



# European Union (Withdrawal Agreement) Act 2020

## 2020 CHAPTER 1

### PART 3

#### CITIZENS' RIGHTS

##### *Professional qualifications*

## 12 Recognition of professional qualifications

- (1) An appropriate authority may by regulations make such provision as the authority considers appropriate—
  - (a) to implement Chapter 3 of Title II of Part 2 of the withdrawal agreement (professional qualifications),
  - (b) to supplement the effect of section 7A of the European Union (Withdrawal) Act 2018 in relation to that Chapter, or
  - (c) otherwise for the purposes of dealing with matters arising out of, or related to, that Chapter (including matters arising by virtue of section 7A of that Act and that Chapter).
- (2) An appropriate authority may by regulations make such provision as the authority considers appropriate—
  - (a) to implement Chapter 3 of Title II of Part 2 of the EEA EFTA separation agreement (professional qualifications),
  - (b) to supplement the effect of section 7B of the European Union (Withdrawal) Act 2018 in relation to that Chapter, or
  - (c) otherwise for the purposes of dealing with matters arising out of, or related to, that Chapter (including matters arising by virtue of section 7B of that Act and that Chapter).
- (3) An appropriate authority may by regulations make such provision as the authority considers appropriate—

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**Changes to legislation:** There are currently no known outstanding effects for the European Union (Withdrawal Agreement) Act 2020, Cross Heading: Professional qualifications. (See end of Document for details)

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- (a) to implement professional qualification provisions of the Swiss citizens' rights agreement,
  - (b) to supplement the effect of section 7B of the European Union (Withdrawal) Act 2018 in relation to those provisions, or
  - (c) otherwise for the purposes of dealing with matters arising out of, or related to, those provisions (including matters arising by virtue of section 7B of that Act and those provisions).
- (4) For the purposes of subsection (3) the following are “professional qualification provisions” of the Swiss citizens' rights agreement—
- (a) Part 4 of that agreement (mutual recognition of professional qualifications);
  - (b) Article 23(4) of that agreement as regards the recognition of professional qualifications.
- (5) If an appropriate authority considers it appropriate, regulations under subsection (1) or (2) relating to the implementation of a provision of Chapter 3 of Title II of Part 2 of the withdrawal agreement or of the EEA EFTA separation agreement may be made so as to apply both to—
- (a) persons to whom the provision in question applies, and
  - (b) persons to whom that provision does not apply but who may be granted leave to enter or remain in the United Kingdom by virtue of residence scheme immigration rules, whether or not they have been granted such leave (see section 17).
- (6) The power to make regulations under subsection (1), (2) or (3) may (among other things) be exercised by modifying any provision made by or under an enactment.
- (7) In subsection (6) “enactment” does not include primary legislation passed or made after IP completion day.
- (8) In this section, “appropriate authority” means—
- (a) a Minister of the Crown,
  - (b) a devolved authority, or
  - (c) a Minister of the Crown acting jointly with a devolved authority.
- (9) Schedule 1 contains further provision about the power of devolved authorities to make regulations under this section.

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**Commencement Information**

**II** S. 12 in force at 19.5.2020 by S.I. 2020/518, reg. 2(d)

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