning with the date when the Registrar receives the application—
  - (i) acknowledge receipt of the application;
  - (ii) inform the applicant of any missing document required for the purposes of the application; and
- (c) deal promptly with the application.”;

(b) in paragraph (5), for “the period of three months beginning with the relevant date” substitute—

“—

- (a) where A holds a specified state qualification, the period of four months beginning with the relevant date;
- (b) in any other case, the period of three months beginning with that date.”.

**Commencement Information**

**I54** Sch. 3 para. 63 in force at 1.12.2023, see [reg. 1](#)

**64.** In article 13 (approved qualifications)(**47**)—

(a) for paragraph (1)(d)(iii), substitute—

“(iii) subject to article 13ZA, the Council is satisfied that, following any test of competence that it may require the applicant to take, the applicant has the requisite standard of proficiency for admission to the part of the register in respect of which the applicant is applying, provided that a specified state professional who has passed an aptitude test or successfully completed an adaptation period must be deemed to have the requisite standard of proficiency referred to;”;

(b) after paragraph (5), insert—

“(5A) The Council may determine that a specified state qualification is not evidence of having reached a standard of proficiency comparable to that evidenced by a qualification approved under paragraph (1)(a) only where one or more of Conditions 1 to 3 are met.

(5B) Condition 1 is met where there exists a substantial difference between the standard of proficiency evidenced by that specified state qualification and the requisite standard of proficiency for admission to the part of the register in respect of which the applicant is applying.

(5C) Condition 2 is met where the professional activities to which a qualification approved under paragraph (1)(a) relates include one or more professional activities that cover substantially different matters from those covered by the specified state qualification.

(46) Relevant amending instruments are [S.I. 2007/3101](#), [2015/806](#), and [2019/593](#).

(47) Relevant amending instruments are [S.I. 2007/3101](#), [2019/593](#) and [2023/162](#).

(5D) Condition 3 is met where requiring a person who holds the specified state qualification to pass an aptitude test or to successfully complete an adaptation period, or to do both, would amount to requiring the person to acquire a qualification approved under paragraph (1)(a).”.

**Commencement Information**

**I55** Sch. 3 para. 64 in force at 1.12.2023, see [reg. 1](#)

**65.** After article 13, insert—

**“Article 13: further provision relating to specified state professionals**

**13ZA.**—(1) This article applies where a person holds a specified state qualification which is not a relevant European qualification and wishes to be registered under article 9.

(2) This article does not apply if the qualification held by the person is not a relevant European qualification because Condition 3 in article 13(5D) is met in relation to it.

(3) Where this article applies, the Council must specify what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person.

(4) An aptitude test or adaptation period specified under this article, or aptitude test and adaptation period together specified under this article, must be proportionate to the difference sought to be addressed.

(5) The Council must give a person its reasons for specifying in relation to the person an aptitude test or adaptation period, or both, if the person makes a written request for them.

(6) Where the Council specifies an aptitude test under this article, the Council must ensure that such aptitude tests are scheduled with reasonable frequency and at least once a year.”.

**Commencement Information**

**I56** Sch. 3 para. 65 in force at 1.12.2023, see [reg. 1](#)

**66.** After article 21 (Council’s functions in respect of fitness to practise, ethics and other matters)(48), insert—

**“Information for specified state professionals**

**21A.**—(1) The Council must make information about the following matters available to specified state professionals—

- (a) the relevant laws to be applied regarding disciplinary action, financial responsibility or liability and other relevant matters;
- (b) the principles of discipline and enforcement of professional standards, including disciplinary jurisdiction and consequential effects on practising professional activities;
- (c) the processes and procedures for the ongoing verification of competence;
- (d) the criteria for, and procedures relating to, removal of an entry from the register;

(48) There are amendments to article 21 but none is relevant to these Regulations.

**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 5. (See end of Document for details)

- (e) the documentation required of specified state professionals and the form in which it should be presented; and
  - (f) the documents and certificates issued in relation to professional qualifications or other conditions that apply to the practice of registrants that are acceptable to the Council.
- (2) The Council must deal promptly with enquiries from specified state professionals about conditions that apply to the practice of registrants.”.

#### Commencement Information

**I57** Sch. 3 para. 66 in force at 1.12.2023, see [reg. 1](#)

**67.** In Schedule 4 (interpretation)(**49**), at the appropriate places, insert—

““adaptation period” means a period of practice, subject to an assessment and, where necessary, accompanied by further training, which is supervised by a registered nurse, midwife or nursing associate;”;

““aptitude test” means an assessment, with the aim of determining whether a specified state professional meets the standards referred to in article 5(2)(a);”;

““specified state professional” means a person who holds a specified state qualification;”;

““specified state qualification” means a nursing or midwifery qualification or a qualification comparable to that of a nursing associate awarded in one of the states specified in Schedule 1 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023;”.

#### Commencement Information

**I58** Sch. 3 para. 67 in force at 1.12.2023, see [reg. 1](#)

#### Commencement Information

**I51** Sch. 3 para. 60 in force at 1.12.2023, see [reg. 1](#)

**I52** Sch. 3 para. 61 in force at 1.12.2023, see [reg. 1](#)

**I53** Sch. 3 para. 62 in force at 1.12.2023, see [reg. 1](#)

**I54** Sch. 3 para. 63 in force at 1.12.2023, see [reg. 1](#)

**I55** Sch. 3 para. 64 in force at 1.12.2023, see [reg. 1](#)

**I56** Sch. 3 para. 65 in force at 1.12.2023, see [reg. 1](#)

**I57** Sch. 3 para. 66 in force at 1.12.2023, see [reg. 1](#)

**I58** Sch. 3 para. 67 in force at 1.12.2023, see [reg. 1](#)

### Amendments to the Health Professions Order 2001

**68.** The Health Professions Order 2001(**50**) is amended as follows.

(49) Relevant amendments were made by paragraph 286 of Schedule 19 to the Data Protection Act 2018 (c. 12) and S.I. 2007/3101, 2008/1485, 2014/1887, 2015/806, 2017/321, 2018/838, 2019/419 and 593.

(50) S.I. 2002/254.

**Commencement Information**

**I59** Sch. 3 para. 68 in force at 1.12.2023, see [reg. 1](#)

**69.** In article 7 (the register: supplemental provisions)(**51**), in paragraph (2), for “The rules”, substitute “Subject to article 7A, the rules”.

**Commencement Information**

**I60** Sch. 3 para. 69 in force at 1.12.2023, see [reg. 1](#)

**70.** After article 7 insert—

**“The register: specified state professionals - supplemental provisions**

**7A.—**(1) Where a specified state professional makes an application for registration—

- (a) for the purposes of article 7(2)(c)(i) any fee charged must be—
  - (i) reasonable and proportionate to the cost of the applicant’s application;
  - (ii) transparent and made public in advance; and
  - (iii) payable by electronic means through the Council’s website;
- (b) the documentary and other evidence required pursuant to rules made under article 7(2)(d) must be no more than is necessary to demonstrate to the Council that the applicant satisfies the conditions in article 9(2); and
- (c) for the purposes of article 7(2)(d) the Council must accept certified copies of documents in place of original documents, unless it requires original documents to protect the integrity of the application process.

(2) For the purposes of paragraph (1)(c), a certified copy of a document is one which is certified to be a true copy of the original by a solicitor practising in any part of the United Kingdom.”.

**Commencement Information**

**I61** Sch. 3 para. 70 in force at 1.12.2023, see [reg. 1](#)

**71.** In article 9 (registration)(**52**)—

- (a) in paragraph (2), for sub-paragraph (a), substitute—
  - “(a) the applicant satisfies the Education and Training Committee that they—
    - (i) hold an approved qualification awarded—
      - (aa) within such period, not exceeding five years ending with the date of the application, as may be prescribed, or
      - (bb) before the prescribed period mentioned in head (aa), and they have met such requirements as to additional education, training and experience as the Council may specify under article 19(3) and which apply to them; or

(51) There are amendments to article 7 but none is relevant to these Regulations.

(52) Relevant amending instruments are [S.I. 2014/1887](#) and [2019/593](#).

**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 5. (See end of Document for details)

- (ii) have passed an aptitude test or successfully completed an adaptation period pursuant to article 12A.”;
- (b) after paragraph (4), insert—
  - “(4A) Where a specified state professional makes an application for registration under paragraph (1), the Education and Training Committee must—
    - (a) within the period of one month beginning with the date of receipt of the application—
      - (i) acknowledge receipt of the application; and
      - (ii) inform the applicant of any missing document required for the purposes of the application;
    - (b) give the applicant adequate time to complete the requirements and procedures of the application process; and
    - (c) deal promptly with the applicant’s application.”;
- (c) in paragraph (5), for the words from “within” to the end, substitute—
  - “—
    - (a) where the person holds a specified state qualification, within the period of four months beginning with the day on which the application is received;
    - (b) in any other case, within the period of three months beginning with that day.”.

**Commencement Information**

**I62** Sch. 3 para. 71 in force at 1.12.2023, see [reg. 1](#)

**72.** In article 12 (approved qualifications)(53), after paragraph (1), insert—

“(1ZA) The Council may determine that a specified state qualification is not evidence of having reached a standard of proficiency comparable to that evidenced by a qualification approved under paragraph (1)(a) only where one or more of Conditions 1 to 3 are met.

(1ZB) Condition 1 is met where there exists a substantial difference between the standard of proficiency evidenced by the specified state qualification and the standard of proficiency it is necessary for a person to achieve for admission to the part of the register in respect of which the person is applying.

(1ZC) Condition 2 is met where the professional activities to which a qualification mentioned in paragraph (1)(a) relates include one or more professional activities that cover substantially different matters from those covered by the specified state qualification.

(1ZD) Condition 3 is met where requiring a person who holds a specified state qualification to pass an aptitude test or to successfully complete an adaptation period, or to do both, would amount to requiring the person to acquire a qualification approved under paragraph (1)(a).”.

**Commencement Information**

**I63** Sch. 3 para. 72 in force at 1.12.2023, see [reg. 1](#)

**73.** After article 12, insert—

(53) There are amendments to article 12 but none is relevant to these Regulations.

**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 5. (See end of Document for details)

## “Article 12: further provision relating to specified state professionals

**12A.**—(1) This article applies where a person—

- (a) holds a specified state qualification which the Council has determined does not meet the standard in article 12(1)(c)(i) because Condition 1 or 2 in article 12 is met; and
- (b) wishes to be registered under article 9.

(2) Where this article applies, the Council must specify what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person.

(3) An aptitude test or adaptation period specified under this article, or an aptitude test and adaptation period together specified under this article, must be proportionate to the difference sought to be addressed.

(4) The Council must give a person its reasons for specifying in relation to the person an aptitude test or adaptation period, or both, if the person makes a written request for them.

(5) Where the Council specifies an aptitude test under this article, the Council must ensure that such aptitude tests are scheduled with reasonable frequency and at least once a year.”.

### Commencement Information

**I64** Sch. 3 para. 73 in force at 1.12.2023, see [reg. 1](#)

**74.** In article 15 (education and training), after paragraph (5), insert—

“(5A) If the Council requires a specified state professional to undergo a test of competence or knowledge of English, the test must be proportionate to the level required to satisfy the standards under this article.”.

### Commencement Information

**I65** Sch. 3 para. 74 in force at 1.12.2023, see [reg. 1](#)

**75.** After article 21 (Council’s functions in respect of fitness to practise, ethics and other matters)(**54**), insert—

## “Information for specified state professionals

**21A.**—(1) The Council must make information about the following matters available to specified state professionals—

- (a) the relevant laws to be applied regarding disciplinary action, financial responsibility or liability and other relevant matters;
- (b) the principles of discipline and enforcement of professional standards, including disciplinary jurisdiction and consequential effects on practising professional activities;
- (c) the processes and procedures for the ongoing verification of competence;
- (d) the criteria for, and procedures relating to, removal from the register;

(54) There are amendments to article 21 but none is relevant to these Regulations.

**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 5. (See end of Document for details)

- (e) the documentation required of specified state professionals and the form in which it should be presented; and
  - (f) the documents and certificates issued in relation to professional qualifications or other conditions that apply to the practice of registrants that are acceptable to the Council.
- (2) The Council must deal promptly with enquiries from specified state professionals about conditions that apply to the practice of registrants.”.

#### Commencement Information

**I66** Sch. 3 para. 75 in force at 1.12.2023, see [reg. 1](#)

**76.** In Schedule 3 (interpretation)(**55**), in paragraph 1, at the appropriate places insert—

““adaptation period” means a period of practice, subject to an assessment and, where necessary, accompanied by further training, which is supervised by a registered professional of the corresponding relevant profession;”;

““aptitude test” means an assessment with the aim of determining whether a specified state professional has the standard of proficiency that the Council considers requisite for admission to the part of the register in respect of which the professional is applying;”;

““specified state professional” means a person who holds a specified state qualification;”;

““specified state qualification” means a qualification in one of the relevant professions awarded in one of the states specified in Schedule 1 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023;”.

#### Commencement Information

**I67** Sch. 3 para. 76 in force at 1.12.2023, see [reg. 1](#)

#### Commencement Information

**I59** Sch. 3 para. 68 in force at 1.12.2023, see [reg. 1](#)

**I60** Sch. 3 para. 69 in force at 1.12.2023, see [reg. 1](#)

**I61** Sch. 3 para. 70 in force at 1.12.2023, see [reg. 1](#)

**I62** Sch. 3 para. 71 in force at 1.12.2023, see [reg. 1](#)

**I63** Sch. 3 para. 72 in force at 1.12.2023, see [reg. 1](#)

**I64** Sch. 3 para. 73 in force at 1.12.2023, see [reg. 1](#)

**I65** Sch. 3 para. 74 in force at 1.12.2023, see [reg. 1](#)

**I66** Sch. 3 para. 75 in force at 1.12.2023, see [reg. 1](#)

**I67** Sch. 3 para. 76 in force at 1.12.2023, see [reg. 1](#)

### Amendments to the Pharmacy Order 2010

**77.** The Pharmacy Order 2010(**56**) is amended as follows.

(55) Relevant amendments were made by sections 213, 214 and 219 of the Health and Social Care Act 2012 (c. 7), and paragraph 27 of Schedule 5 to the Children and Social Work Act 2017 (c. 16) and S.I. 2004/1947 and 2033, 2007/3101, 2009/1182, 2010/233, 2014/1887 and 2019/593.

(56) S.I. 2010/231.

**Commencement Information**

**I68** Sch. 3 para. 77 in force at 1.12.2023, see [reg. 1](#)

**78.** In article 3 (interpretation)(**57**), in paragraph (1), at the appropriate places, insert—

““adaptation period” means a period of practice, subject to an assessment and, where necessary, accompanied by further training, which is supervised by a registered pharmacist or registered pharmacy technician;”;

““aptitude test” means an assessment with the aim of determining whether a specified state professional has the knowledge, skills and experience that the Council considers requisite for practising as a registered pharmacist or registered pharmacy technician;”;

““specified state professional” means a person who holds a specified state qualification;”;

““specified state qualification” means a qualification in pharmacy or a pharmacy technician qualification awarded in one of the states specified in Schedule 1 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023;”.

**Commencement Information**

**I69** Sch. 3 para. 78 in force at 1.12.2023, see [reg. 1](#)

**79.** After article 20 (entitlement to entry in Part 1 or 2 of the Register: pharmacists and pharmacy technicians)(**58**), insert—

**“Article 20: further provision relating to specified state professionals**

**20A.**—(1) This article applies where a person holds a specified state qualification which is not a relevant European qualification and wishes to be registered under article 20.

(2) This article does not apply if the qualification held by the person is not a relevant European qualification because Condition 3 in article 21(1G) or, as the case may be, 22(1D) is met in relation to it.

(3) Where this article applies, the Council must specify what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person.

(4) An aptitude test or adaptation period specified under this article, or an aptitude test and adaptation period together specified under this article, must be proportionate to the difference sought to be addressed.

(5) The Council must give a person its reasons for specifying in relation to the person an aptitude test or an adaptation period, or both, if the person makes a written request for them.

(6) Where the Council specifies an aptitude test under this article, the Council must ensure that such aptitude tests are scheduled with reasonable frequency and at least once a year.”.

(57) Relevant amendments were made by paragraph 352 of Schedule 19 to the Data Protection Act 2018 (c. 12), and S.I. 2007/3101, 2015/806 and 968, 2016/372 and 1030 and 2019/419 and 593.

(58) There are amendments to article 20 but none is relevant to these Regulations.

**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 5. (See end of Document for details)

#### Commencement Information

**I70** Sch. 3 para. 79 in force at 1.12.2023, see [reg. 1](#)

**80.** In article 21 (pre-entry requirements in respect of qualifications and additional education, training or experience: pharmacists)(**59**)—

- (a) in paragraph (1B), after “In this article”, insert “and article 20A”;
- (b) after paragraph (1C), insert—

“(1D) The Council may designate a specified state qualification for the purpose of paragraph (1B)(a), or determine that a specified state qualification is not evidence of having reached a standard of proficiency comparable to that evidenced by a qualification approved under paragraph (1)(a), only where one or more of Conditions 1 to 3 are met.

(1E) Condition 1 is met where there exists a substantial difference between the standard of proficiency evidenced by the specified state qualification and the standard of proficiency for the safe and effective practice that, in the Council’s opinion, it is necessary for a person to achieve in order to be entered in Part 1 of the Register.

(1F) Condition 2 is met where the professional activities to which a qualification approved under paragraph (1)(a) relates include one or more professional activities that cover substantially different matters from those covered by the specified state qualification.

(1G) Condition 3 is met where requiring a person who holds a specified state qualification to pass an aptitude test or to successfully complete an adaptation period, or to do both, would amount to requiring the person to acquire a qualification approved under paragraph (1)(a).”.

#### Commencement Information

**I71** Sch. 3 para. 80 in force at 1.12.2023, see [reg. 1](#)

**81.** In article 22 (pre-entry requirements in respect of qualifications and additional education, training or experience: pharmacy technicians)(**60**), after paragraph (1), insert—

“(1A) The Council may determine that a specified state qualification is not evidence of having reached a standard of proficiency comparable to that evidenced by a qualification approved under paragraph (1)(a) only where one or more of Conditions 1 to 3 are met.

(1B) Condition 1 is met where there exists a substantial difference between the standard of proficiency evidenced by the specified state qualification and the standard of proficiency for the safe and effective practice of pharmacy that, in the Council’s opinion, it is necessary for a person to achieve in order to be entered in Part 2 of the Register;

(1C) Condition 2 is met where the professional activities to which a qualification approved under paragraph (1)(a) relates include one or more professional activities that cover substantially different matters from those covered by the specified state qualification.

(1D) Condition 3 is met where requiring a person who holds a specified state qualification to take an aptitude test or to successfully complete an adaptation period, or to do both, would amount to requiring the person to acquire a qualification approved under paragraph (1)(a).”.

(59) The relevant amending instrument is [S.I. 2019/593](#).

(60) The relevant amending instrument is [S.I. 2019/593](#).

**Commencement Information**

**I72** Sch. 3 para. 81 in force at 1.12.2023, see [reg. 1](#)

**82.** In article 23 (form, manner and content of applications for entry or for renewal of an entry in the Register: pharmacists and pharmacy technicians)(**61**)—

(a) in paragraph (1), for “The Council”, substitute “Subject to paragraphs (1A) and (1B), the Council”;

(b) after paragraph (1), insert—

“(1A) Where the applicant holds a specified state qualification, the documentary and other evidence which is required to accompany applications of the kind mentioned in paragraph (1) must be no more than is necessary to demonstrate to the Registrar that the applicant satisfies the conditions set out in article 20(1).

(1B) Where the applicant holds a specified state qualification, the Council must accept certified copies of documents in place of original documents, unless it requires original documents to protect the integrity of the application process.

(1C) For the purposes of paragraph (1B), a certified copy of a document is one which is certified to be a true copy of the original by a solicitor practising in any part of the United Kingdom.”.

**Commencement Information**

**I73** Sch. 3 para. 82 in force at 1.12.2023, see [reg. 1](#)

**83.** In article 23A (supplementary provisions as to necessary knowledge of English)(**62**), after paragraph (6), insert—

“(6A) Where the Registrar requires a specified state professional to undergo an examination or other assessment, the examination or assessment must be proportionate to the level of English required to satisfy the Registrar under this article.”.

**Commencement Information**

**I74** Sch. 3 para. 83 in force at 1.12.2023, see [reg. 1](#)

**84.** In article 24 (notification by the Registrar: entry and renewal)(**63**)—

(a) after paragraph (2), insert—

“(2C) Where A holds a specified state qualification, the Registrar must—

(a) give A adequate time to complete the requirements and procedures of the application process; and

(b) deal promptly with A’s application.”;

(b) in paragraphs (3) and (4), for “period of three months beginning with the relevant date” substitute “relevant period”;

(c) after paragraph (4), insert—

“(4A) For the purposes of this article, the relevant period is:

(61) There are amendments to article 23 but none is relevant to these Regulations.

(62) Article 23A was inserted by [S.I. 2015/806](#).

(63) The relevant amending instruments are [S.I. 2015/806](#) and [2019/593](#).

**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 5. (See end of Document for details)

- (a) where A holds a specified state qualification, the period of four months beginning with the relevant date;
- (b) in any other case, the period of three months beginning with that date.”;
- (d) in paragraph (5A), for “period of three months for the purposes of paragraph (3) or (4)”, substitute “relevant period”.

**Commencement Information**

**I75** Sch. 3 para. 84 in force at 1.12.2023, see [reg. 1](#)

**85.** After article 36 (fees in connection with entry)(**64**) insert—

**“Additional requirements for specified state professionals**

**36A.** Any fee prescribed by the Council under article 36(1) in connection with the making of an entry in the register relating to a specified state professional must be—

- (a) reasonable and proportionate to the cost of dealing with such an applicant’s application;
- (b) transparent, and made public in advance; and
- (c) payable by electronic means through the Council’s website.”.

**Commencement Information**

**I76** Sch. 3 para. 85 in force at 1.12.2023, see [reg. 1](#)

**86.** After article 48 (standards of conduct and performance)(**65**), insert—

**“Information for specified state professionals**

**48A.**—(1) The Council must make information about the following matters available to specified state professionals—

- (a) the relevant laws to be applied regarding disciplinary action, financial responsibility or liability and other relevant matters;
- (b) the principles of discipline and enforcement of professional standards, including disciplinary jurisdiction and consequential effects on practising professional activities;
- (c) the processes and procedures for the ongoing verification of competence;
- (d) the criteria for, and procedures relating to, removal from the register;
- (e) the documentation required of specified state professionals and the form in which it should be presented; and
- (f) the documents and certificates issued in relation to professional qualifications or other conditions that apply to the practice of registrants that are acceptable to the Council.

(2) The Council must deal promptly with enquiries from specified state professionals about conditions that apply to the practice of registrants.”.

(64) There are amendments to article 36 but none is relevant to these Regulations.

(65) There are amendments to article 48 but none is relevant to these Regulations.

**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 5. (See end of Document for details)

**Commencement Information**

**I77** Sch. 3 para. 86 in force at 1.12.2023, see [reg. 1](#)

**Commencement Information**

**I68** Sch. 3 para. 77 in force at 1.12.2023, see [reg. 1](#)

**I69** Sch. 3 para. 78 in force at 1.12.2023, see [reg. 1](#)

**I70** Sch. 3 para. 79 in force at 1.12.2023, see [reg. 1](#)

**I71** Sch. 3 para. 80 in force at 1.12.2023, see [reg. 1](#)

**I72** Sch. 3 para. 81 in force at 1.12.2023, see [reg. 1](#)

**I73** Sch. 3 para. 82 in force at 1.12.2023, see [reg. 1](#)

**I74** Sch. 3 para. 83 in force at 1.12.2023, see [reg. 1](#)

**I75** Sch. 3 para. 84 in force at 1.12.2023, see [reg. 1](#)

**I76** Sch. 3 para. 85 in force at 1.12.2023, see [reg. 1](#)

**I77** Sch. 3 para. 86 in force at 1.12.2023, see [reg. 1](#)

**Amendments to the Postgraduate Medical Education and Training Order of Council 2010**

**87.** The Postgraduate Medical Education and Training Order of Council 2010(**66**) is amended as follows.

**Commencement Information**

**I78** Sch. 3 para. 87 in force at 1.12.2023, see [reg. 1](#)

**88.** In article 4 (general practitioners eligible for entry in the General Practitioner Register)(**67**), after paragraph (4), insert—

“(4A) Persons are also eligible general practitioners for the purposes of article 3(1)(a) if they are entitled to have their qualification in general practice recognised by virtue of Part 2 of the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023.”.

**Commencement Information**

**I79** Sch. 3 para. 88 in force at 1.12.2023, see [reg. 1](#)

**89.** In article 8 (specialists eligible for entry in the Specialist Register)(**68**), after paragraph (6), insert—

“(6A) A person is also an eligible specialist for the purposes of article 7(1)(a) if that person is entitled to have their specialist qualification recognised by virtue of Part 2 of the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023.”.

(66) [S.I. 2010/473](#).

(67) Relevant amending instruments are [S.I. 2019/593](#) and [2022/1326](#).

(68) Relevant amending instruments are [S.I. 2019/593](#) and [2022/1326](#).

**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 5. (See end of Document for details)

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**Commencement Information**

**I80** Sch. 3 para. 89 in force at 1.12.2023, see [reg. 1](#)

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**Commencement Information**

**I78** Sch. 3 para. 87 in force at 1.12.2023, see [reg. 1](#)

**I79** Sch. 3 para. 88 in force at 1.12.2023, see [reg. 1](#)

**I80** Sch. 3 para. 89 in force at 1.12.2023, see [reg. 1](#)

**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 5.